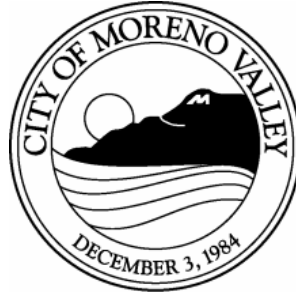

PLANNING COMMISSIONERS

MELI VAN NATTA
Chair

GEORGE SALAS, JR.
Vice-Chair

JEFFREY GIBA
Commissioner



AMBER CROTHERS
Commissioner

THOMAS A. OWINGS
Commissioner

CARLOS RAMIREZ
Commissioner

RAY L. BAKER
Commissioner

PLANNING COMMISSION AGENDA

September 13, 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

APPROVAL OF MINUTES

1. March 8, 2012
2. May 10, 2012
3. June 28, 2012
4. July 12, 2012

PUBLIC HEARING ITEMS

1. Case Number: PA12-0027
Case Description: Energy Efficiency and Climate Action Strategy
Case Type: Development Code Amendment
Applicant: City of Moreno Valley
Representative: Planning Division
Location: Citywide
Proposal: To adopt an Energy Efficiency and Climate Action Strategy Document. The proposal includes potential programs and policies to reduce overall energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects.

Case Planner: Gabriel Diaz

Recommendation: **APPROVE** Resolution No. 2012-23 and thereby **RECOMMEND** that the City Council:
 1. **RECOGNIZE** that PA12-0027 (The Energy Efficiency and Climate Action Strategy) qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378; and,
 2. **APPROVE** PA12-0027 (The Energy Efficiency and Climate Action Strategy).

OTHER BUSINESS

1. For Review and Discussion: Planning Commission Rules of Procedure

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 MARCH 8TH, 2012

5
6
7 **CALL TO ORDER**

8
9 Chair Baker convened the Regular Meeting of the City of Moreno Valley Planning
10 Commission on the above date in the City Council Chambers located at 14177
11 Frederick Street.

12
13
14 **ROLL CALL**

15
16 Commissioners Present:

17 Chair Baker
18 Commissioner Crothers
19 Commissioner Giba
20 Commissioner Owings
21 Commissioner Ramirez
22 Commissioner Van Natta

23
24 Excused Absence:

25 Vice Chair Salas

26
27 Staff Present:

28 John Terell, Planning Official
29 Senior Planner Mark Gross
30 Associate Planner Gabriel Diaz
31 Michael Lloyd, Transportation Consultant Engineer
32 Clement Jimenez, Land Development Engineer
33 Randy Metz, Fire Marshall
34 Suzanne Bryant, Assistant City Attorney

35
36
37 **PLEDGE OF ALLEGIANCE**

38
39
40 **APPROVAL OF AGENDA**

41
42 CHAIR BAKER – Thank you. Could I have a motion to approve the Agenda
43 please?

44
45 COMMISSIONER CROTHERS – I'll motion

1 **COMMISSIONER OWINGS** – Second

2
3 **CHAIR BAKER** – I have a motion to move to approve the Agenda and a second;
4 all those in favor?

5
6 Opposed – 0

7
8 **Motion carries 6 – 0, with one absent (Vice Chair Salas)**

9
10
11 **PUBLIC HEARING ITEMS**

12
13 **CHAIR BAKER** – May the public please be advised of the procedures to be
14 followed in this meeting. Procedures are on display at the rear of the room.

15
16
17 **PUBLIC COMMENTS**

18
19 **CHAIR BAKER** – Comments by any member of the public on any matter which
20 is not listed on the Agenda and which is within the subject matter jurisdiction of
21 the Commission.

22
23
24 **NON-PUBLIC ITEMS**

25
26 **CHAIR BAKER** – We have no Non-Public Items, so we'll start with Public Items
27 at this time.

28
29
30 **PUBLIC HEARING ITEMS**

31
32 **1. Case Number: PA11-0038 Conditional Use Permit**
33 **P11-098 Amended Master Plot Plan**
34 **P12-012 Administrative Variance**

35
36 **Case Planner: Mark Gross**

37
38 **CHAIR BAKER** – This case has to do with a Fast Food Restaurant with Drive-
39 thru located in the Moreno Valley Shopping Center with a Conditional Use
40 Permit, Amended Plot Plan with and Administrative Variance. Mark Gross will be
41 our Planner for this item and Mark will you please proceed.

42
43 **SENIOR PLANNER GROSS** – Yes, good evening Chair Baker and members of
44 the Planning Commission. As you mentioned I'm Mark Gross, Senior Planner to
45 provide a brief report on this particular project before you this evening. The
46 Applicant, MacDonald's USA is requesting the approval as we mentioned of a

1 Conditional Use Permit, Master Plot Plan and an Administrative Variance for a
2 3,838 square foot fast food restaurant. It will have a drive-thru and it will be
3 located in the Moreno Valley Plaza Shopping Center. It is going to be located on
4 an 18 acre site within the Community Commercial Land Use District as well as
5 the Village Specific Plan. The project is located on the south side of Sunnymead
6 Boulevard between Graham Street and Heacock Street and is proposed to
7 replace a 6,636 square foot retail building, which will be demolished. A fast food
8 drive-thru restaurant on a commercial parcel is considered a conditional
9 permitted use; conditionally permitted use as the parcel it sits on is within 300
10 feet of residential uses. Now the restaurant will be located in an integrated
11 shopping center on one of three large parcels adjacent to Sunnymead Boulevard
12 and it will be located within 600 feet from residential uses adjacent to the
13 southerly portion of the shopping center. Again, this will be located up towards
14 Sunnymead Boulevard.

15
16 The proposed use meets standards, in this case for circulation including drive
17 aisle, stacking of vehicles to the drive-thru window and driveway access. The
18 project site plan and elevation plans are located there on the far wall. A Master
19 Plot Plan as one of those plans depicts, does include for the entire 340,000
20 square foot retail shopping center and with this Master Plot Plan and it is going to
21 no changes in circulation and modification of the center itself. Now the parking
22 for the center includes approximately 1,708 parking stalls, 39 of the stalls are
23 going to be required for the restaurant use and some of those stalls will be
24 adjacent to the restaurant and of course some of them will be kind of into the
25 parking lot on the other side of the aisle.

26
27 The architectural design of the building has been... we've been working with the
28 Applicant pretty diligently to provide for compatibility with the existing shopping
29 center. In this case the project is really including a mixture of primarily the
30 current shopping center design, which would also combine with MacDonald's
31 corporate design. Now in this case the structure takes on a Spanish
32 Mediterranean architectural theme which incorporates stucco walls, exposed
33 beams, visible columns; you have under eave embellishments; trellis and a
34 proposed tower element with an exposed tile roof. Those are all aspects and
35 items that are included within the shopping center and that does provide some of
36 the compatibility for architecture. Now additional conditions of approval are also
37 included to ensure compatibility of color with the City's color palette and the
38 decorative up lighting sconces will we'll also be requiring at the building permit
39 stage.

40
41 Now the Applicant has also provided or applied in this case for an Administrative
42 Variance and this variance is going to allow a trellis, which again is another
43 architectural feature that you will see in that particular center. It is going to be
44 attached to the fast food restaurant and is going to encroach two feet into the 20
45 foot front yard setback. Now in this case an Administrative Variance is allowed
46 for a 10 percent adjustment of existing setback requirements which it is meeting

1 and justification for the variance includes compatibility as I mentioned the posts
2 and trellis with features included in the shopping center; also there are front yard
3 setbacks out on that center that is only 15 feet. In fact all of the other buildings
4 that are located up along Sunnymead Boulevard are all typically 15 feet to the
5 property line, where this one is 20 and you are actually allowing for that two foot
6 encroachment of the post and also in this case it is compatible for the fact that
7 the General Plan goals and objectives have been met including convenient and
8 comfortable pedestrian access to sidewalks where buildings are designed and
9 are sited to a human scale environment.

10
11 Now the fast food restaurant project and demolition of the building; the retail
12 building are exempt from the requirements of the California Environmental
13 Quality Act (CEQA) that is pursuant to 15303, New Construction or Conversion of
14 Small Structures. We did provide noticing out within a 300 foot radius of the site
15 and in the newspaper and on the site itself. The City received one general public
16 comment on the notices provided and that was via telephone. That concludes
17 the brief report on the project and at this point Staff would be happy to answer
18 any questions that you may have. I do want to mention that both Chris Stamps
19 the MacDonald's representative and Erica Iverson, the project representative
20 from the Fiedler Group are both in the audience this evening to answer any
21 questions that will be later on in the Public Hearing process. Thank you.

22
23 **CHAIR BAKER** – Okay who wants to go first as far as questions of Staff? Okay
24 right here.

25
26 **COMMISSIONER CROTHERS** – Mark you said that you got one response from
27 the community. What was the response? Was it positive; negative...?

28
29 **SENIOR PLANNER GROSS** – Yes the response actually Commissioner
30 Crothers was a... we had a call and actually I believe it was a resident that was
31 south of the site and he was just asking about what building was actually going to
32 be demolished out there on the site and so we did kind of mention that if you
33 know the site it is the old warehouse; it used to be the Warehouse Records
34 Building and that was all he really wanted to know. He said he didn't have any
35 issues regarding the project.

36
37 **COMMISSIONER CROTHERS** – Okay thank you

38
39 **CHAIR BAKER** – Very good. Who is next?

40
41 **COMMISSIONER RAMIREZ** – Hi Mark. My question is the tile roofing that's on
42 that structure; that post; is that the only area that is going to have tile roofing?

43
44 **SENIOR PLANNER GROSS** – Well yeah, Commissioner Ramirez, I believe the
45 tile that you see is going to be on the tower element. That is the only area where
46 there will be tile elements. That is something that we wanted. We wanted to

1 make sure that we get some of the site or the architecture into this site. Again it
2 is more kind of Spanish Mediterranean and in this case we have the tile roofs on
3 that particular tile structure, but that is the only structure.

4
5 **COMMISSIONER RAMIREZ** – And that color is going to match the other tile
6 structures that are in the facilities?

7
8 **SENIOR PLANNER GROSS** – That’s correct, it will match.

9
10 **COMMISSIONER RAMIREZ** – Okay

11
12 **COMMISSIONER VAN NATTA** – A couple of questions. Number one, I had the
13 same concern about the tile roof. It seems like one little corner of tile doesn’t
14 really bring it that much into the same appearance from the rest of the buildings
15 that all have tile roofs. Was there any consideration to like a façade along the
16 edge that showed at least a tile trim or something like that?

17
18 **SENIOR PLANNER GROSS** – Commissioner Van Natta, I believe we really
19 worked with the Applicant on this. In a sense when we first got it, I don’t believe
20 there was any tile on some of the areas. We did again try to get it for this tower
21 element. It didn’t appear that based on the aspects of the roof line that we would
22 be able to get tile on any portions of that or any other type of embellishment on
23 that particular building?

24
25 **COMMISSIONER VAN NATTA** – Because to me it kind of looks like a modernish
26 square box with some trim on it that somebody stuccoed; little tower that got
27 some tile on there and it doesn’t to me look much like the other buildings in the
28 center.

29
30 **COMMISSIONER OWINGS** – It’s not too Mediterranean

31
32 **COMMISSIONER VAN NATTA** – Yes, not much Mediterranean. That was one
33 question. The other question that I had is where the main driveway comes in
34 alongside that, is that where that other stop light is where people are going to be
35 turning in off of Sunnymead? There is no stop light or anything there?

36
37 **PLANNING OFFICIAL TERELL** - The stop light is down the street

38
39 **COMMISSIONER VAN NATTA** – It is down the street further

40
41 **PLANNING OFFICIAL TERELL** – Yes it is to the west

42
43 **COMMISSIONER VAN NATTA** – So at the point where they would be turning left
44 in for example, coming westbound on Sunnymead, they would be pulling in
45 across traffic to get into that location?

1 **PLANNING OFFICIAL TERELL** – Yes, it is one of the main driveways; it is really
2 the main driveway that goes towards the supermarket that is there and there is a
3 center turn lane there.

4
5 **COMMISSIONER VAN NATTA** – There is a center turn lane; okay

6
7 **PLANNING OFFICIAL TERELL** – Yes

8
9 **COMMISSIONER VAN NATTA** – Alright, that was my questions for now

10
11 **COMMISSIONER BAKER** – Okay, who's next?

12
13 **COMMISSIONER GIBA** – I don't know if this is for Mike probably more than
14 anybody else. Personally I don't have a problem with the tile or anything. It is off
15 of the face; it is off on the front; I think that's all cool with me, but I think what was
16 troubling me because I went down to the site to look at it is the one road on our
17 right side of it is almost like an alley entrance between what used to be the
18 record store and is now the Subway on that other side. It is not a real wide road
19 for all intents and purposes and the one on the other side is a little bit further
20 down; that's the stop light with a double lane entrance. Are we following? But
21 what I'm showing is that you've got entrance into the MacDonald's from both
22 directions to their drive-thru. Do you follow me? So, the pattern I've got here
23 shows they can enter the drive-thru at only one location, but from both entrances.
24 I'm concerned about the back up of traffic trying to get in. I love MacDonald's
25 and if everybody else is trying to into MacDonald's at the same time to get
26 something to eat, they are going to hitting each other nose on to go into that only
27 one direction and do you get me and I'm afraid you might have a big traffic tie up
28 out on Sunnymeade Boulevard. Is there any way to mitigate that to having only
29 being able to access from only one of those main entry drive points? Am I
30 making sense Michael?

31
32 **TRANSPORTATION ENGINEER LLOYD** – I do understand what you're
33 describing.

34
35 **COMMISSIONER GIBA** – Okay, good, thank you

36
37 **TRANSPORTATION ENGINEER LLOYD** – In response and by the way I'm
38 Michael Lloyd with Transportation Engineering. I do understand what your
39 concern is, but I think the mitigating factor would be that we do have design
40 standards for stacking for drive-thru; you know fast food restaurants and from
41 what I understand this either meets it or it exceeds our stacking requirements, so
42 the likelihood of any traffic backing out onto Sunnymeade would be minimal to not
43 likely; and I don't have the exact measurements in terms of how far the drive-thru
44 is from Sunnymeade, but we would be talking about a significant number of
45 vehicles in queue. I think and if I'm correct Mark, our standard calls for eight
46 vehicles in queue, so we are providing at least eight vehicles of stacking space

1 within the drive-thru lane itself, so for it to spill back onto Sunnymead, we are
2 probably talking about 20 and I'm just guessing off the top of my head here, but
3 probably 20 vehicles or more, so that is a significant number of vehicles that I
4 can't recall from just personal observation seeing that at fast-food restaurants
5 across the City, so maybe you have some personal experience with that number
6 of vehicles, but I can't recall any.

7
8 **PLANNING OFFICIAL TERELL** – Yes the other thing is and it might be a
9 question when the Applicant comes up, we talked about that very issue and they
10 explained kind of the way their restaurants operate now, where there is a pay
11 window and then there is... well there is an order area, there is a pay window
12 and then there is a pick-up window and how that creates a better flow of
13 customer traffic because they told us and I have to believe them is they are just
14 as concerned; they want their customers to have a convenient and a good
15 experience going through the drive-thru. You asked another question regarding
16 people coming from two major... and I think the answer to that is no there isn't
17 really a way to limit that unless we were going to change the circulation for the
18 center itself and that would probably have impacts on other tenants there. This is
19 kind of on a back water lane. It is not the major lane.

20
21 **COMMISSIONER GIBA** – No it's not. It's just; I call it an alley lane for all intents
22 and purposes and it is a very tight lane between there; it's not a double lane and I
23 hear what you are saying and Mark I don't know if it was really directed at you
24 and just the two of you sitting there; it's cool but there are two concerns there
25 when I'm saying that. I went out there and I looked at the flow of the area. (a)
26 We've never had a fast food restaurant on that street before. I think it is
27 marvelous to have one there, but we don't know what's going to happen to
28 Sunnymead Boulevard with the traffic from the other side and all the traffic that
29 comes up to Sunnymead Boulevard. The second thing is these two are coming
30 into each other head on to go in there and I don't remember and if anybody can
31 else can help me, I don't remember too many fast food restaurants that have
32 double access into a point like that and I looked around tried to find something.
33 They always have one circulating pathway into it and not two drives coming into
34 it, so the stack up I am also concerned about is when the two are meeting head
35 to head, who is going first, who is going second; the stop sign there. Do you
36 know what I'm saying? We might end up having a traffic flow problem there and
37 maybe not; you guys are the experts and not me, I just want you to consider that
38 and take a look at that issue.

39
40 **PLANNING OFFICIAL TERELL** – Yes we did ask that question specifically and
41 Michael can... and we moved the drive-thru entry away. I mean there were
42 several changes to kind of move it as far away from the drive entrance as
43 possible, but I think having the two entry ways in there will probably make things
44 a little bit better because not all of the traffic will be coming from one side. I'm
45 trying to think, there are a number of fast food restaurants elsewhere in town and
46 not on Sunnymead Boulevard that do have kind of a similar situation and I'm

1 thinking of say the Baker's or the Panda Express in front of Costco, where you
2 have that drive aisle and they are coming in from both ends.

3
4 **COMMISSIONER GIBA** – I know, I've been caught in that before

5
6 **PLANNING OFFICIAL TERELL** – So, the strength here and I'll defer back to
7 Michael, it is not on a main drive, it is on an alley as you said and is between and
8 not right at a main drive aisle.

9
10 **TRANSPORTATION ENGINEER LLOYD** – I can't think of anything to add to
11 that. As John eluded, we've gone through some iterations; at least two or three
12 on trying to site the drive-thru so that it operates and functions smoothly and
13 safely and this was the end product of those iterations that this was believed not
14 only by the Applicant but by City Staff that this was the best alternative.

15
16 **COMMISSIONER GIBA** – I don't think it is a deal killer at any rate, but I'm just
17 concerned that I want it to be a wonderful experience for the people too and if
18 they are coming down Sunnymead Boulevard and they turn right into the alley
19 and they are waiting to turn left into that alley or they are coming into the other
20 side, I know that this is a wonderful opportunity for our City to have MacDonald's
21 in the middle of the town for all intents and purposes, because there is only one
22 on Day Street and that is not ours and I think we have one all the way at the
23 other end of Heacock...

24
25 **COMMISSIONER VAN NATTA** – Perris

26
27 **COMMISSIONER GIBA** – All the way up Perris; yes

28
29 **COMMISSIONER OWINGS** – So Jeff, so I can clarify if I could, you're concern is
30 that there would be queuing occurring in the alley

31
32 **COMMISSIONER GIBA** – And in the parking lot area right in front of the
33 entrance where there is...

34
35 **COMMISSIONER OWINGS** – Could we specify which entrance if we could so I
36 can understand; can we talk about them one at a time?

37
38 **COMMISSIONER GIBA** – Sure

39
40 **COMMISSIONER OWINGS** – The entrance in the alley would queue into
41 Sunnymead and only people driving and I guess that would be south or east
42 would be able to turn into that alley, is that correct?

43
44 **COMMISSIONER GIBA** – That alley would be east or west on Sunnymead
45 Boulevard

46

1 **COMMISSIONER VAN NATTA** – They'd come either way

2
3 **COMMISSIONER OWINGS** – I thought there was a traffic separator there?

4
5 **COMMISSIONER VAN NATTA** – No he said there is a turn lane

6
7 **PLANNING OFFICIAL TEREEL** – I believe it is open and what they have I think
8 is what I think recall is a media knot which is a flat median. It is a different
9 pavement type but it is not raised so that you can drive on it...

10
11 **COMMISSIONER OWINGS** – So they can't turn in there, so your concern is
12 because there is traffic flow from both directions, that there could be queuing in
13 the alley which might extend into Sunnymead Boulevard and then I didn't quite
14 understand on the second one your supposition is that people would go around if
15 there is queuing there would they drive around and that would cause a problem
16 at the main entrance?

17
18 **COMMISSIONER GIBA** – I guess my vision is a little different. There are two
19 access points in two; I mean to say three access points coming in from the
20 parking lot itself, but only two access points coming into the entrance to the
21 MacDonald's drive-thru. Coming through that little alley way; if you are assuming
22 everybody is coming to MacDonald's, but what if I turn into that alley and I'm not
23 coming to MacDonald's, I'm caught in MacDonald's queue, because I can't get
24 out of there. Do you follow me? So that's one and number two you've got traffic
25 coming in from both and coming from the west going east in that little front of
26 MacDonald's and you've got traffic coming in from the small alley way and they
27 are going to hit head on and whose is there to tell them who goes first and who
28 goes second and who goes third. We already know we have some of those
29 problems when you come to a four-way stop sign. You see what I mean and yet
30 yes maybe you guys have got all the experience that that is not going to happen
31 but I can see something is going to happen there. I'm not sure.

32
33 **COMMISSIONER OWINGS** – Well I think I share your concern about part of it.

34
35 **COMMISSIONER VAN NATTA** – If I might. I have a question but it would be
36 easier for me if I could go over there and point to what I'm talking about. Is this
37 okay?

38
39 **PLANNING OFFICIAL TEREEL** – Yes, so I don't know if you want to use the
40 mike so we have it on the...

41
42 **COMMISSIONER VAN NATTA** – Okay thank you, just so I've got this clear in my
43 head. This is the part that faces Sunnymead Boulevard right?

44
45 **PLANNING OFFICIAL TEREEL** – Correct

1 **COMMISSIONER VAN NATTA** – A couple of things. This right here is what I'm
2 saying is not looking like it matches with the construction of the rest of the center.
3 Is there any reason why this lattice overlook here can't be some sort of a tiled
4 patio cover type looking thing that comes down at a little bit of an angle instead of
5 just the flat, so that it gives it more of that tile look that the rest of the center has?
6

7 **PLANNING OFFICIAL TERELL** – Yes, could it; yes there are some covered
8 walkways on the main shop buildings. There are actually two types of buildings
9 there. There are buildings that have these flat fronts and the majority which is a
10 lot of the major stores and then there are smaller stores that have basically a
11 walkway and we did look at one alternative but the amount of roof they could
12 accomplish which was so small that it really didn't give the same effect as the
13 other roofs there. It is a good question for the Applicant also, but could that
14 happen; yes. The trellis is also pretty common throughout the shopping center.
15 The other thing that is on there is the decorative cap that is around the top of all
16 the buildings, but would a roof similar to what is on the front of the shop buildings
17 be possible and make it compatible; sure it would, but that was not a design
18 element that the Applicant felt comfortable with.
19

20 **COMMISSIONER VAN NATTA** - I'd like to see them try something else. The
21 other question has to do with the traffic flow and everything. Down here is where
22 the light is right?
23

24 **PLANNING OFFICIAL TERELL** – Correct
25

26 **COMMISSIONER VAN NATTA** – Okay, and then here you have this open what
27 they used to call Dead Man's Lane or something like that.
28

29 **PLANNING OFFICIAL TERELL** – Suicide, if you are so inclined
30

31 **COMMISSIONER VAN NATTA** – Yes suicide, okay, because there are
32 businesses on the other side over here and if you start increasing the amount of
33 traffic that is going to be turning left into here and all you have is the suicide lane,
34 then you are going to run into problems with people pulling into here to turn left;
35 people pulling into here to turn left into head on traffic type of thing. Can a
36 double turn lane be put here for the access to this alley here or to this extra wide
37 driveway to where you actually have a left turn lane put in there so that it... for
38 both directions so that it isn't a suicide lane at that point. Is that practical?
39

40 **PLANNING OFFICIAL TERELL** – I think I'll defer to Michael but I don't think
41 there is enough width there.
42

43 **COMMISSIONER VAN NATTA** – Well there is down here. Isn't there a turn lane
44 here?
45

46 **TRANSPORTATION ENGINEER LLOYD** – Correct

1 **COMMISSIONER VAN NATTA** – That’s the same width

2
3 **PLANNING OFFICIAL TERELL** – It’s not a double turn lane. I believe they
4 have... they are next each other but they are not side by each, correct?

5
6 **TRAFFIC CONSULTANT ENGINEER LLOYD** – Right, it’s...

7
8 **COMMISSIONER VAN NATTA** – No I didn’t mean double as two that could turn
9 left at the same time. It is similar to what was done here at the light. Could that
10 be done there? Wouldn’t that provide better access and also control the traffic
11 flow a little bit?

12
13 **PLANNING OFFICIAL TERELL** – Possibly, but I remember it was very painful
14 when the Redevelopment Agency went through design of the Sunnymead
15 Boulevard enhancements to close off any existing access that people had. It did
16 occur at the signalized intersections because that was where you have the most
17 concentrated turning movements. I’m not saying that it’s not possible, but I don’t
18 believe that there were any traffic issues identified with this particular Applicant to
19 force that level of improvements in the public street.

20
21 **TRANSPORTATION CONSULTANT ENGINEER** – That is correct John

22
23 **COMMISSIONER VAN NATTA** – Okay

24
25 **PLANNING OFFICIAL TERELL** – We couldn’t justify making that a requirement

26
27 **COMMISSIONER VAN NATTA** – Okay, alright, well that was my questions,
28 thank you.

29
30 **COMMISSIONER OWINGS** – So it gets back to what you and I were talking
31 about. You’re suggestion might be as I understand it was to consider eliminating
32 the alley access?

33
34 **COMMISSIONER GIBA** – I’m going to defer that to the experts out there and I’m
35 saying this only because I’m trying to alert you to a concern. Your job is to find
36 the answer to the concern, it is not for me to tell you the answer to the concern;
37 at least I don’t think so. I don’t think closing the alley off for the access to the site
38 is wise but maybe perhaps not allowing entrance into MacDonald’s from that
39 point.

40
41 **COMMISSIONER CROTHERS** – I guarantee if you block access to that
42 MacDonald’s from that point, people are going to make illegal turns to get into
43 that parking lot; absolutely.

44
45 **COMMISSIONER GIBA** – No, no, I’m not saying block off the street access, I
46 just said that. I not saying about block off the alley way access, I’m just saying at

1 that immediate right hand turn. They can go through the parking lot to go there;
2 they are going to do that anyway.

3
4 **COMMISSIONER CROTHERS** – They are going to turn off Sunnymead into that
5 alley way to get into MacDonald’s anyway

6
7 **COMMISSIONER GIBA** – Absolutely they will, but they don’t queue up right
8 there at that corner.

9
10 **COMMISSIONER OWINGS** – How would you prevent them from...? I’m curious
11 how...

12
13 **COMMISSIONER GIBA** – Well make that an end parking zone. That is the end
14 of the parking lot at that point; at that road for the entrance to MacDonald’s and
15 make your roadway just come around and they’ll do that anyway because they
16 are going to park. You are going to have people having to park over there to go
17 to MacDonald’s to eat and now they are going to be skittering across all the lines
18 of traffic trying go in there as well. I mean that’s only my vision okay and that’s
19 all...

20
21 **COMMISSIONER OWINGS** – Well I share... I understand your concern because
22 you know if you have ever driven into that center, sometimes it is like taking your
23 life in your own hands.

24
25 **COMMISSIONER VAN NATTA** – But I don’t see how making people go through
26 more of the parking lot to get there is going to do anything more than just cause
27 more parking lot accidents.

28
29 **COMMISSIONER GIBA** – Like I said, it’s not a scene stealer; it’s not a scene
30 stealer, I’m just giving you something to think about. If there is nothing you can
31 do about that and this is the best access that you have, hey unless you put it in
32 there, you know no problem on my point, this is not something I’m going to say I
33 don’t this here for; if you understand my point, but I think it is incumbent on us up
34 here to point out things that might be of current concern, even though you didn’t
35 get the phone call, because not everybody comes to these meetings or even
36 watches them.

37
38 **PLANNING OFFICIAL TERELL** – Yes, I think to some extent if we let shopping
39 centers once... we try to create standards that provide the separations that work
40 generally, but there are possibilities for extra stacking in a parking lot and that
41 shopping center has to manage those or that restaurant has to manage those. I
42 think a good example of that would be Baker’s again. Baker’s does not have
43 sufficient space. They meet the Code, but their operations are different and they
44 stack up more, but they worked a way to do it that they stack up back into the
45 parking spaces and people seem to kind of know that; they kind of get used to
46 that and they just start queuing up and they seem to be much nicer than maybe

1 the people queuing for the gas station over there, but it is much more orderly and
2 I think they've worked that out. Why can't I think of the name of it...at Portello's
3 across the way, they have a pretty elaborate system they set up in order to
4 address when they have their high volume times also and they you know if they
5 have to they go out there and they direct traffic, so I understand your concern,
6 but when we go beyond the Code or the industry standards, it is really hard to
7 come up with something that eliminates those kind of unforeseen issues, but
8 again I think it is a question for the Applicant. They can explain, which they did to
9 us, and it made sense that you have three points that you are stopping before
10 you get your food and it is going much quicker and you have additional queuing
11 spaces between the pay window and the pickup window there are additional
12 people waiting there, rather than everyone stacked up at the pickup window,
13 which is typically; which is how the eight car standard was established. It was
14 really to the pickup window. Here the car standard is through the pay window, so
15 they are really exceeding the normally standard.

16
17 **COMMISSIONER OWINGS** – John to just follow up on that you know and bear
18 with me a little bit, but right behind the pay window is the pickup window and
19 there is a car right behind you, so you know the queuing standard really, I don't
20 follow how that creates...

21
22 **PLANNING OFFICIAL TEREILL** – Well most restaurants have pay and pickup at
23 the same window.

24
25 **COMMISSIONER OWINGS** – So there is a longer delay at that window, but it is
26 just a matter of a car length or two the difference between the two windows.

27
28 **CHAIR BAKER** – A couple of cars

29
30 **PLANNING OFFICIAL TEREILL** – Yes at least, and then the idea is then it is
31 exceeding the standard because we measured at the most conservatively

32
33 **COMMISSIONER OWINGS** – Not to beat a dead horse but...

34
35 **PLANNING OFFICIAL TEREILL** – They are not serving that at MacDonald's I'm
36 sorry...

37
38 **COMMISSIONER OWINGS** – Well there is some talk about it... At the risk of
39 beating a dead horse, you know I sort of share some of those concerns that you
40 are having there and it seems to me the only way to resolve that would be to not
41 use that alley way as an entrance way and have one single entrance way and it
42 seems to be the only realistic way to solve it and that would probably be harmful
43 to other businesses correct?

44
45 **PLANNING OFFICIAL TEREILL** – Yes and I think it might actually make it worse
46 because then you would in fact if you came out of the drive aisle you would be

1 stacking all one way and I think much more likely to get out to Sunnymead, that
2 main drive aisle then allowing people... we all want them to be successful
3 stacking from both ends and just having a little bit of courtesy
4

5 **COMMISSIONER OWINGS** – So going from the last comment you made in
6 terms of their responsibility to know what they're doing. They are the one with
7 the investment here.
8

9 **PLANNING OFFICIAL TERELL** – Yes and this is a Conditional Use Permit, so if
10 there really was a problem caused that spilled out over onto the public street that
11 that management of the shopping center wasn't able to control internally, it is a
12 Conditional Use Permit and we would have a little more...
13

14 **COMMISSIONER OWINGS** – We would have some recourse as a City; correct?
15

16 **PLANNING OFFICIAL TERELL** – Yes
17

18 **COMMISSIONER GIBA** – And I'd like to say in some ways MacDonald's I hope
19 that really does happen, because that means you are getting a lot of people
20 come in.
21

22 **COMMISSIONER OWINGS** – Believe me they'll have plenty of business I'm
23 sure. The firm that is designing this specializes in these types of restaurants. I'm
24 familiar with the firm, so I do have some confidence that they know what they are
25 doing. So going on if I could just further onto Meli's concerns about the
26 compatibility of the design I built a building somewhat similar to this in another
27 City and we had some of the same concerns and the tiled veranda was the basic
28 way that we resolved the issue with the City and I could sure see that working
29 into that and my point is that you trying to get some architectural design point in
30 here and the tower is just kind of one them and then the trellis and because both
31 of them are in the shopping center doesn't necessarily mean that both have to be
32 displayed on this building. The more dominant one would probably be tile, so I
33 think I would like to say as a condition of approval of this that we would require
34 some additional work on the facing to the Sunnymead building or the building
35 facing Sunnymead to incorporate more points in the tile on that side, whether it
36 be a veranda or a mansard or something of that nature. I don't think that that...
37 so that's within our prerogative; correct?
38

39 **PLANNING OFFICIAL TERELL** – Yes
40

41 **CHAIR BAKER** – Why don't we do this at this point... yes, one quick question?
42

43 **COMMISSIONER VAN NATTA** – When we are brought something like when we
44 are told that they are trying to match the architectural design of the center, would
45 it be possible to have some sort of a display that shows how this fits in with the
46 architectural design other samples within that center along Sunnymead

1 Boulevard and then say look this is where we pulled this in and this is how it will
2 look with the other buildings that are there, because looking at the pictures;
3 remembering what the center looks like; seeing what it is now and so forth, it
4 sometimes it is a little difficult to truly judge whether or not that is going to be
5 within the architectural scheme.

6
7 **PLANNING OFFICIAL TEREEL** – Yes, that’s a fair request because
8 compatibility doesn’t mean matching and as you say a picture might answer a
9 thousand questions but is worth a thousand words at least.

10
11 **COMMISSIONER OWINGS** – Just one more thing for you guys to do.

12
13 **PLANNING OFFICIAL TEREEL** – And so certainly a picture of one of the
14 buildings and showing each of these elements that are on buildings...

15
16 **COMMISSIONER OWINGS** – The Applicant may have a picture of that now
17 right?

18
19 **PLANNING OFFICIAL TEREEL** – They may

20
21 **CHAIR BAKER** – Why don’t we do this? Let’s bring the Applicant forward right
22 now. Do both you folks want to come forward or do we have the people from the
23 Fiedler Group and then the lady from MacDonald’s; correct? If you would do a
24 favor for me, just state your name and your business address for the record
25 please.

26
27 **APPLICANT IVERSON** - Well good evening, my name is Erica Iverson. I am
28 with the Fiedler Group. It is 2322 West Third Street in Los Angeles. We have
29 been working with Staff on some of these issues, both circulation and the
30 elevations. Those were their concerns as well with site. I’ll start with the
31 circulation element that has been discussed here. First off, you know the existing
32 circulation for that shopping center is not changing. We wanted to work within
33 the system that is there. We don’t want to change that. People are familiar with
34 it and it is working well at the time. Our original site plan actually did stack up
35 closer to that entry way on the east side. We were less than 30 feet from that
36 drive aisle and working with the Planning Staff and Traffic Engineering we
37 needed to exceed 30 feet. We are now 70 feet from that drive entrance plus our
38 eight cars of stacking to the cash window and there is another 40 feet to the
39 pickup window. MacDonald’s has spent a lot of time analyzing that and how that
40 works and for them, those are really critical dimensions and we meet those
41 dimensions for them. They have an order point; they have 60 feet; they have
42 their cash window where they pay and another 40 feet where they pickup. That
43 was all analyzed to make sure that they are efficiently operating. They don’t
44 have cars... you know it’s a full car length then that can stack there and it keeps
45 the flow circulating. They certainly did not want to have the situation that has
46 been discussed here where people are frustrated and are spending too much

1 time. They won't come if they have to deal with that, so it is something that
2 we've thought about and feel that this layout will work for us.

3
4 As far as the architecture is concerned, again working with Planning Staff, it was
5 a concern of there's and we felt going forward that the trellis element that we
6 provide on the Sunnymead Boulevard; that is something that is seen all over that
7 center. They have those covered walkways and it really is making a statement
8 for that shopping center. The tower element is something that is seen not on
9 every building, but it is there on certain buildings as a feature; kind of a focal
10 point if you will and you know we thought looking at MacDonald's branding
11 elements that we need to incorporate plus what is happening in the center, these
12 were the items. Again working with Planning that we all agreed were going to be
13 the best fit. Our building is more modern. That center is outdated and we were
14 really looking to get you something that is going to make a nice transition into
15 how do we fit this MacDonald's; a new building, into something that has been
16 there for several years and that is really the approach that we've taken at this
17 time. Chris Stamps with MacDonald's is also here if you have questions of him
18 or further questions from me.

19
20 **CHAIR BAKER** – Okay, are there any questions of the Applicant here from
21 anybody?

22
23 **COMMISSIONER OWINGS** – Chair, could we just sort of start out with the
24 queuing. If my simple math is that's about 17 car lengths. Is that what you are
25 suggesting? What is the average car length... 12 feet; 10 feet; 12 feet...?

26
27 **APPLICANT IVERSON** – Right, so car lengths of stacking; the eight that has
28 been discussed here is really the Code requirement and then we have the 40
29 feet between windows, so that would be a car at the cash window, a car in
30 between the cash window and the...

31
32 **COMMISSIONER OWINGS** – Have you calculated the total numbers from the
33 street to the window? It seems like it might be around...

34
35 **APPLICANT IVERSON** – I honestly have not, but you've got 70 feet in the alley
36 leading to the drive-thru entrance and you've got another 100 feet to the order
37 point, another 60 feet...

38
39 **COMMISSIONER OWINGS** – Yes I think it calculates somewhere around 17 or
40 18 cars, so that's quite a few

41
42 **APPLICANT IVERSON** – Yes it's a lot

43
44 **COMMISSIONER OWINGS** – And then transitioning onto Meli's concern about
45 the design elements. I appreciate your comment about it tying into the other

1 building, but it is in my opinion the weakest design element in the center and of
2 course that is just my opinion.

3
4 **APPLICANT IVERSON** – Which one?

5
6 **COMMISSIONER OWINGS** – The trellis...

7
8 **APPLICANT IVERSON** – The trellis...

9
10 **COMMISSIONER OWINGS** – Yes and a stronger design element would be a tile
11 veranda, which is not really much more cost. I know there is structural issues
12 concerned with it, but hopefully you wouldn't find that condition to be over
13 burdening, but you know and I also want to clarify my concern and I think Jeff's
14 concern is not about frustration of the customers and the City's concern, is public
15 safety and that is why so much discussion about the queuing onto that very busy
16 street, which is somewhat antiquated too in its design, so I just want to make it
17 clear we like what you are doing and we appreciate your investment in our
18 community, but there are other concerns and they do involve public safety and so
19 that's my major reason why I believe are the points. We just need to make sure
20 it isn't a safety issue. I think that is a proper statement isn't it. Alright, thank you.

21
22 **CHAIR BAKER** – Now I assume Chris is an operations person from
23 MacDonald's. Is that correct?

24
25 **SPEAKER** – Good evening Commissioner. No I'm actually their Construction
26 Manager from MacDonald's.

27
28 **CHAIR BAKER** - Can you address this concern they have on the traffic flow?
29 You've got restaurants everywhere.

30
31 **SPEAKER** – Yes we do. I mean these are studied pretty hard through our
32 Corporate with MacDonald's on our queuing and in some instances and I'm not
33 saying in this case, but we do have some projects that actually have dual order
34 points, because there are some configurations where we have done that, but it is
35 not the case here, just because we have studied these so much, but I mean as
36 Erica said we are stacking close to 17 from our presenter window where the food
37 is being presented all the way back and through. The timing of getting the food
38 out is very, very fast. You know it is very proficient. We call it more of a you
39 know of an optimization. That is what we call this new kind of configuration with
40 the drive-thru. It has been studied very hard and we haven't had any issues with
41 any type of stacking on any of the other projects at least my standpoint from
42 working on it. We do have same conditions where you do have two different
43 entryways that do come in, so from MacDonald's standpoint we are pretty
44 comfortable on saying that from a stacking requirement, we are over exceeding
45 the limit that the City has and we are comfortable on saying that. As you said it is
46 a Conditional Use Permit and if there were some issues that might come up in

1 the future we would be more than happy to address you know the Planning
2 Commission again on that if there were some complaints and try to work out a
3 scenario from that.

4
5 **CHAIR BAKER** – Okay, thank you. Does anyone else have any...?
6

7 **COMMISSIONER GIBA** – Thank you guys. I really appreciate you bringing
8 MacDonald’s to the center of our town; I really do.
9

10 **SPEAKER** – It should be a great project
11

12 **COMMISSIONER GIBA** – Yes and I think it is going to look very nice. I think
13 what you said about upscaling or starting to transition this to looking a little bit
14 more modern is probably a wise thing to do because that was built when I was
15 living behind it and I don’t live there anymore; I live elsewhere. We moved here
16 in 1982 that hole was just an empty lot, so I’ve seen a lot of changes and I think
17 that is a good thing and I hate to be and I’m not going to beat the horse, he has
18 already dead, so we’re not going to beat him, but I just wanted to make one final
19 point. All our concerns were queuing for MacDonald’s. Am I correct?
20

21 **SPEAKER** – Sure
22

23 **COMMISSIONER GIBA** – My other concern wasn’t MacDonald’s I’m sorry. My
24 concern was people trying to get into the shopping center and getting stuck in
25 MacDonald’s line.
26

27 **SPEAKER** – I understand
28

29 **COMMISSIONER GIBA** – And I think it is wonderful that all the people want to
30 go to MacDonald’s but there are going to be some people turning into that road
31 who may not want to MacDonald’s and now they are stuck in your queue.
32

33 **SPEAKER** – I understand
34

35 **COMMISSIONER GIBA** – Do you see my other concern with that? That is an
36 access point to the shopping center as well as an access point to MacDonald’s
37 and that was my big concern. Now I’m thinking while you guys were talking that
38 is a two way road going in and going out; just as a point. What if you made it
39 only a one way in and you can’t go out that way. Now you have two entrances
40 into the shopping center and you’ve got a very large lit exit on the west side that
41 people can leave the shopping center and you’ve got another shopping point exit
42 to the right up by what used to be the bank and is now Jose’s; right, so what will
43 happen instead of having an in and out at that location, can you just have a
44 double entrance so that people coming to the shopping center can come in on
45 the left side and if they want go to MacDonald’s they come in on the other side.
46 Just a thought.

1 **PLANNING OFFICIAL TERELL** – Yes, I would defer to Michael on that but I can
2 hear the screams already on the other tenants that that is their main access.

3
4 **COMMISSIONER GIBA** – You know what, I’m throwing everything out there, but
5 it is not a scene killer, okay. I want you to understand that. It was just like Tom
6 was saying; it was just my concern for the community. Yes it is true, people
7 figure things out, but if they are going to figure out their own problems, why did
8 you have us here to begin with. I was hoping that we could try to help them
9 figure it out before it became a problem and last of all I don’t want it to be a
10 problem for you. I don’t want you to come back and say we’ve got a problem and
11 we’ve got to fix it.

12
13 **COMMISSIONER OWINGS** – So Jeff, if understand what you are saying, you
14 would limiting only the egress, not the ingress.

15
16 **COMMISSIONER GIBA** – Right, exactly... The people could have their own
17 special lane coming into the shopping center and the other lane would be just
18 coming into MacDonald’s, so now you could queue your little heart out and the
19 people could still get into the shopping center and they can still exit at several
20 other points. Just a thought Michael

21
22 **TRANSPORTATION ENGINEER LLOYD** – I understand what you are
23 describing.

24
25 **COMMISSIONER GIBA** – You don’t even have to answer me now. It is just
26 something to think about; that’s all.

27
28 **TRANSPORTATION ENGINEER LLOYD** – I’ll provide a very quick response if
29 that is okay with the Commissioners. If we left the driveway as is today, it is wide
30 enough and it functions as two directions; northbound and southbound; in and
31 out of the lot. In order to effectively restrict access to ingress only, that would
32 most likely require reconstruction of the driveway so that it is not the width of two
33 lanes, because people are accustomed to travelling as if it is both ingress and
34 egress; we’re making a change, if we don’t change the width of the driveway and
35 we left it as is, people will continue to travel as if it was a two way operation, so
36 that is something to consider. In that analysis if we left it as is, it is probably
37 going to function whether we want it to or not.

38
39 **COMMISSIONER GIBA** – Thank you Michael, that’s what I needed to hear

40
41 **CHAIR BAKER** – Okay, does anyone else have any comments of the Applicant?

42
43 **SPEAKER** – I just really quick; I’m sorry; I just want to get direction on kind of the
44 architectural standpoint on the tile veranda with you guys because I want to be
45 clear on what we are going to be actually... you want to condition us to put some
46 additional architecture on the building with some tile and I just want to be very

1 clear where we are at because you know as you can see and now as we kind of
2 discuss some of the design, this is all of our MacDonald's that we are doing now
3 nationwide have the same architecture features in terms of having more the
4 square up with the parapet and then having the roof elements that kind of break it
5 up with the trellis and I just want to get direction on kind of where we are at
6 because you know we want to work with Staff obviously on this because it is a
7 corporate image and having something deviate from that as well as obviously as
8 something that... you know I just want to make sure we are clear on kind of what
9 the direction is; that's all.

10
11 **COMMISSIONER VAN NATTA** – Okay, in taking a look at the whole thing as a
12 whole, I mean I understand what you are saying about combining the old with the
13 new and moving it forward a little bit, there is going to be some time and I
14 remember once my office was over there and they brought some designer in for
15 the whole plaza to update the look and that's problem going to happen sometime
16 in the future where they are going to want to update the look sometime and you
17 know there is not much sense in matching so totally to what is there, that then
18 you also have to be updated at the same time and I think this design does do a
19 pretty good job of bringing the old in with the new, but it seems as though that
20 concession to that red tile just on the tower somehow seems a little bit out of
21 balance. I don't know as replacing the trellis part would be the solution because
22 as you mentioned, that covered trellis walkway is throughout the center, but it
23 seems like a brick-like trim along the top of the building to bring that element
24 along; that brick element along to the rest of the building and kind of make it
25 included would not be difficult to do and would balance out the color without
26 clashing so much with the modern design element that you have on the end of
27 the building for MacDonald's and that was kind of what I had in mind. I don't
28 know what anybody else had in mind there. The trellis part; I mean I do recall
29 seeing all those covered walkways with the trellis work and so forth on it that
30 blend very well with that, but I think we do need to bring a little bit more of that tile
31 colored trim.

32
33 **COMMISSIONER OWINGS** – If you don't mind I'll just... My concern you take
34 this and extend it all the way. (Inaudible – does not have his speaker on)

35
36 **SPEAKER** – Drive-thru

37
38 **COMMISSIONER OWINGS** – If you extend something even clear to here; a
39 veranda or as Meli is saying (Inaudible – does not have his speaker on)

40
41 **SPEAKER** – Yes, that's the thing; like the mansard roofs. I think that is what you
42 are trying to talk about. That is like what I'm trying to say, that is why we are
43 going with this new image is to get rid of the mansard roofs. It is the old
44 MacDonald's style, so it is kind of like almost going backwards for what
45 MacDonald's is trying to do onto what they are doing. That's why I'm just trying
46 to do...

1 **COMMISSIONER VAN NATTA** – I wasn't talking about the mansard roof, I'm
2 just talking about the tile trim and it is not as much as the mansard roof.

3
4 **SPEAKER** – Like a roof cap type?

5
6 **COMMISSIONER VAN NATTA** – Yes like a cap

7
8 **CHAIR BAKER** – So what is the roof cap there now? Are you just doing a
9 stucco relief up there or how are you doing that?

10
11 **PLANNING OFFICIAL TERELL** – Yes, if I can intercede here. What we require
12 them to do is match the cap that is on the existing buildings there, so it's like a
13 sculptured cap and I've asked Mark to see if we do have some pictures of it
14 because I think I understand what you are talking about, but I think that would be
15 an element that is not anyplace in the center of having a tile... which on other
16 centers we have that where they have kind of a tile band as the cap, but in this
17 center they actually have a sculptured and it is probably concrete or stucco band
18 on the top and that is what they would need to do to match here. When you
19 talked earlier, I thought you were talking about a much more substantial basically
20 roof over where the trellis is and that would be another element that is in the
21 center, but there are no mansard roofs. A mansard roof is typically a very steep
22 roof and there are no other mansard roofs there.

23
24 **COMMISSIONER VAN NATTA** – Yes and that wasn't what I had in mind.

25
26 **COMMISSIONER OWINGS** – And just a comment in reply to your comment,
27 unfortunately for MacDonald's the City of Moreno Valley is not going to build the
28 rest of the City around your design, so I believe that that the mansard or the
29 covered trellis area might be the best way to bring in the... it's a stronger design
30 element and it would certainly... because this is facing the street and it is not
31 your best face forward. You know you put the pretty side of your building to the
32 inside, I think that is a good compromise is to put and even if it were just the
33 expanse of the existing trellis.

34
35 **SPEAKER** – Okay, so that was what I was just going to ask you; so you are
36 talking about extending the trellis further out.

37
38 **COMMISSIONER OWINGS** – I think it would look better, but I think those are up
39 to you guys, but there should be at least over the area of the trellis.

40
41 **SPEAKER** – And I hear you; that is a possibility, but I would say we would
42 definitely like to work with Staff on figuring an actual design that we could all kind
43 of live with on that to accept it.

44
45 **COMMISSIONER OWINGS** – Sure

46

1 **SPEAKER** – And I think we're close

2
3 **COMMISSIONER OWINGS** – I think you are clear in terms of what we're saying.
4 Just a stronger design element to tie it in into the rest of the part, but it doesn't
5 appear though you just stuck little tower and a cap up there.

6
7 **COMMISSIONER VAN NATTA** – Yes, it is the tower and the little cap that looks
8 a little out of place.

9
10 **COMMISSIONER OWINGS** – The other question that I had for you and I don't
11 mean this in any way shape or form to say this is a suggestion for this building,
12 but I am aware of the building that you built on University in Riverside and it
13 incorporates and I know the franchisee there is somewhat backing of a lead
14 building and it is a very advanced structure and the franchisee is to be applauded
15 for his willingness to do that and MacDonald's for taking the lead and I wondered
16 why the University Street MacDonald's got the good treatment and we didn't get
17 any of all that advanced planning.

18
19 **SPEAKER** – That project was almost a pro-type. It is the only one we have on
20 the west coast. It is not even something we're doing. It was one that was
21 presented at that time, but it is the only one that we have. I think it is actually the
22 only one west of the Mississippi that we have that lead MacDonald's. In terms of
23 the reason why that wasn't brought in and I'm not quite sure; I'm not sure.

24
25 **PLANNING OFFICIAL TERELL** – Yes I think as far as the design of the building,
26 the only major difference is I believe it has stack stone on it and there is no stack
27 stone in this center, so that would be really introducing a new design element.

28
29 **COMMISSIONER OWINGS** – Well I mostly concerned about the solar panels

30
31 **PLANNING OFFICIAL TERELL** – And obviously the solar panels; that could
32 always happen in the future, but it is not part of this...

33
34 **COMMISSIONER OWINGS** – Well it just lends itself to incorporation of solar
35 panels as well as that building does on University.

36
37 **PLANNING OFFICIAL TERELL** – Right, because it has them in the back, it has
38 them in the parking lot. There is certainly plenty of parking lot here where would
39 certainly welcome that if they were interested.

40
41 **COMMISSIONER OWINGS** – Well I just am bringing it up for City Staff. I think it
42 is something that we should at least explore the feasibility of those types of and
43 maybe there are rewards the City could give for franchisee's who got through the
44 additional expense of building that building. Now is a franchisee going to own
45 this building or is it corporately owned?

46 **SPEAKER** – Right now because it is going to be a rebuild, it is corporate.

1
2 **COMMISSIONER OWINGS** – So the one on University is and I’m correct, it is a
3 franchisee; right?

4
5 **SPEAKER** – That is correct; yes

6
7 **COMMISSIONER OWINGS** – Because I have indirectly been in contact with him

8
9 **SPEAKER** – Yes it is a very nice building, like I said it was more of a prototype
10 with MacDonald’s and it has served itself very nicely out in this area as you see
11 and you know I might also say that MacDonald’s is also you know we have other
12 projects that are going to be coming through City as well in the near future, so
13 we’re going to be able to from a design standpoint, we’ll try to make different
14 changes where we need to based on your recommendations as we go forward.

15
16 **COMMISSIONER OWINGS** – Well we appreciate your cooperative nature.

17
18 **SPEAKER** – Sure

19
20 **CHAIR BAKER** – Okay, is there anyone else? Mark do you have anything to
21 add on the existing pictures on the detail on the top of that roof? I can’t
22 remember on that when I went out and looked at it.

23
24 **PLANNING OFFICIAL TERELL** – Yes the pictures are of the existing building
25 and we can pass them around if you are interested, but there is a building in the
26 top left hand corner on this page that shows both the covered walkway with tile
27 and the covered walkway with the trellis. What isn’t possible here for this
28 particular corporate image would be a full roof like you have on a house and a lot
29 of the buildings there actually do. It looks like a tile roof on a house; a very
30 residential style that just isn’t in favor anymore, but if you look at kind of the left
31 hand side of that building in the left hand corner, I think that’s is what you are
32 talking about instead of the trellis Meli that would be something that looks like the
33 left hand side of the building on the top left, where it is actually a tile covered
34 walkway; in this case a tile covered drive-thru.

35
36 **COMMISSIONER VAN NATTA** – Okay, I’m trying to figure out what I’m looking
37 at here. Okay, so this is the building being torn down? This is the building that is
38 being torn down; so this is what is on Sunnymead Boulevard right now; okay.

39
40 **SPEAKER** – Can I make a suggestion just so we can kind of put it all into a text?
41 We have a P27 has us doing prior to issuance of building permit’s exterior
42 proposed for; the building shall be shown to be consistent with colors excluded in
43 the Moreno Valley Plaza Commercial Shopping Center and Village Specific Plan.
44 In that condition can we just maybe add verbiage and design as we go forward to
45 work with the Planning Director on making this compatible to what we can do.
46 Would that be okay?

1
2 **PLANNING OFFICIAL TERELL** – I think if that roof that I showed you is what
3 you want to talk about and see if have consensus, we can show that roof to you
4 and make sure that is something that you can live with.

5
6 **COMMISSIONER OWINGS** – Well John my suggestion would be is to follow the
7 Applicant’s advice and then let the City Staff and their designers work it out
8 rather than have us design it with a cut and paste here tonight. I’m sure that
9 given the task they’ll come up with something better than we ever would.

10
11 **PLANNING OFFICIAL TERELL** – I just want to make sure we have what you
12 want us to do because I think we already tried to get there and apparently we
13 were lacking.

14
15 **COMMISSIONER OWINGS** – Well listen, I think what the way to say it is would
16 be a tile or the trellis would be replaced with a tile roof feature and leave it at that
17 and let them come up with the best design that best fits their building the way
18 they want it to do it and you folks tonight and I know this sounds belabored; all of
19 this discussion, but obviously the City had the same concerns about the queuing
20 as Jeff and the design as Meli and I, so I believe we are hitting in the same areas
21 and you guys had the same concerns and rightfully so.

22
23 **CHAIR BAKER** – Chris could I ask you one question and maybe this is out of
24 line, but I worked for a restaurant chain and did construction remodels. Some of
25 the things that we are talking about here... is this going to be a deal breaker. I
26 mean this going to cost some extra bucks to do this; extending that trellis or can
27 you work through this and make it work? Is the money there to do it or...

28
29 **SPEAKER** – Well I don’t know if that’s the issue more or less. It is kind of getting
30 it looked at again corporate wise, because like I said this is just being brought up
31 this evening. It is deviating from what we kind of thought and anticipated that we
32 were going to be approved with on our design, so it is not a deal breaker by any
33 means, it is something for my comfort level just to kind of get... because I’m not
34 really clear on what this design is going to be, so it is almost where you know... it
35 is almost where we would probably want to look at it and bring something to you
36 to look at.

37
38 **CHAIR BAKER** – Well you know and from your standpoint and the last four or
39 five years, we were getting away from the tile mansards too; totally, both in
40 California and in Arizona, so it is a dated issue and then there is a fire protection
41 issue you have there, you are probably going to have to sprinkler it and being in
42 that shopping center I imagine. I don’t know for sure, but it could create some
43 problems there too. I mean it is something I have experienced before on those
44 tile mansards, they are a real fire hazard as you know.

45 **SPEAKER** – Right and they are just outdated like I said
46

1 **CHAIR BAKER** – And I understand where you guys are coming from on the tile
2 issue.

3
4 **COMMISSIONER CROTHERS** – We don't want it to continue to be outdated, we
5 want it to be updated

6
7 **PLANNING OFFICIAL TERELL** – Commissioners I don't mean to interrupt but is
8 this a convenient to close the Public Hearing and talk among yourselves.

9
10 **CHAIR BAKER** – You bet.

11
12 **ASSISTANT CITY ATTORNEY BRYANT** – Only if you have inquired as to
13 whether there is anyone else wanting to speak from the Public?

14
15 **CHAIR BAKER** – Okay let's do that. What we are going to do at this point is
16 open up to Public Comments on this item, so I'll open up the testimony and see if
17 we have anybody that has Public Comments on this item. Is that fair enough?
18 Okay we have no Speaker Slips on this, so I assume we'll close Public
19 Testimony and we'll go into Commissioner's Debate which we've been there it
20 seems like quite a bit; okay.

21
22 **COMMISSIONER CROTHERS** – I'd like to start if you don't mind.

23
24 **CHAIR BAKER** – Okay, fine Amber

25
26 **COMMISSIONER CROTHERS** – I've been going to this center since I can't even
27 remember. I used to shop at the Warehouse for all of my tapes. I know that that
28 is not very old, but to me it seems a very long time ago and I continue to go to
29 this shopping center. I go to a tailor there; I'm very short, to get my pants
30 hemmed all the time, so I'm in there all the time and I've never had a problem
31 with traffic; not even a little bit; never had a problem finding a parking spot, I've
32 never had a problem getting into that Subway or getting out of that Subway. I
33 just don't think that it is going to cause the problem with traffic that has been
34 proposed tonight. I think MacDonald's is well aware of the speed and accuracy
35 that they serve their customers and you know they would be and excuse the pun,
36 shooting themselves in the foot if they had a queue that came all the way out to
37 Sunnymeade. I just don't think that they would even allow that to be in the realm
38 of possibility.

39
40 Also, you know the building is updated. It looks new. It looks very nice. It looks
41 better than the building that is there currently. I'm all for tearing that building
42 down and if this building comes into this center and you know helps update the
43 rest of the center, I'm all for that too. I just think that you know it is about time
44 that center gets a little bit updated and if this MacDonald's is what it takes, then
45 this MacDonald's is good thing for that center. It will not only bring more traffic
46 into that center, which now has the Harbor Freight; it has the Big 5; the Big Lots

1 is over there; the grocery store; you know it will bring a lot more people into that
2 center and I'm really excited about that opportunity. As for the side that faces
3 Sunnymead, is it the best building that I've ever seen; no probably not. Could
4 they have brought some of the you know white and yellow parts that they have
5 on front on the opposite side to the side that faces Sunnymead; yes, but is it 110
6 percent improvement over what is there now; absolutely, so those are just my
7 ideas. I think it integrates well into that center, which is an outdated center and
8 this is a good addition to that center.

9
10 **CHAIR BAKER** – Okay, thank you. Who is next?

11
12 **COMMISSIONER OWINGS** – Commissioner Crothers I don't think anybody is
13 opposed or thinks there is going to be a traffic issue there; we just need to cover
14 the bases. The second part is it isn't the best face forward on Sunnymead and it
15 is better; I agree with everything you say except it could be even better and at
16 some point we have to have some standards among ourselves to new applicants
17 coming into the City; why should we settle for their minimum effort when we
18 could ask for just a little bit more effort and it would be better for the community
19 and this is a very minimal thing that we are asking for. It is just a concession to
20 condition it for a stronger design element on the street facing Sunnymead. I can
21 tell you from personal experience in dealing with the MacDonald's on University,
22 it was 19 months to get the entitlements for that store over the design, so this is a
23 very minor concession and I understand it is a speed bump for MacDonald's but I
24 believe it is one that serves the community well to just ask them to put a little
25 more time and effort and money into that one side of the building. Other than
26 that I am very pleased to vote for the project

27
28 **COMMISSIONER VAN NATTA** – Overall it looks like a really good design. I see
29 the changes that were made in the traffic pattern and I think that they will take
30 care of any back up they might have; people in line or anything like that by
31 moving that initial entrance over the 70 feet away from the alley entrance. I am
32 still a little concerned about the traffic flow on and off of Sunnymead Boulevard,
33 but it is probably not going to increase it to such an extent we don't have a real
34 traffic flow problem there right now. It is not going to really affect it that much.
35 The only thing that I really have to say about it is we spent a lot of money making
36 Sunnymead Boulevard look nice. I think we need something on the side of this
37 building that faces Sunnymead Boulevard that gives it a stronger design;
38 attractive design and doesn't make it look like the back of the building with the
39 drive-thru and if they can do something to make that look more like an attractive
40 building rather than the backside, I would be much happier with it.

41
42 **CHAIR BAKER** – Okay, thank you

43
44 **COMMISSIONER GIBA** – You know I never thought of that, but that's good
45 point. It does kind of look like the back of the drive-thru, but other than that I
46 appreciate you folks for bringing the project to Moreno Valley. As far as traffic

1 flow, the things that I bring up many times, I look at it as I'm speaking for people
2 that may not be here and so I sit here and think about all the possible concerns
3 and complaints that some of the people might make and that's how I present
4 that. We've never had that kind of in and out situation there, so I'm hoping
5 everything will just be perfectly fine. I defer over to your expertise. I just point
6 them out in case there was something we missed along the road.

7
8 **COMMISSIONER OWINGS** – Commissioner Jeff, was that in and out comment a
9 little needle at MacDonald's folks inadvertently?

10
11 **COMMISSIONER GIBA** – No, alright you got me on that.

12
13 **COMMISSIONER RAMIREZ** – I like the design, but I also believe that we did and
14 I agree with my fellow Commissioner's. We did spend a lot of money renovating
15 Sunnymead Boulevard and I would like to see MacDonald's come back with a
16 little bit better design facing Sunnymead Boulevard. I know that we can add a
17 little bit more color scheme that will match the orange on the tower and aside
18 from that, I think we're working together and going the right direction and we're
19 going to get this thing done.

20
21 **CHAIR BAKER** – Thank you, personally myself I like the design. I think maybe,
22 just looking at this; like you talked about extending that trellis on the Sunnymead
23 Boulevard and that might be workable and give us a little more depth there. You
24 do have trellis on the entrance. Is that correct? Okay, so that might be
25 something that we could do and build some color into that. I don't know color that
26 trellis is supposed to be, but maybe on that beam there I assume you have got a
27 header beam there, maybe you might be able to do something with color on that
28 and make that work and my deal would be these guys out here are the ones paid
29 to do this design and you are too and we are the light people on this, so I think if
30 we make the motion and John help us through this on that one and what did you
31 mention?

32
33 **PLANNING OFFICIAL TERELL** – What I said was p.c. and I'm not sure.

34
35 **CHAIR BAKER** – No, what I'm saying is conditional to not p.c. but there is in the
36 conditional use there...

37
38 **PLANNING OFFICIAL TERELL** – Yes there is a condition that talks about color
39 and it's P27 and the idea is and to introduce additional color and tile and do you
40 want tile in there specifically because...

41
42 **COMMISSIONER VAN NATTA** – Not necessarily

43
44 **PLANNING OFFICIAL TERELL** – Okay, so, additional color and material
45 enhancements on the street side. Is that kind of what...?
46

1 **CHAIR BAKER** – Yes, I think that’s where we are at.
2
3 **PLANNING OFFICIAL TERELL** – Okay
4
5 **CHAIR BAKER** – Okay, so whoever makes that motion to move this forward...
6
7 **COMMISSIONER VAN NATTA** – Where does that go?
8
9 **COMMISSIONER CROTHERS** – P25
10
11 **PLANNING OFFICIAL TERELL** – P27; I’m sorry and you would just say...
12
13 **COMMISSIONER VAN NATTA** – I’m looking here at where that would go
14
15 **CHAIR BAKER** – What page would that be? Oh you mean on the motion right?
16
17 **COMMISSIONER VAN NATTA** – Yes
18
19 **CHAIR BAKER** – Okay, so what page is that?
20
21 **COMMISSIONER CROTHERS** – 28
22
23 **CHAIR BAKER** – 28, okay
24
25 **PLANNING OFFICIAL TERELL** – Right, so it would just be or you could just say
26 that, amend it to include additional color and material enhancements on the
27 street side and we’ll get into the right condition; don’t worry about specifying the
28 condition.
29
30 **COMMISSIONER VAN NATTA** – So, on the recommendation here where would
31 that go?
32
33 **PLANNING OFFICIAL TERELL** – It would be approve as amended, so I think it
34 would be...
35
36 **CHAIR BAKER** – So we’ve got like we recognize and then put it in with the
37 approval part. Is that part 2?
38
39 **PLANNING OFFICIAL TERELL** – That’s correct. Yes, that’s correct if can get
40 the page there. So, under number 2, at the end; you would just add that at the
41 end... amended to...
42
43 **COMMISSIONER VAN NATTA** – After where it says attachment 2 say as
44 amended?
45
46 **PLANNING OFFICIAL TERELL** – Correct

1
2 **COMMISSIONER VAN NATTA** – As amended...

3
4 **PLANNING OFFICIAL TERELL** – So, to include additional color and material
5 enhancements on the street side. Mark has it written already too
6

7 **COMMISSIONER OWINGS** – So Chairman Baker, just to clarify, you wanted that
8 to be Baker Blue and Baker Orange on that one side?
9

10 **CHAIR BAKER** – Don't get me in the middle of that. Okay, one thing on behalf
11 the Planning Commission and Planning Department, we are very happy about
12 MacDonald's expanding in Moreno Valley. They bring a lot of employment to
13 people; especially students that we have here and other people too, so they are
14 a great organization and we are behind you 100 percent, so what I think in our
15 motion here is we'll defer to the Planning Department and design and you guys
16 work it through and I'm sure it will be 100 percent correct, so I assume
17 Commissioner Meli you would make the motion and we'll make a second.
18

19 **COMMISSIONER VAN NATTA** - Sure
20

21 **CHAIR BAKER** - Thank you so much.
22

23 **COMMISSIONER VAN NATTA** – Okay I move that we **APPROVE** Resolution
24 No. 2012-05 and thereby:
25

- 26 1. **RECOGNIZE** the project is exempt from the California Environmental Quality
27 Act (CEQA) pursuant to Section 15303 New Construction or Conversion of
28 Small Structures; and,
29
- 30 2. **APPROVE** PA11-0038, Conditional Use Permit, P11-098 Amended Master
31 Plot Plan and P12-012 Administrative Variance for an approximate 3,838
32 Square foot Fast Food Restaurant with Drive-Thru with encroachment of a
33 trellis 2 feet into the front yard setback and demolition of an existing 6,636
34 square foot retail building within the Moreno Valley Plaza Shopping Center on
35 a shared 18.20 acre site within the Community Commercial (CC) Land Use
36 District and Village Specific Plan SP204 based on the findings included in this
37 Resolution, subject to the attached conditions of approval included as Exhibit
38 A to the Resolution (Attachment 2) as amended to include color and material
39 enhancements and design.
40

41 **CHAIR BAKER** – Thank you
42

43 **COMMISSIONER OWINGS** – Second
44

45 **CHAIR BAKER** – Second by Commissioner Tom. All those in favor?
46

1 Opposed – 0

2
3 **Motion carries 6 – 0, with one absent (Vice Chair Salas)**

4
5 **CHAIR BAKER** – Thank you very much and good luck to you. I am looking
6 forward to it and then Staff wrap up on this project John. Thank you

7
8 **PLANNING OFFICIAL TERELL** – Yes this action shall become final unless
9 appealed to the City Council within 15 days.

10
11 **CHAIR BAKER** – Thank you. Okay moving onto to Item No. 2

12
13
14 **2. Case Number: PA10-0030 Municipal Code Amendment**

15
16 **Case Planner: Gabriel Diaz**

17
18 **CHAIR BAKER** – This is an amendment to the various code regulations to
19 encourage site plan and energy efficiency. Our Case Planner on this is Gabriel
20 Diaz.

21
22 **PLANNING OFFICIAL TERELL** – Yes, by way of introduction this is a project...
23 Gabriel has been working on a grant which includes many different items. One
24 of them is looking at our code and identifying areas where we can increase the
25 efficiency of the development really to enhance energy, which is the original
26 reason for the grant. There is a bunch of other things, but that's the reason that
27 this being brought forward. It has a series of environmentally related; energy
28 related issues that are here for your consideration.

29
30 **CHAIR BAKER** – Thank you

31
32 **ASSOCIATE PLANNER DIAZ** – Thank you Chairman and Commissioners. My
33 name is Gabriel Diaz, Associate Planner here for the City. The Municipal Code
34 Amendment Case No. PA10-0030 is the case number and the Applicant is the
35 City of Moreno Valley. The proposed amendment would modify various
36 provisions of the Municipal Code. If adopted, it would create or change the
37 regulations concerning. We have five issues and some of them are kind of
38 lengthy and some detail in there. The first one would be the Adoption of
39 WRCOG Neighborhood Guidelines. We have four of them. The addition of
40 Section 9.05.0502, Chapter 9.05 has been suggested to minimize the impact of
41 diesel particulate matter from trucks associated from warehouse and distribution
42 centers on sensitive receptor areas.

43 The good neighbor guidelines are used in this Code Amendment is a modified
44 version of the WRCOG Model Guidelines. The Guidelines would apply to
45 warehouses of 650,000 square feet or more. The State threshold of projects of
46 regional significance that require enhanced environmental scrutiny. Staff has

1 adjusted the adopting the four standards from the WRCOG Guidelines. The first
2 one would be minimize exposure to diesel emissions to neighbors that are
3 situated in a close proximity to the warehouse distribution center. The second
4 one is eliminate diesel trucks from unnecessary transversing through residential
5 neighborhoods. The third one is eliminate trucks from using residential areas
6 and repairing vehicles on the streets and the fourth one is reduce and/or
7 eliminate diesel idling within the warehouse distribution center. These are all
8 current Municipal Codes that help with the implementation of these WRCOG
9 standards.

10
11 **PLANNING OFFICIAL TERELL** – Yes, maybe what we'll do is we'll stop after
12 each one of these items to see if you have any questions. It is not time for
13 deliberation, but if you have any questions... all the items that Gabriel mentioned
14 are already covered in our Code. What we wanted to do is bring them all
15 together in one place so it was very clear to industrial firms and I think it is really
16 clear already, but make it clear to the world as well as the development
17 community, this City's commitment to those protections; primarily residential
18 neighborhoods from the impacts of diesel emissions from trucks, so it is not a
19 new standard it is really a refashioning. So are there any questions on this
20 particular item.

21
22 **COMMISSIONER OWINGS** – Mr. Chairman if you would. John I was just
23 wondering to reiterate that we are not imposing any more stringent standard that
24 what already exists.

25
26 **PLANNING OFFICIAL TERELL** – That's correct

27
28 **COMMISSIONER OWINGS** – The purpose of this is just to put it all into one area
29 as opposed to...

30
31 **PLANNING OFFICIAL TERELL** – It is to make it clear to the development
32 community as well as the general community that the City is committed to
33 protecting folks from diesel emissions, so it is really what I would call... this is not
34 really... it is not public relations; it is really just bringing you altogether so it is
35 really clear so you don't have one item in this section and one item in that section
36 and it just doesn't; it doesn't come together very well. WRCOG had asked all the
37 cities to look at these guidelines and encouraged us to adopt them. Several
38 other cities have done so in a similar fashion and they kind of brought together
39 their existing regulations and say hey we're in compliance.

40
41 **COMMISSIONER OWINGS** – That's where I am kind of confused when you say
42 they have asked us to adopt these guidelines and the guidelines are what are the
43 guidelines they wish us to adopt?

44
45 **PLANNING OFFICIAL TERELL** – They are those items right there. It is
46 basically things that we already do, but it is not necessarily things that everybody

1 does, so I think we are trying to provide a consistent way of dealing with this
2 across Western Riverside County.

3
4 **COMMISSIONER VAN NATTA** – Okay and the purpose of putting them in all
5 one place is so that when we start to develop an area of town where we are
6 going to have more warehouses and distribution centers that people can more
7 clearly see that we already have the things in place to prevent us from becoming
8 another Mira Loma.

9
10 **PLANNING OFFICIAL TERELL** – I think that’s a fair statement; yes

11
12 **COMMISSIONER VAN NATTA** - Okay

13
14 **COMMISSIONER GIBA** – Could I ask a couple just at a point of education
15 Gabriel? I like to learn while I go along and I’m the new guy in town so, for the
16 WRCOG that they have; they have a regional significance at 650,000 square feet
17 or more for the warehousing they set and established. How is that determined
18 and why is not less. I mean warehouses of less size might still be used, so why is
19 that the regional significance standard set for minimum.

20
21 **PLANNING OFFICIAL TERELL** – There is a regional level of significance that is
22 actually set as State law, so we wanted to use an existing standard that is widely
23 accepted across the State rather than a new standard. The standard for office or
24 retail or residential units is all different square footages, but for warehousing and
25 industrial specifically it is 650,000 square feet, so we wanted to use that existing
26 standard that rather than a new standard and really, you don’t have significant
27 truck traffic until you get into the...and it is only significant because the buildings
28 are so big, until you get into those big buildings.

29
30 **COMMISSIONER GIBA** – I just wanted to understand why that was the cut-off
31 number and in neighborhoods where there might be smaller ones. Do we have
32 smaller warehouses in the area other than that that might have that same kind of
33 traffic that could come into them? I know part of this has to do with restricting on
34 neighborhood areas and...

35
36 **PLANNING OFFICIAL TERELL** – Yes we do. The restrictions on trucks will
37 apply to smaller facilities as well but we wanted to identify the area of concern is
38 really the larger warehouses where you get to a scale where there is a potential
39 for... what we do when all industrial buildings over the 650,000 square feet is do
40 a health risk assessment and that is really to identify where those high levels of
41 contaminants exist and we don’t allow them to occur in residential neighborhoods
42 and even on those larger buildings we can readily do that. We’ve designed
43 buildings to access from different streets and other things to really make sure
44 that this standard is met, but those larger buildings is where we look at that
45 because the smaller buildings don’t rise to that level of significance. They don’t
46 provide; they don’t create enough emissions to really kick over any standards, so

1 focusing on those doesn't really get us very far. Other regulations the City has
2 regarding truck routes and those sorts of things take care of the smaller
3 warehouses.

4
5 **COMMISSIONER GIBA** – It is kind of what I thought. I just wanted to clarify that
6 mainly for me; this one is for me. And I had just one other one. I went to the... is
7 this the right place to be discussing this? On page 71, I was just curious, as I
8 was reading the adoptions in here that you had and I understand you put them all
9 together. It is a good idea. Actually I saw it and so you took all those and put
10 them into one package so to speak so that we; you know somebody looking for a
11 good neighbor standard; aha here it is; here are all the ones that cover it, but
12 there was a line item here that just caught my eye and just wanted some clarity.
13 Down toward the bottom just above the letter A; that paragraph it says, big box
14 discounter warehouse stores that sell retail goods, merchandise or equipment or
15 storage and mini storage facilities... how does Sketchers fit into that? They sell
16 retail out of their facility, I mean so kind of by definition you almost want to
17 include them.

18
19 **PLANNING OFFICIAL TERELL** – Well they are not a big box or warehouse
20 store. That is Costco, Super Walmart; those are what we would consider big
21 box.

22
23 **COMMISSIONER GIBA** – Okay, so that warehouse with the store attached is not
24 considered a warehouse store; retail store?

25
26 **PLANNING OFFICIAL TERELL** – Correct

27
28 **COMMISSIONER GIBA** – I'm just kind of curious

29
30 **PLANNING OFFICIAL TERELL** – We have others here in town and I believe
31 Frazee Paint has a retail sales outlet also and that is just an accessory use; it is
32 not the main use.

33
34 **COMMISSIONER GIBA** – Okay, that's all, thank you

35
36 **CHAIR BAKER** – Go ahead Gabriel

37
38 **ASSOCIATE PLANNER DIAZ** – Alright... issue 2; Parking Standards for
39 Restaurants. Revisions to Section 9.11.040 have been made to better address
40 the standard parking requirements for eating and drinking establishments within
41 shopping centers of 20,000 square feet of building area or greater. The
42 proposed standard would reduce the required parking for restaurant parking, for
43 restaurant space equaling up to 15 percent of the shopping center building
44 square footage, which has been shown to accommodate the adequate parking at
45 the lower retail parking standard.

1 Currently the parking standard for eating and drinking establishments is one for
2 every 100 square feet of gross floor area up to 6,000 square feet and from there
3 it is one for every 75 square feet of gross floor area. The proposed parking
4 standard will make eating and drinking establishments within the shopping
5 centers of 20,00 square feet of building area or greater be calculated at a general
6 retail standard of one parking space for every 225 square feet of gross floor area
7 for up to 15 percent of the building gross floor area for the shopping center.
8 There is a lot of math with this new amendment. For eating and drinking
9 establishments in excess of the 15 percent of the building gross floor area for the
10 shopping center, the parking will be calculated at one parking space for every
11 100 square feet of gross floor area.

12
13 Staff has researched a number of local jurisdictions and found that many have
14 similar parking requirements for restaurants within shopping centers of 25,000
15 square feet of building area or greater. In addition, Staff has completed a
16 number of parking studies to prove that the proposed parking standard will not
17 result in a lack of available parking. Lakeside Plaza; the Stater Bros. Market
18 Center located at the northwest corner of LaSalle and Iris and Lakeside Terrace;
19 the CVS Center at the northeast corner of LaSalle and Iris were studied. Both
20 centers had sufficient access parking at peak hours to allow for the proposed
21 parking standard. The proposed parking changes will result in centers being
22 more adequately parked and provide more efficient development.

23
24 **PLANNING OFFICIAL TERELL** – Yes, to add onto that, what we do now if a
25 restaurant wants to go into a shopping center and there hasn't been a restaurant
26 there before, they have to do a parking study and I've been doing this for a while
27 and we haven't come across one yet where they weren't able to demonstrate that
28 there was sufficient parking even using the retail standard, because the bigger
29 the projects, the only place where I think we might have a parking problem in a
30 shopping center because of a lot of restaurants is in the Town Gate Center,
31 where you have BJ's and Olive Garden and all those restaurants that are next to
32 each other. That particular center doesn't have the citywide standard, it has its
33 own standards and this is a long time ago where there is no limit on the number
34 of restaurants you can have in a center and you still park at roughly the retail
35 rate, so that is an anomaly, so part of it was to kind of get small in line
36 restaurants that want to go into shopping centers out of this requirement to do a
37 parking study just to justify there is enough parking in the center which is the only
38 vehicle we have right now and no pun intended by the code to do that.

39
40 This particular standard Gabriel mentioned; we looked at other communities. It
41 is almost the same standard as the City of Rancho Cucamonga and the City of
42 Temecula and so it is more of an industry standard. We've tended to require in
43 my opinion too much parking and too much parking means it is empty; you have
44 to maintain it; it creates environmental impacts such as increased heat and glare
45 and reduces the amount of building you can build on a particular site and so we

1 wanted to bring all those things together and create a more efficient thing that
2 makes projects more viable and makes it easier for tenants to get into buildings.

3
4 **COMMISSIONER VAN NATTA** – I just had a comment. BJ's and Outback and
5 all of those; there is plenty of parking for them as long as you don't mind walking
6 a half a mile from the other side of the parking lot. There are plenty of spaces
7 there, you just hike a little.

8
9 **PLANNING OFFICIAL TERELL** – It is our own little wellness program I guess

10
11 **COMMISSIONER VAN NATTA** – Yes

12
13 **COMMISSIONER OWINGS** – You can stop off at Carl Jr.'s on the way for a
14 snack on your way to the Olive Garden.

15
16 **CHAIR BAKER** – Okay

17
18 **ASSOCIATE PLANNER DIAZ** – Okay, issue three is reduction of Community
19 Commercial front and street side buildings setbacks and revisions to parking and
20 landscape setbacks. Back in January 28th, 2010 the Planning Commission
21 recommended that Staff defer the research on building and parking setbacks and
22 that Staff provide a recommendation for the NC and CC zones. NC zone
23 (Neighborhood Commercial) is typically a smaller scale commercial building
24 center used for local neighborhoods and the CC zone (Community Commercial)
25 is typically a community regional where retailers draw from throughout the
26 community and from other communities to attend these centers. Revisions to
27 Section 9.04.040 have been made in order to address the past concerns of the
28 past Planning Commission.

29
30 Planning Staff have done additional review of building and parking setbacks in
31 other jurisdiction commercial center zones. Cities like Temecula, Perris,
32 Riverside, Redlands, Ontario and San Bernardino were studied. Staff
33 recommends that the Community Commercial front building setbacks be
34 amended from 20 feet to 10 feet and that the side street building setbacks be
35 amended from 20 feet to 10 feet and for the Neighborhood Commercial zone,
36 Staff recommends that the setbacks not be changed and keep the existing 20
37 foot setbacks. In addition, through our research we found that a building height
38 was brought up in other jurisdictions. This was not brought up at the previous
39 Planning Commission meeting. Through our research we came across this in
40 other cities and thought it made sense to include a setback based on height to
41 help reduce the potential for having too much building massing at the setback
42 line. In addition to the building setback, we changed the parking setback.

43
44 Based on Staff research, we recommended that the building play more of a
45 prominent role in the development of the site layout, therefore we have revised
46 the parking area to have the same minimum setback as the building setback or in

1 the case of the Community Commercial zone, have the parking be setback
2 further than the building. In keeping with the building playing more of a
3 prominent role in the side layout, Staff has eliminated the 10 foot landscape
4 option and replaced it with a 15 foot landscape depth requirement between the
5 property line and the parking area on the parking side street setback and 20 feet
6 on the parking front street setback.

7
8 We did have a Commissioner ask a question about what the appearance of this
9 may be and we have provided City Hall here which has a closer setback than the
10 20 feet requirement in the CC zone. I know this is not a Community Commercial
11 zone, but it is just a building and you see the landscaping and the street and the
12 sidewalk and we've also provide some sketches of what a 10 foot setback is and
13 a 20 foot setback is and setbacks are measured from property line; between the
14 property line and the right-of-way. I believe there is a sidewalk and curb which is
15 6 feet and in this case I believe it is 11 feet and back from the sidewalk is where
16 the property line starts, so you know the 10 foot setback that we are proposing is
17 not right at the street, you know there is an additional 11 feet there, so in reality
18 from the street you have at least 20 feet.

19
20 **PLANNING OFFICIAL TERELL** – Yes, again when this came up the last time,
21 we presented this information and there wasn't a strong... the Planning
22 Commission asked us to look into it and then we came back with the information
23 and they said do a little more research and make a recommendation because the
24 first time we just said we'll here are the different standards people have and as
25 Gabriel said, most cities in Riverside County and I won't go out of Riverside
26 County because when you get into LA, the setbacks are much less. We have a
27 similar differential between their major commercial areas which have a smaller
28 setback and their neighborhood center which have a bigger one, because let's
29 think; Sunnymead Ranch there is Lakeshore Plaza up there. The 20 foot
30 setback is actually the same as the 20 foot setback on a single family home and
31 it may blend in and give it a more residential character to those centers, where if
32 you are on Alessandro Boulevard, the buildings could be much closer and have a
33 more urban feel to them without being incompatible and if you go into a lot other
34 cities nearby, you'll see that where the buildings...the MacDonald's you brought
35 up in Riverside is a great example. That is even closer to the street. That is
36 much more urban than we are proposing here and this is the Community
37 Commercial and the Neighborhood Commercial.

38
39 We have another zone in the code; the Mixed Use zones and they actually do
40 allow buildings to be even closer, but that is your Mixed Use really super urban
41 for Riverside County zone, so when you'd be driving through town in these
42 different zones, you'd notice that they were different and in the Community
43 Commercial this would allow a more efficient use of the site and allow a little bit
44 more building; allow a little more connection to the street, because of those areas
45 you are more likely to have a bus line, which again is trying to get into not forcing
46 people to ride the bus, but to make it easier or more convenient or to ride a bike

1 or something. It is really to create a more; a better connection between shopping
2 centers and those major streets so that we have both more efficient use of land
3 as well as a better connection to alternatives for transportation. So that's kind of
4 how it got included in this Code Amendment; so we brought that forward with this
5 specific recommendation for your consideration.
6

7 **COMMISSIONER CROTHERS** – I would much rather see a nice beautiful
8 building or see landscaping in the Neighborhood Commercial, rather than seeing
9 a parking lot, so I think this is a good idea. I have always kind of cringed every
10 time you drive by and just see this big giant parking lot and then the building is
11 set in the back and you know there is not much to it, just a big empty or full
12 parking lot either way. You know I'd rather see the nice building or the
13 landscaping so I think this is a good idea.
14

15 **COMMISSIONER VAN NATTA** – Whenever we see something like this, I kind of
16 try to figure out okay how does it apply to what I see going on in the City or is
17 going to go on, so would this apply to something like say for example on
18 Ironwood Boulevard, where it is being widened and people's setbacks are being
19 taken away and cut down, then along Ironwood, would that then apply to where
20 new construction that goes up in that area; may be schools or businesses that
21 are going along Ironwood would have then the smaller setback and fit in with
22 what is being done there to the street?
23

24 **PLANNING OFFICIAL TEREEL** – Probably not... Ironwood is a residential
25 street, so most of that along there is actually the Neighborhood Commercial.
26 You've got a few very small shopping centers along that, so probably a 20 foot
27 setback would still apply there. Where it would be is the project you just looked
28 at MacDonald's. MacDonald's is going to be set back further any of the other
29 buildings in that shopping center because the current standard is actually more
30 stringent than the standard that was in place when the shopping center was built.
31 So that is Sunnymead Boulevard, Alessandro, Perris and Frederick; you know
32 those are the streets that were most of the Community Commercial zoning is.
33 The smaller streets like LaSalle or Ironwood are primarily residential streets and
34 they would have the Neighborhood Commercial unless we changed the zone.
35 We can always change the zone, but currently that is most of the Neighborhood
36 Commercial is, is on those mostly residential streets and the Community
37 Commercial is on those mostly commercial streets.
38

39 **CHAIR BAKER** – Yes, is there anyone else?
40

41 **COMMISSIONER GIBA** – Attachment 4 has to do with this. Am I correct, that is
42 your research?
43

44 **ASSOCIATE PLANNER DIAZ** – Yes
45

1 **COMMISSIONER GIBA** – I was just looking it. They are all over the map and
2 you can explain the all over the map to me. It looks like it depends on the
3 feelings or emotions of what that particular city is doing at that point, but the one
4 that caught my eye is Riverside. Is that a mistake or is that in fact that everything
5 is a zero setback in Riverside or did you not get the data?
6

7 **PLANNING OFFICIAL TERELL** – No, that is correct. They do have a zero
8 setback but then they have no...
9

10 **COMMISSIONER GIBA** - ... height requirement...
11

12 **PLANNING OFFICIAL TERELL** – They have a zero but they have notes that
13 push things back based on the height.
14

15 **COMMISSIONER GIBA** – So what we are doing is just what is basically good for
16 Moreno Valley even though we are looking at everybody else because you know
17 some are 15; some are 20; some are 10; some are zero and so we're going to a
18 different setback because it is our City and we think that is what is best for us.
19

20 **PLANNING OFFICIAL TERELL** – Correct and really we're recommending
21 having a differential between Neighborhood and Community Commercial.
22

23 **COMMISSIONER GIBA** – It is ours... I got it
24

25 **ASSOCIATE PLANNER DIAZ** – It does match up with other cities like the City of
26 Perris and some cities like the City of Rancho has very many different types of
27 Community Commercial something or other, so it is pretty hard to compare the
28 two, but the ones that we have are the ones that are in the table here, are the
29 ones that are the closest to our City and are similar.
30

31 **COMMISSIONER GIBA** – And I see that and I agree. There is nothing wrong
32 with changing that. Thank you Gabriel
33

34 **ASSOCIATE PLANNER DIAZ** – Issue four is and I've got one more after
35 that...provide parking lot maintenance standards banning topping of trees;
36 revisions to Section 9.17.030 have been made in order to the address the
37 practice topping of trees, which prevents the development of adequate tree
38 canopy to provide the shading requirements by the Municipal Code. Parking lot
39 shading reduces the heat island effect created by hot pavement and results in
40 lower microclimate temperatures that can provide greater comfort and lower
41 energy use in adjacent structures. There are current commercial centers in
42 Moreno Valley that practice and have practiced the topping of trees. The
43 Municipal Code requires that parking areas provide 50 percent shading. The
44 majority of the parking areas meet this Code requirement by planting trees. The
45 Code defines 50 percent tree shading requirement at maturity. The practice of
46 topping prohibits trees from growing naturally or reaching maturity and fulfilling

1 the Code requirement. In association with the new trees preservation and
2 maintenance portion of the Code, we have added a heritage tree section to help
3 preserve mature and historical trees in our City, Staff has researched other cities
4 and have adopted similar tree preservation ordinances.

5
6 **PLANNING OFFICIAL TERELL** – Yes and there are a couple of items here.
7 One of the topping of trees and there are certain trees where it is appropriate.
8 I'm trying to think of the kind and you pollard and you have to trim them back
9 every year. The Mulberry is an example. We don't have any Mulberry Trees in
10 parking lots though, but that is an example of a tree where you need to clip it
11 back every year for it to grow back, because it grows a full canopy within a
12 season once it gets mature. This is to look at trees such as California
13 Sycamore's, which we have in several parking lots. That is not a tree you are
14 supposed to pollard every year because all you do is get stumps that little
15 growees coming out of them and it doesn't recover in a season and
16 Commissioner Riechers who was on the Commission for many years had asked
17 us to look at this and so we did. The other source of looking at this was our
18 Environmental and Historical Preservation Board which has been concerned
19 about the removal of older trees and not that they can't be removed, but that
20 there are environmental benefits in keeping mature trees and providing a policy
21 statement that that is what we want to occur; won't always occur; but what we
22 want to occur for a variety of benefits based on water quality and air quality and
23 some other things. So again this is presented for your consideration and to get
24 your input.

25
26 **CHAIR BAKER** – Are there any questions?

27
28 **COMMISSIONER GIBA** - I always have questions. Thank you. I saw what you
29 did here, is you actually added a whole section that you called Tree Preservation
30 and Maintenance and the Heritage Tree Section. Originally all you had what was
31 called Trees.

32
33 **PLANNING OFFICIAL TERELL** – That's correct

34
35 **COMMISSIONER GIBA** – I see that. You might want to appropriately title that
36 section now Tree Planting because that whole section talks about planting the
37 trees, so if you are going to specify it make it where you can at least say what it
38 is. What I wanted to say is that I don't want you to shoot yourself in the foot on
39 this one. It is interesting because Commissioner Riechers and I are neighbors
40 and friends and I did sit on the Ecological Preservation Committee for a while
41 with his wife and so this is kind of one of these things that always pops up with all
42 of us all the time. Sometimes it is appropriate to top trees for safety issues if
43 nothing else and in some cases by topping trees appropriately or properly you
44 can increase the tree canopy and since a lot of this has to do with shading in
45 parking lots, it might be wise not to use the language and I think your language in
46 here was to say, topping trees is prohibited.

1
2 You might want to look at the language on that and say something to the extent
3 of chopping trees will be evaluated based on the need at the time or whatever so
4 you don't shoot yourself on the foot on that one. I am an advocate. If anybody
5 took an aerial picture of my house, you can't see my house because of the trees
6 and I have trees and most of my trees are not topped, but there a couple that are
7 because the wood is softer; it breaks easier; some of them get bug infested more
8 and keeping the lower profiles can be a safety issue, so I was just going to
9 recommend you didn't shoot yourself in the foot on it. Change the language on it
10 and make it a little more permissive and not so much definitive because and I
11 forget where it was, but I think it said it is prohibitive. Am I correct?
12

13 **PLANNING OFFICIAL TERELL** – Yes, F2 says topping of trees is prohibited and
14 then it gives a definition of topping which was intended but it may not have been
15 clear enough you know that largely preventing the tree from growing to
16 maximum, but I see your point where we could have some language that says
17 generally prohibited except where the species of tree would benefit from...
18

19 **COMMISSIONER GIBA** – We'll talk to George... something like that and then I
20 was just kind of curious on page 81 over here that says trees that have reached
21 a height of 15 feet or greater for your heritage trees. Are there trees that are less
22 than 15 feet that are heritage trees? I mean you've got a limit of 15 feet. I mean
23 are there any trees around that are less than 15 feet that you could consider a
24 heritage tree that you are leaving out of this or is there a reason really to have a
25 height requirement for heritage trees.
26

27 **PLANNING OFFICIAL TERELL** – I think it was just to put some boundaries
28 around it so that you know an Oleander Bush wasn't considered a heritage tree.
29 I'll defer to Gabriel. I think he found this standard in another pretty well respected
30 code and we kind of relied on that. You know they've already tested this for
31 many years.
32

33 **ASSOCIATE PLANNER DIAZ** – I believe in response to this question it was the
34 City of Rancho Cucamonga which had... I think their code was more stringent.
35 We've kind of made the diameter and maybe the height a little higher, but there is
36 always a possibility to add it. If you take it through the process of the Historical
37 Preservation Board to possibility make any tree for whatever reason a heritage
38 tree.
39

40 **COMMISSIONER GIBA** – Don't shoot yourself in the foot that's all and make it a
41 little broader. Just because other cities have theirs doesn't mean that we can't
42 look at it for our City. I was just a suggestion.
43

44 **PLANNING OFFICIAL TERELL** – Yes, I can't conceive of a tree that would be
45 less than 15 feet that would be a heritage tree. I mean a Crate Myrtle is
46 probably the classic one in most communities because it was a popular tree a

1 hundred years ago and they are over 15 feet pretty quickly. They don't get much
2 over 15 feet till they get really old, but it is just a standard so we can change it,
3 but I think there is a condition that allows others to be included. You know if we
4 went out and found this famous tree and wanted to designate it, the Board could
5 do that.

6
7 **COMMISSIONER VAN NATTA** – Well it just says on there that that's one of the
8 criteria is that size, so it wouldn't be the exclusive one or if something is under 15
9 it wouldn't be considered a heritage tree under any circumstances or whatever, it
10 says that meeting one of the following, and that is one of three things that are on
11 there. I think under the topping of trees, because topping as he was mentioning
12 is sometimes a very healthy thing to do a tree, you might have instead of saying,
13 topping of trees is prohibited except... give a definition to a descriptive word to
14 topping like excessive topping or something there that then your definition would
15 make sense because topping is a very common thing that is done.

16
17 **COMMISSIONER OWINGS** – You know I defer to Jeff because he is a teacher I
18 suspect, but I think that is what this says. It says that if the topping is done for
19 the sole purpose of not allowing the tree to reach its maximum maturity that
20 would be prohibited. If it is done for the health of the tree or it is done for some
21 other reason, it is totally allowable. It is only when you are doing it just to keep it
22 from reaching its maturity, so I think the wording is clearly what you intended it to
23 be.

24
25 **ASSOCIATE PLANNER DIAZ** – Yes, I think back to Mr. Giba; prohibited is a
26 strong word, but it is something that happens throughout the City that when you
27 go... these are all guidelines, but when you get to number 4 which is Section F,
28 Tree Preservation Maintenance, there is only four under them and it is pretty
29 short, so you read all four and it kind of all makes sense. If you stop at
30 prohibited, it is pretty tough, but when it goes to number 4, it says the guidelines
31 are subject to modification as determined by an arborist or a landscape architect
32 and approved by the Community and Economic Development, so there is leeway
33 to do the correct thing. We want the tree to grow the way it is supposed to and
34 yes there are different ways of taking care of landscaping and topping maybe
35 one of them, but we want to prevent the topping that destroys the tree.

36
37 **PLANNING OFFICIAL TERELL** – Yes, I think we have differentiated topping
38 from pruning or other things that you do to trees.

39
40 **COMMISSIONER VAN NATTA** – Can you just use the word destructive topping?

41
42 **PLANNING OFFICIAL TERELL** – Hum... unnecessary, no, but destructive or
43 counterproductive; yes... destructive is probably the best one

44
45 **COMMISSIONER VAN NATTA** – Put a word in there that differentiates it from
46 just normal topping.

1
2 **COMMISSIONER OWINGS** – You know my concern is I think and not to belabor
3 all these points, either we are for preservation of trees or we're not and if we are,
4 it has to be somewhat strong in the language otherwise everything will become
5 an exception, so you know I don't have any difficulty with the wording as it is
6 because it does allow an arborist to make that determination. So I think the real
7 point here; the real question that we should be asking ourselves is you know do
8 we really want to protect heritage trees or not and if you allow these wiggle room
9 words that is what is going to happen. It is going to make it harder for Code
10 Enforcement to do their job. That's my personal opinion of that and so I would
11 suggest that we leave language. I think the wiggle room here is that if an expert
12 in trees says this tree needs to be topped, then fine.

13
14 **COMMISSIONER CROTHERS** – I agree and I was having the same thoughts
15 you know. When it says prohibited it is not the end all of these requirements you
16 know to top it. It does provide for an arborist or a landscape artist to come out
17 and say yes this tree does need to be topped for the tree's own good and not just
18 because we like the way it looks or because that's what we want to do today you
19 know for the trees.

20
21 **COMMISSIONER OWINGS** – Yes and to answer Meli's concern and Jeff's
22 concern is the modifier should probably if there were going to be a modifier, the
23 modifier should probably be down in the area where it talks about the sole
24 purpose of being to keep the tree from growing, so if there were to be some
25 wording entered in here to soften this in some way, it should be in that sentence
26 as opposed to the sentence that says prohibit. In other words, a clarifier as to
27 what is as Meli was saying destructive. I don't think that is the proper word, but a
28 word like that could be added there as opposed to the shall be prohibited.

29
30 **PLANNING OFFICIAL TERELL** – Yes something along the lines of topping of
31 trees means the destructive cutting back in that sentence. Is that what you were
32 referring to?

33
34 **COMMISSIONER OWINGS** – I'm not saying destructive is the right word, but
35 that's where it would be; where I think the modifier needs to be if there is one,
36 otherwise it just gets to be a meaningless... it becomes a symbolic gesture as
37 opposed to one that really means something and I think your intentions of making
38 this a meaningful ordinance is very applaudible and we should support your effort
39 in that and by keeping the stronger language.

40 **PLANNING OFFICIAL TERELL** – I would agree, thank you. Are we ready for
41 our last item?

42
43 **CHAIR BAKER** – Issue five, let's move ahead

44
45 **ASSOCIATE PLANNER DIAZ** – Alright, issue 5 is to amend the General Parking
46 Design Standard with revised safety features and 20 foot wide driveway aisles.

1 Revision to Section to 9.11.080 have been made in order to make parking
2 designs safer and consistent with current traffic engineering standards. The
3 standards improvement safety features of parking lot design have been revised
4 and table 9.11.080-13 has revised driveways and aisle dimensions.

5
6 **PLANNING OFFICIAL TERELL** – Yes this one was really to discourage overly
7 wide driveways that are really very bad for internal circulation; the 20 and 24 foot
8 and in some cases there is 30, that is why there is an exception at the bottom,
9 relate to fire code standards where they have a minimum for fire code access. A
10 30 foot wide driveway is actually pretty wide, but on taller buildings it is
11 necessary for fire access so they can get enough distance away from the
12 building to fight a fire and to avoid people saying I've got an extra 20 or 30 feet
13 on my site, I'll just make this driveway wider and pave over on it, so it is really to
14 discourage excessive paving, which has a myriad of environmental issues mainly
15 again related to heat and dirty runoff and other things. So that was the intent of
16 this, this is really limit pavement as much as possible.

17
18 **COMMISSIONER OWINGS** – It wasn't too long ago Planners were saying that
19 driveways should be wider, so all things like the double-breasted suit, they all
20 come back. Is that what you are saying?

21
22 **PLANNING OFFICIAL TERELL** – I don't know that Planners were saying that
23 roads had to be wider but the development standards were saying let's create
24 more and more excess and I think Transportation Planners and Michael is one of
25 them, have seen that wider driveways are not always the best solution. I'm not
26 saying that Michael ever believed they were but they're not always the best and
27 obviously we have the flexibility to hear what the footnote if a good case could be
28 made that gee the driveway has to be 32 feet and we have that option to do that.
29 We're just creating a standard that says do this unless you provide evidence that
30 it really needs to be wider.

31
32 **COMMISSIONER OWINGS** – So someone who has a little experience in this
33 area, I've found that fire department personnel do not understand that they have
34 a reverse in their fire truck, they want all the streets to be wide enough to turn
35 around in and so we need to point out to them that "R" is for reverse, but I guess
36 it is a concern that they would become too narrow. As I get older, I like those
37 wider driveways.

38
39 **PLANNING OFFICIAL TERELL** – Right and that's why we set... really the
40 standard is 24 feet. It has always been the minimum standard and really as a
41 maximum is works pretty well. Sometimes on a main drive aisle we'll make them
42 a little bit wider because there is more traffic and more conflict and it is just like
43 streets you know. Alessandro is wide for a reason you know. The street you live
44 on is narrower for a reason and it's really hopefully starting to create also
45 hierarchy within parking lots; you know every parking aisle is not 30 feet wide
46 because they have the space to do it.

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COMMISSIONER GIBA – I had a question. Just clarity if I may... page 85. You have a diagram, figure 9.11.080-5 non-parallel parking. I was looking around for the description of that and I'm probably missing it somewhere so maybe you can point it to me, but besides that you're measurements are on the side of the parallel parking which says 16 feet, but the reality is that the car can't park in that little corner, so that length is not the 16 feet, so do you really mean the car can hang over into the other side of the... because that's not really... this isn't a 9 by 16 like the other picture of your square dimension would be a 9 by 16.

PLANNING OFFICIAL TERELL – No good point, I think we'll do the math and correct that number. It's like x plus y equals 2xy or something like that. We'll get the number because the intent was a standard space is 16 feet deep with 2 foot overhang; that's more than enough for most cars; certainly the standard car would easily fit in that area.

COMMISSIONER GIBA – It's not like we find standard cars anymore, they are all those big ones.

ASSOCIATE PLANNER DIAZ – I don't believe that section has been changed.

COMMISSIONER GIBA – Do you see what I'm talking about?

PLANNING OFFICIAL TERELL – Yes, that's what happens when we bring something forward, we find something that has always been broken and we have the opportunity to fix it because somebody notices it.

COMMISSIONER GIBA – Thanks Gabriel. Thanks John

CHAIR BAKER – Does anyone else have any comments on the parking amendment? Okay, so do we open this up to Public Hearing? I guess we do.

PLANNING OFFICIAL TERELL – Yes

CHAIR BAKER – Okay, let's open this item up for Public Hearing. I don't have any Speaker Slips on this. Does anyone want to speak on this? If not, I'll close Public Testimony and we'll go forward with Commissioners Debate on the overall project I guess. Does anyone have any comments?

COMMISSIONER VAN NATTA – Sounds good to me.

COMMISSIONER GIBA – I like it pretty good. I just had one other question if I may. Page 88; you left it blank. Is it supposed to be blank for a reason or they just the lines where you are going to fill it in with something or is there some standard I'm supposed to go to get the information; the phone number; the...?

1 **PLANNING OFFICIAL TERELL** – Yes, it’s meant... it’s a standard language for
2 a sign so each property will have a different location or...

3
4 **COMMISSIONER GIBA** – Okay, so maybe just a reclaimed add. That’s kind of
5 what I figured. I thought maybe you hadn’t finished filling it in
6

7 **PLANNING OFFICIAL TERELL** – No it is standard language so it would be
8 different for each site.
9

10 **CHAIR BAKER** – I think it’s a smart idea
11

12 **COMMISSIONER OWINGS** – Chairman, are we into Commissioners Debate?
13

14 **CHAIR BAKER** - We are
15

16 **COMMISSIONER OWINGS** – I think I speak for everyone that any attempt to
17 make our City more livable is a worthy cause and it seems like you folks have put
18 a lot of work into doing this and I think you’ve done a good job here and we just
19 need to take from this and extend it into the neighborhoods and start to work to
20 help you know; all this work starts helping property values; livability and making
21 Moreno Valley a more attractive City, so for my standpoint thank you.
22

23 **CHAIR BAKER** – Very good, thank you, anyone else have any comments about
24 this item? I think it’s a great move. A lot of work went into putting this together,
25 so if there is no further discussion; if I could get a motion for this PA10-0030,
26 we’ll move forward.
27

28 **COMMISSIONER CROTHERS** – I’ll motion
29

30 **CHAIR BAKER** – Okay, do you want to read... let’s see here; I’ll give you this
31 here. I think this will work. Just read the approval; okay.
32

33 **COMMISSIONER CROTHERS** – I motion to **APPROVE** Resolution No. 2012-04
34 and thereby **RECOMMEND** that the City Council;
35

- 36 1. **APPROVE** PA10-0030 Municipal Code Amendment; and,
37
38 2. **RECOGNIZE** that PA10-0030 Municipal Code Amendment qualify as an
39 Exemption in accordance with CEQA Guidelines, Section 15061 as defined by
40 Section 15378.
41

42 **CHAIR BAKER** – Thank you. Do I have a second to that motion?
43

44 **COMMISSIONER GIBA** – Second to that
45

46 **CHAIR BAKER** – Okay, we have a motion and a second. All in favor?

1
2 Opposed – 0

3
4 **Motion carries 6 - 0, with one absent (Vice Chair Salas)**

5
6 **CHAIR BAKER** – Okay the next thing we want to move onto is...

7
8 **PLANNING OFFICIAL TERELL** – Before you do that...

9
10 **CHAIR BAKER** – Oh yes, Staff wrap up; I'm sorry

11
12 **PLANNING OFFICIAL TERELL** – That's okay. This item shall be forwarded to
13 the City Council for final review and action.

14
15 **CHAIR BAKER** – Thank you very much.

16
17 **COMMISSIONER OWINGS** – Mr. Chairman, Gabriel should get a commendation
18 for reading that whole thing.

19
20 **CHAIR BAKER** – I'm telling you Gabriel, we'll get you plaque or something for
21 that one I'll tell you. Okay, now the next thing we have is Other Business.

22
23
24 **OTHER BUSINESS**

25
26 **CHAIR BAKER** – It has to do with the 2011 Annual Report of the Planning
27 Commission. John do you want to give that or...

28
29 **PLANNING OFFICIAL TERELL** – Yes, real quickly, this is a report. It is required
30 by State Law that we file in April and it is just a recitation of what you guys did
31 last year and you had 34 items and some of those were combined; but 34 items,
32 which is a little bit light. This year we anticipate that you'll have more than that. I
33 think last year hopefully was the low year and it is all uphill from here now that
34 you are all trained and ready to go. In addition to that though there is a chart
35 here and we did have 598 administrative approvals and also 432 plan checks, so
36 that is what we kind of keep. You know based on your direction, we read the
37 codes and all these other projects are able to comply with those codes and they
38 don't come forward to you. I don't know how many meetings we'd have to do in
39 order to take care of all those projects and some of them are very minor of
40 course and that is why we deal with them at the counter in some cases. All those
41 were really kind of watershed years and already towards the end of last year and
42 coming into this year, we are ahead of the prior year, which is a good place to be
43 and we're hoping that we continue to be that way for years to come, so in looking
44 at these numbers, these were the lowest numbers I'd ever seen and so it good
45 when you see the numbers this next year we'll hopefully be much higher.

1 **CHAIR BAKER** – Okay thank you and I assume we want a motion and a second
2 to move forward with this.

3
4 **PLANNING OFFICIAL TERELL** – Yes and the recommendation that is there

5
6 **CHAIR BAKER** – Okay. Tom do you want to make the recommendation?

7
8 **COMMISSIONER OWINGS** – Alright, I move to:

- 9
10 1. **ACCEPT** the 2011 Annual Report of the Planning Commission; and,
11
12 2. **DIRECT** the Staff to forward the 2011 Annual Report of the Planning
13 Commission to the City Council.

14
15 **CHAIR BAKER** – Okay we have a motion by Tom, do we have a second on that
16 motion?

17
18 **COMMISSIONER CROTHERS** – I'll second

19
20 **CHAIR BAKER** – Okay we've got a second and a motion. All those in favor?

21
22 Opposed – 0

23
24 **Motion carries 6 – 0, with one absent (Vice Chair Salas)**

25
26 **CHAIR BAKER** – Okay, Staff wrap up on that

27
28 **PLANNING OFFICIAL TERELL** – We'll be forwarding that to the City Council for
29 acceptance and then we'll be shipping it off to the State of California.

30
31 **CHAIR BAKER** – Okay, thank you so much
32
33
34
35
36
37
38

39 **STAFF COMMENTS**

40
41 **CHAIR BAKER** – The next thing is Staff Comments

42
43 **PLANNING OFFICIAL TERELL** – Yes your next meeting is actually April 3rd.
44 That's the Joint Study Session and we've held the line that there has been a few
45 attempts at moving that back, but so far we've kept it at April 3rd. There will be a
46 Study Session that the City Council has at 6 o'clock which is a mid-year budget

1 review, so you can always come for that if you like and then at 7 o'clock we'll
2 have the Joint Study Session and then there are the items that I mentioned
3 before related to the Climate Action Strategy and energy efficiency things that we
4 are doing that you'll get an introduction to as well as the City Council and then
5 most of those items we'll be coming back to you on a later Agenda for a more
6 detailed review and then there were two items that you talked about last time and
7 this is kind of an opportunity to see if you had any other items that we can
8 consider to put on the Agenda. One was the east end development and the
9 other was the Medical Corridor and then I know Commissioner Owings sent out a
10 suggestion and I think the suggestion to talk about how can the Planning
11 Commission help streamline projects is good. I guess I wasn't as comfortable
12 with the proposed solutions, so that was the intent of responding. The subject is
13 probably a good one because you are part of the process; we're part of the
14 process; what can we all do to make things go smoothly and I just wanted to see
15 if there was a consensus on the part of the Commission to add that to the list of
16 potential items.

17
18 **COMMISSIONER OWINGS** – There is on my part

19
20 **CHAIR BAKER** – Does anyone have any comments on this?

21
22 **COMMISSIONER CROTHERS** – I think any dialogue that we can have with the
23 City Council that will kind of you know help lead us in the right direction and what
24 they are looking for so that we're kind of all on the same page so that we don't
25 approve a project and then they deny it or vice versa. You know we want to be
26 on the same page and we want know what they are expecting of us and in return
27 what we expect from them. I think any topic that will create that kind of dialogue
28 will be beneficial to both the City Council and to us as the Planning Commission.

29
30 **COMMISSIONER OWINGS** – John I wasn't clear in reading your email what your
31 problem with that particular solution was. Could you articulate that a little for me?

32
33 **PLANNING OFFICIAL TERELL** – Yes, I think it is taking a specific project; even
34 before it is a project; taking a specific site and a specific developer and bringing
35 that forward for discussion before it has been fully vetted out. Can you do that at
36 that location; what are the issues and doing it in a... and this is my understanding
37 of your proposal. I might have...

38
39 **COMMISSIONER OWINGS** – I think you are out of sequence with it. My thought
40 on it was it would be after the City Staff had basically got to a certain point before
41 you make the approval, but you pretty well have your arms around it. At that
42 point you would make a preliminary report and then there would be a Study
43 Session so that we would be privy to all of the information and I have seen
44 examples and I know we can't really talk about individual cases we've already
45 decided, but there have been times that I personally have seen where
46 information could have been presented to the Planning Commission that was not;

1 that later was presented in the Council situation, which slowed the developer
2 from getting his entitlements, which could have been prevented had there been
3 an adequate dialogue with the Planning Commission and I think it is a more
4 healthy situation to have it in a Study Session than it is to be individually to where
5 all kinds of things can occur and there are certain levels of uncomfortableness for
6 every Planning Commissioner to be in that situation. It takes out of that and I
7 think it would speed it up because and for example in this thing tonight; hey if we
8 had a problem with the color or whatever, we could have brought it up in Joint
9 Session... this isn't a big enough project and I'm only talking about larger
10 projects, but we could have talked about those kinds of things in a Study Session
11 which might have made it much easier for the Applicant and for you actually; the
12 Staff.

13
14 **PLANNING OFFICIAL TERELL** – Okay, well I misunderstood what you were
15 proposing because what I've seen at other communities and part of it is I'm not
16 sure if will shorten the time frame but it may provide you all more time to kind of
17 consider something is where it is not unusual where a project will be scheduled
18 for presentation and then it will be brought to a Public Hearing say at the next
19 meeting or a couple meetings after that ...

20
21 **COMMISSIONER OWINGS** – So that almost becomes a Study Session and I'm
22 only suggesting these for large projects. I certainly wouldn't consider anything
23 that this Planning Commission since I've been on it has done, well maybe with
24 the exception of the Ridge Project, but...

25
26 **PLANNING OFFICIAL TERELL** – Yes, I think the projects that pose; if I had to
27 recommend something; projects that pose policy issues would be my definition of
28 a larger project where projects that meet the standards hopefully are not projects
29 that have a lot of debate.

30
31 **COMMISSIONER OWINGS** – Complicated would be a better word than large;
32 complicated projects

33
34 **PLANNING OFFICIAL TERELL** – Right, because there are projects that have
35 policy issues that are not clear... controversial potentially. In the past some of
36 the disconnect and I think this is why you all having this session with the City
37 Council will be helpful for you as well as Staff, is there sometimes been a
38 disconnect between where the Planning Commission thinks the Council wants
39 development to be viewed and where the Council is and the conversation just on
40 those other two items that you talked about. What does the Council expect from
41 you so that you don't base it on...? I think the Council told us we don't... this is
42 not the kind of project they want and not that you do that but it has happened in
43 the past and then you either approve something that they said why did you do
44 that or you deny something where they say why did you that and those are
45 usually the larger controversial, more complex ones that end up going to them as
46 a matter of course.

1
2 **COMMISSIONER OWINGS** – Yes, and if we want to have a City that has a
3 reputation of getting things done quickly in a development area; in your area and
4 our area, then we have to eliminate that disconnect and I think it is helpful and
5 sometimes I'm not sure the City Council understands what they wish to be the
6 policy, so I think this is helpful to see if we can get them to articulate it to us.
7

8 **COMMISSIONER GIBA** – John I don't know if it is appropriate to mention this. I
9 don't even know how to phrase it appropriately but I'm going to try. There are
10 times at which there may be information that is disseminated to the community
11 by newspapers etc. before it has ever come to the Planning Commission and
12 there may be information that the Planning Commission has available when they
13 meet that the community at large does not have, so by releasing information
14 about a project that is upcoming prior to even the Planning Commission or even
15 the City Council meeting on it, has a tendency to bias not only the community but
16 others who may be involved. Do you see where I'm going with this?
17

18 **PLANNING OFFICIAL TERELL** – Not exactly
19

20 **COMMISSIONER GIBA** – Is there any kind of policy of releasing information on
21 major projects and major things that are going on to the community or to the
22 press prior to some major decisions being made and sensitive situations and
23 stuff. I teach high school. I do science fair projects, but I don't judge my science
24 fair; my students because I'll enter bias into that. If I release information into the
25 community prior to the panel of seven and a panel of 5 making decisions, then
26 you may bias your community to come with ideas that they got from the article or
27 from other sources that may not be accurate or may not be appropriate or they
28 may not have all the facts at hand and now you end up with a situation that you
29 have to fix rather than to actually go through a good process with the community.
30 I just don't think it is a healthy move sometimes to be releasing information on
31 things that have not come before the major people who have to make decisions
32 and I don't know if it is appropriate to say that or not.
33

34 **PLANNING OFFICIAL TERELL** – Well it is appropriate to say but as far as the
35 policy there are exceptions, but the policy is that most projects are not publicly
36 released for the press until your packet goes out or the public notice goes out;
37 but really when it gets the notice the Press Enterprise is when we send the
38 packet out. There are the Agenda and they call us if they have interest. We
39 don't have any control over what a member of the public or a developer might do
40 and so oftentimes those articles are generated generally; almost always
41 generated from outside the City as an organization. Certainly the concept that
42 Commissioner Owings has proposed is something that might provide a little bit of
43 headway for those big controversial projects where there is this opportunity to
44 kind of take a look at it a little sooner and get ahead of maybe that kind of press
45 or provide an opportunity for people to get more information before they come up

1 and demand that something be done; it provides maybe more opportunity for
2 them to actually learn more about the project; maybe not, but...

3
4 **COMMISSIONER OWINGS** – And the way I envision that would be after
5 whatever we call it; the Study Session or whatever, there might be information
6 that the Applicant says hey you know I can see where the Planning Commission
7 directions is. We can work with the Staff so that when the package finally gets to
8 us it is pretty much in line with our thinking and then to Jeff's point, you know
9 unless you do something with the Press Enterprise, there's just not going to be...
10 I mean that's the source of this information or lack of information, but is there an
11 attempt by the City Staff when the Press Enterprise writes an article that may not
12 be factual to at least to give the Press Enterprise the facts that are going to be
13 given to the Commission members so that they have basically our packet so that
14 they know what the facts are.

15
16 **PLANNING OFFICIAL TEREEL** – Yes and most of the reporters have been
17 pretty good about calling and asking and that gives us an opportunity to know
18 what the issues are. I mean they don't necessarily talk to me and certainly any
19 project of economic development significance there is very active conversations
20 with the economic development department to make sure they have the correct
21 information and to hopefully dispel rumors, but again dispelling rumors doesn't
22 necessarily papers...

23
24 **COMMISSIONER VAN NATTA** – There are two things we are never going to
25 have any control over and one of them is the Applicant spreading whatever
26 information they want about their project with the express purpose of garnering
27 support for it and the propensity of people to make quick judgments and opinions
28 without having all the facts anyway and I think that is part of why it is good to
29 come to a hearing to bring out all this information. What I do agree with
30 Commissioner Tom about is that if we have some advance opportunity to have a
31 Study Session or an early presentation, we will be able to express to the
32 Applicant the types of things that we have concerns about so that they can bring
33 information to satisfy those concerns when they do their presentation. For
34 example, although this is not a controversial application here, if they thought that
35 we would want to see more how this fits in with the neighborhood shopping
36 center, they might have had in their presentation additional views of other parts
37 of the shopping center to show us how it would fit in and that would have been
38 something that might have made it move along a little faster at the time that we
39 actually had our hearing.

40 **COMMISSIONER OWINGS** – And I hadn't really thought about what John said
41 and it would help in the area of what Jeff's concern was and in terms of public
42 information because the issue becomes framed between the deciding body and
43 the Applicant in front of the public and so therefore the issue is very accurately
44 framed. If you chose to misrepresent that at that point, there is nothing that you
45 can do to stop it but at least if would be an intentional misrepresentation as
46 opposed to an accidental or one be caused by a lack of information, so I hadn't

1 really thought of that, but that is a positive to my idea that I hadn't really put into
2 the mix, so I think you've even convinced me to even like it better.

3
4 **CHAIR BAKER** – Okay, are there any other comments?

5
6 **PLANNING OFFICIAL TERELL** – Okay, so on the Joint Study Session, the
7 items and I can't promise these will be on there, but that you want added beyond
8 the Energy and Climate Action Plan and the one I already talked about, would be
9 a discussion on the east end development; a discussion on the Medical Corridor
10 and then a discussion on ways to streamline the Planning Commission can
11 streamline the process and what the Council may agree to and certainly what
12 you've talked about today about the idea of early reports and things like that we
13 can address and hopefully maybe your next meeting very soon we can finally
14 bring forward that discussion of your rules and that could be something that could
15 be inserted into your rules as something that you all agree to.

16
17 **CHAIR BAKER** – Okay, very good. Is there anyone else? If not I'll entertain a
18 motion for adjournment.

19
20
21 **ADJOURNMENT**

22
23 **COMMISSIONER OWINGS** – Motion to adjourn

24
25 **CHAIR BAKER** – Okay

26
27 **COMMISSIONER GIBA** - Second

28
29 **CHAIR BAKER** – Okay, all in favor? Now one other thing there, are going to
30 project to meet on the 12th of April if we get some items besides the...

31
32 **PLANNING OFFICIAL TERELL** – If we have some items... right now it looks it
33 would be a push to have it on the 12th.

34
35 **CHAIR BAKER** – Okay, so we could move it to the next Thursday or...

36
37 **PLANNING OFFICIAL TERELL** – Right, we'll know certainly well in advance of
38 your April 3rd meeting so we can talk to you about it if we need to change that
39 schedule.

40 **CHAIR BAKER** – Okay, very good, thank you. Good night Moreno Valley.

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John C. Terell
Planning Official
Approved

Date

Ray L. Baker
Chair

Date

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1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 MAY 10TH, 2012

5
6
7 **CALL TO ORDER**

8
9 Chair Baker convened the Regular Meeting of the City of Moreno Valley Planning
10 Commission on the above date in the City Council Chambers located at 14177
11 Frederick Street.

12
13 **ROLL CALL**

14
15 Commissioners Present:

16 Chair Baker
17 Vice Chair Salas
18 Commissioner Crothers
19 Commissioner Giba
20 Commissioner Owings
21 Commissioner Ramirez
22 Commissioner Van Natta

23
24 Staff Present:

25 John Terell, Planning Official
26 Julia Descoteaux, Associate Planner
27 Claudia Manrique, Associate Planner
28 Jeff Bradshaw, Associate Planner
29 Michael Lloyd, Senior Transportation Engineer
30 Clement Jimenez, Land Development Engineer
31 Larry Gonzales, Senior Engineer, Public Works
32 Randy Metz, Fire Marshall
33 Paul Early, Deputy City Attorney

34
35
36 **PLEDGE OF ALLEGIANCE**

37
38 **APPROVAL OF AGENDA**

39
40 **CHAIR BAKER** – May I entertain a motion to approve the Agenda?

41
42 **VICE CHAIR SALAS** – I move that we approve the Agenda

43
44 **VICE CHAIR OWINGS** - Second

1 **CHAIR BAKER** – Motion to approve and seconded...Commissioner Salas made
2 the motion and seconded by Commissioner Tom. All those in favor?

3
4 Opposed – 0

5
6 **Motion carries 7 – 0**

7
8
9 **PUBLIC HEARING ITEMS**

10
11 **CHAIR BAKER** – May the public please be advised of the procedures to be
12 followed in this meeting. Procedures are on display at the rear of the room.

13
14
15 **PUBLIC COMMENTS**

16
17 **CHAIR BAKER** – Comments by any member of the public on any matter which
18 is not listed on the Agenda and which is within the subject matter jurisdiction of
19 the Commission.

20
21
22 **NON-PUBLIC HEARING ITEMS**

23
24 **1. PA12-0017 Fiscal Year 2012-2013 Capital Improvement Plan**
25 **Conformance with General Plan**

26
27 **CHAIR BAKER** – At this time I'd like to open the meeting up for Non-Public
28 Hearing Items. It is Item No. 1; PA12-0017. It has to do with Fiscal Year 2012-
29 2013 Capital Improvement Plan Conformance with the City of Moreno Valley
30 General Plan. This is going to be presented by Larry Gonzales.

31
32 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Good
33 evening Chair and members of the Commission. My name is Larry Gonzales,
34 Senior Engineer for the Public Works Department. I'm here tonight to present to
35 you the Fiscal Year 2012-2013 Proposed Capital Improvement Plan, which is this
36 large document right here. The CIP is part of the City budget adoption process
37 and the information you have in your packet is a summary of projects listed by
38 category. There are over 400 projects listed in the document. It is a planning
39 document that serves to identify various types of improvements that the City
40 would need over the next five years and beyond to build-out. All projects are
41 listed in conformance with the City's General Plan and are within the State Law
42 Guidelines. If the Planning Commission makes a finding that the document is in
43 conformance with the City's General Plan, the document is tentatively scheduled
44 to go before the City Council for adoption on June 12th, 2012. Staff therefore
45 recommends that the Planning Commission make a finding that the CIP is in

1 conformance with the City's General Plan. This concludes my report and I am
2 available for questions.

3
4 **CHAIR BAKER** – Okay, Commissioners does anyone have any questions of Mr.
5 Gonzales?

6
7 **COMMISSIONER GIBA** – Our primary concern here is that we make sure that
8 our document which is called the General Plan is in conformance with the
9 amount of money you are spending for the fiscal years 2012 through to 2017.
10 Am I correct?

11
12 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Well this
13 document is primarily; in terms of budget, it is really only dealing with fiscal year
14 12/13, so that's really the only thing that Council will be looking at and adopting.
15 It is also used as a planning document, so we also have projects in the CIP that
16 look toward the future to toward build-out, but we're not adopting that section.
17 We are just looking at that as a planning tool.

18
19 **PLANNING OFFICIAL TERELL** – Commissioner Giba, just to follow on with
20 what Larry said is the key is to make sure that this annual budget is consistent
21 with the General Plan as an example and these are things that are not in the
22 plan. If there was a street that wasn't on the General Plan that the City was
23 building or we were building a fire station in a location that wasn't the location
24 shown in the General Plan. Those are things that would be a problem. None of
25 those conditions exist here so Staff is very comfortable with the idea of finding
26 the CIP in conformance with the General Plan. The Capital Improvement Plan
27 has to be in conformance with the General Plan; not the other way around.

28
29 **COMMISSIONER GIBA** – The General Plan doesn't have to be in conformance
30 with the CIP. Clarify for me because I'm the new guy here, so I'm still trying to
31 learn. When we established the General Plan; this is dated 2006; am I correct?

32
33 **PLANNING OFFICIAL TERELL** – Yes

34
35 **COMMISSIONER GIBA** – Okay, this is 2012, so we've gone through six years
36 and I looked all over and I couldn't find anything called an amendment.

37
38 **PLANNING OFFICIAL TERELL** – Yes we've done actually several minor
39 amendments; land use amendments, but that is not unusual. Most General
40 Plan's last 10; 15 or 20 years without a major reworking, but let's say the City
41 wanted to and I'm trying to think of a road that would make sense... if we decided
42 that Ironwood wasn't going to be on the General Plan and we were going to put
43 Gregory Lane and we were going to widen Gregory Lane to four lanes, it would
44 have to be in the General Plan to do that, so then an amendment would have to
45 occur prior to that. A recent really good example is the action that you took a
46 month or two ago regarding Heacock Street south of Nandina. If Heacock Street

1 wasn't on the General Plan, we shouldn't be spending money widening it, so that
2 action that you took and the City Council approved, now allows the City to go and
3 design Heacock south of Nandina as part of the Capital Improvement Program,
4 so that's how the General Plan changes and then the Capital Program is
5 consistent with the document as it stands as of today in this case. Does that
6 make sense?

7
8 **COMMISSIONER GIBA** – Yes it does, but again I'm looking at the General Plan
9 which was originally designed and drafted for the City of Moreno Valley and for
10 its residents and that it was our responsibility to make sure that whatever we do
11 conforms with the wishes and the concerns of the people who put this together
12 and I think only Mr. Beatty and Mr. Stewart are around compared to what was on
13 here right now and is this an appropriate time right now to ask a few questions
14 about this and whether it does fit in with the CIP at all?

15
16 **PLANNING OFFICIAL TERELL** – Sure if you had some specific questions

17
18 **COMMISSIONER GIBA** – And you know me. I'm a nitpicker to a certain degree
19 if that's okay, but one of the major points and I'll be bringing them up probably
20 kind of randomly... one of the major points on the plan was a set of what we call
21 the ultimate goals, so I went through them and one of the ultimate goals was to
22 provide public services and public facilities and under that were libraries and
23 library services. I didn't see anything in your budget that had anything to do with
24 libraries at all; no money allocated for libraries period. Almost 75 percent
25 allocated to streets, which almost seems a little disproportionate to what the plan
26 is trying to do, because the plan specifies that it is supposed to be a balanced
27 approach and so that concerned me a little bit and again the history of what
28 happened; I know a little bit about the library being this and that. Is there a
29 reason why we don't even know? It is listed as one of your ultimate goals and I
30 could cite a couple of the references in your document of how important it is to
31 have a library and support the school districts and all the things that you wrote in
32 the document; yet there is no library funding. Can you explain that one to me?

33
34 **PLANNING OFFICIAL TERELL** – Yes, because there is no library funding in
35 next year's budget. That funding primarily comes from an development impact
36 fee for libraries which is being held aside in a fund until enough money is
37 collected to proceed, so if you look at the longer and I think Larry is looking right
38 now; if you look at the longer capital budget which is at build-out; you know a
39 longer term, the library is definitely in there.

40
41 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Right on.
42 This document and it's the proposed... it is available on the City's website. I
43 believe it is under Public Works, Capital Projects and I believe it is also under the
44 Financial and Administrative Department section on the public website, but there
45 is an item that is on page B33. It is in the section that is considered unfunded,
46 which means it is one of the outer year projects and we do have the main library

1 listed there at a budget of 33 million, so it is in the document; it is again in the
2 section of the document that is for the future; it is not part of this upcoming fiscal
3 year. What we try to do is we try to identify all of the projects in the City through
4 build-out that are consistent with the General Plan and that we are aware of and
5 trying to proactively budget for in the future.

6
7 **COMMISSIONER OWINGS** – It is my understanding that the library funds that
8 Jeff was talking about; part of those funds went in order to construct the Nason
9 Street improvements; the freeway on-ramps. Is that correct?

10
11 **PLANNING OFFICIAL TERELL** – I don't believe it was... that was a different
12 funding source. That was funding from a redevelopment bond that was allocated
13 to the library and was as you said temporarily borrowed to finish the Nason
14 interchange.

15
16 **COMMISSIONER OWINGS** – Well I guess my point goes to your comment that
17 there wasn't enough money in the fund to do anything, so we just sort of
18 reserved the fund until there is. It seemed to me that that was quite a bit of
19 money.

20
21 **PLANNING OFFICIAL TERELL** – It is not 33 million dollars though.

22
23 **COMMISSIONER OWINGS** – Is it appropriate for us to be discussing the money
24 as a Planning Commission?

25
26 **PLANNING OFFICIAL TERELL** – Is it appropriate... certainly you can discuss it;
27 it is really not related to finding the Capital Budget in compliance. We do it on an
28 annual basis, so next year we'll be back with hopefully better news in regards to
29 the library.

30
31 **COMMISSIONER OWINGS** – Well another thing I think both Jeff and I have
32 talked about is the reconfiguration of the Route 60 and Moreno Beach Drive
33 interchange and the ramps with Eucalyptus on page 8 of the plan. It states here
34 that they'll be completed within one year and this is very important because I've
35 talked to the manager's of the stores in the shopping center there and they are all
36 concerned about this because it is impeding their business, especially Target, so
37 with Best Buy going away, it seems as though the one year estimate is a very
38 positive thing but when you talk to people in the City at the city level they say it is
39 more like two years, so you know I would like to believe it is one year and would
40 like to know what we could do to make sure it was completed within one year, but
41 could you clarify what the timeline is on that project.

42
43 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Yes the
44 60 and Moreno Beach interchanges has been separated into two phases and the
45 first phase deals with just the south side on-ramps and off-ramps; on-ramp and
46 off-ramp and per the CIP page that deals with that phase one project; it shows

1 that construction is estimated for November 2012 through October and to be
2 completed in October 2013, so that is the south side of the interchange which is
3 adjacent to a lot of the stores and the area...

4
5 **COMMISSIONER OWINGS** – So that's the 18 month to 2 year estimate, so one
6 side takes a lot more time than the other.

7
8 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Right.
9 The south side and let me side the page here...

10
11 **COMMISSIONER OWINGS** – Are both projects fully funded?

12
13 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – The
14 south side that I just mentioned is fully funded because it is all budgeted for this
15 upcoming 12-13 fiscal year. The northerly side which is considered phase two;
16 we consider that only partially funded because the remaining funding is going to
17 be in the outer years; 13, 14 and I think we even have it for 14 and 15 for when
18 the construction of that segment is going to be completed.

19
20 **COMMISSIONER OWINGS** – So Larry if I am correct and what I understand you
21 said, if you were Target you'd be most concerned about the south side which is
22 fully funded.

23
24 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Correct

25
26 **COMMISSIONER OWINGS** – That's the good news. The bad news is that it is
27 more complex and it will take 18 months.

28
29 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Yes, I
30 mean the good news is that phase one for the south side is expected to be done
31 by... constructed by October 2013, which is toward the end of next year; which
32 isn't too bad, but as you said as far as the northerly section, that's not I think
33 tentatively; they are projecting it to be done and completed in the fiscal years
34 14/15, but even that is subject to available funding because it is so far into the
35 future.

36
37 **PLANNING OFFICIAL TERELL** – Commissioner Owings, I think one year of
38 course, that is the construction time and that doesn't include what has actually
39 been going on for quite some time which is acquiring the right-of-way and doing
40 the design and getting it approved by Cal Trans and all that other kind of stuff.

41
42 **COMMISSIONER OWINGS** – I have some experience with Cal Trans and it
43 could be challenging.

44
45 **PLANNING OFFICIAL TERELL** – Actually they've been very cooperative on this
46 project. Obviously a lot of benefits for... just as realigning the off-ramps and on-

1 ramps on Nason really help with traffic on the freeway because it didn't back up
2 as much and so will Moreno Beach, but yes the south side is the key one of
3 course because it will allow Eucalyptus to go through to Moreno Beach.

4
5 **COMMISSIONER OWINGS** – Right, which is, you know especially you know for
6 general knowledge and speaking with the people at Target and Office Max and
7 especially Target you know during the construction of the Nason off and on ramp,
8 their traffic was traffic detoured right through the Walmart parking lot, which of
9 course they might feel might have had some impact to their business, so this is
10 critical and is there any way or anything the City can do or any way this could be
11 speeded up so that we can complete the south project within a year if it is fully
12 funded?

13
14 **PLANNING OFFICIAL TERELL** – I think the frank answer is no. The one year
15 timeframe is the fast track process, so I know that the engineer in charge of this
16 project is really working hard and is really kind of doing a great job to kind of
17 move this along much faster and I harken it to Nason which you know has been
18 taken a much longer time to do and once this engineer got involved in that
19 project and Larry was involved in that too and between him and the other
20 engineer have really been able to move that project forward and managed to get
21 it under construction.

22
23 **COMMISSIONER OWINGS** – And it is much improved from my standpoint at
24 least from my experience.

25
26 **PLANNING OFFICIAL TERELL** – The next thing that will happen as you know
27 on Nason is they will be building the bridge; widening the bridge and they've
28 done a great job because it will be phased so that it will always be open. They'll
29 build half; tear down half and build the other half, so that will be much less
30 disruptive I think than what was necessary with the off-ramps, but I'm sure you
31 know any positive energy you can give will and good thoughts will really help that
32 work through and getting any information that you know about what is going
33 there too to us so we can forward it on.

34
35 **COMMISSIONER OWINGS** – Well I have done that but you know it is just in all
36 our best interest to make sure that we don't have a failed shopping center at the
37 Gateway to our City.

38
39 **COMMISSIONER GIBA** – I have another question. Because I kind of take this
40 seriously, so when you guys gave us the responsibility to make sure that it
41 complied with so that's why I began to delve in. I've been reading it a little at a
42 time, but the document is probably close to 400 pages in total. It is a good novel
43 to read in four days; not necessarily an easy one to do, so there was another
44 concern I had and this one maybe you can answer. A lot of times I do these
45 things maybe for the public. These might be questions the public might even ask
46 if I was not sitting here and I was to hear what goes on and it is nice that you able

1 to answer those for everybody, but as I went through the document, I went to and
2 I think it is item 9.3 and then I read this line that says economic development
3 element; this chapter will be added upon conclusion of the development of an
4 Economic Development Strategy, which is presently being conducted in
5 conjunction with this City Council. This element is not intended to affect the
6 Environmental Impact Report. Do we have that element?

7
8 **PLANNING OFFICIAL TERELL** – No and I would suspect we never will. That
9 was suggested two Community Development Directors ago.

10
11 **COMMISSIONER GIBA** – But it is part of the document. The document is part of
12 it. Am I correct?

13
14 **PLANNING OFFICIAL TERELL** – It wasn't ready to go at the time we brought
15 forward... we weren't going to hold up the General Plan for that element and very
16 honestly it is not proceeding; it is not a Planning effort and what really has taken
17 its place more recently is the Economic Development Strategy that the City
18 Council adopted last year and at some point in time that needs to make its way
19 into the General Plan.

20
21 **COMMISSIONER GIBA** – So when I'm reading this...

22
23 **PLANNING OFFICIAL TERELL** – Just so you know the Economic Development
24 Strategy is not inconsistent with the General Plan

25
26 **COMMISSIONER GIBA** – This was approved in 2006 and that was six years ago
27 and six years ago they said they didn't have this element, so six years ago this
28 wasn't a completed document.

29
30 **PLANNING OFFICIAL TERELL** – It was complete because the Economic
31 Development Element is not required by State Law.

32
33 **COMMISSIONER GIBA** – Okay, that's an answer that might be better to give me
34 than just tell me the other things. It is not required by State Law. It might have
35 been really nice to have something in here saying it is not completed and it is not
36 a problem because it was not by State Law. I'm not as wise as you guys. This is
37 not my job full time. I can tell a student to do something but not you, so that was
38 my big concern. If it wasn't a complete document I don't have all that information
39 that I need to make any decisions you know and again the balanced approach to
40 this document is that we were supposed to be balancing a lot of things and
41 according to this document and according to what you want us to say is in
42 compliance with, I don't see the balance. There is a disproportionate amount of
43 energy being put forth to roads, streets and bridges versus the other elements of
44 our City that is supposed to make it such a wonderful City for us and no matter
45 how this flies for the next year it will be a concern of mine that I think we need to
46 get back to some balance in this City and I just want to make that statement very

1 firmly. I think we are shifting fast and quick in one direction and I think for the
2 sake of the City and the people that live here you need to probably cut back a
3 little bit and take a look at where we can balance it...take some of that money
4 from one place and it might take us longer to do those jobs, but start by being
5 more balanced. That is just my personal opinion after spending four days and
6 who know what...

7
8 **PLANNING OFFICIAL TERELL** – And I wouldn't disagree. I mean this particular
9 year is heavily weighted towards the infrastructure that was identified as part of
10 the Economic Development Action Plan, so it's a little unusual in that way, so
11 future years will probably... I don't know; will show more other projects.

12
13 **COMMISSIONER GIBA** – I hope so. Those are my two major concerns. I know
14 I look like I've got a lot of sticky notes all over because I do, but they all combine
15 into the same type of issue. It would be nice if you guys did something about the
16 Economic Development Plan or made some statement or something or put
17 something out to us so that we know what you are working on with it because it
18 was a total surprise to me when I read that. I went what; what is supposed to be
19 here six years ago and it is still not here and I don't know how busy you've been
20 to be able to not do that job; I know I'm pretty busy, so...

21
22 **PLANNING OFFICIAL TERELL** – It's not that I've been busy; it's not a Planning
23 effort, so and really the priorities have changed and I'm talking about
24 administrative priorities and they are not other priorities.

25
26 **COMMISSIONER GIBA** – Alright, thank you both Larry and John.

27
28 **CHAIR BAKER** – Okay does anyone else have any comments on the proposed
29 Capital Improvement Plan? If not I'd entertain a motion to move this forward to
30 the City Council. That is what you are wanting is the Planning Commission to
31 make a finding... correct or not?

32
33 **PLANNING OFFICIAL TERELL** – Yes, just what it says there.

34
35 **COMMISSIONER OWINGS** – Mr. Chairman if I may. There was a pause there
36 when nobody was willing to make the motion, which would indicate to me that
37 maybe some of the Commissioners are not all that comfortable with their level of
38 knowledge, so is this something and I direct this question to the Staff; is this
39 something that needs to be done at this meeting or is there something; could we
40 carry this over and maybe have some sort of a further discussion of it.

41
42 **COMMISSIONER VAN NATTA** – I have a comment. I wasn't hesitant about
43 moving it forward. I was just unsure of what the format of the verbiage was that
44 you needed in a motion to move it forward.

1 **PLANNING OFFICIAL TERELL** – Okay, well I’ll answer both of those questions.
2 The first question is yes; unfortunately it is time sensitive because you won’t have
3 another meeting before the budget has to be approved. Our apologies for that
4 but that is just the way it works out and there is always next year and hopefully if
5 you want to talk about it, we can talk about it as a discussion item even
6 afterwards if there are any additional questions, but it really is time sensitive.

7
8 **COMMISSIONER OWINGS** – I guess my comment to that would be that in the
9 future it would be nice if we had this document with more time to study it;
10 possibly we should schedule some time next year prior to the adoption of this
11 plan to do a study session.

12
13 **PLANNING OFFICIAL TERELL** – Well I’ll refer back to Larry. It is kind quite a
14 crunch because of the way the budget goes, but certainly I’m sure if Larry can
15 bring it earlier he will do so.

16
17
18 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – We
19 typically go to study session in May; as a matter of fact next week. On Tuesday
20 we are going to be presenting this to City Council and making a presentation to
21 them on this proposed Capital Improvement Plan. We typically also meet with
22 each one of the Council members previous to the study session just to make
23 sure that we have been able to address all of their concerns, so John is correct in
24 that we end up; Capital Project Staff ends up receiving a lot of comments
25 throughout this process and a lot of these comments come later rather than
26 sooner and so even getting the document this early is a challenge and I think it
27 would be even more difficult to try to get it completed earlier. Now that doesn’t
28 mean that we can’t share it with you. It has been up on the website I think for a
29 week or two now and perhaps we can make you aware of that earlier so you can
30 have a chance to review it.

31
32 **COMMISSIONER OWINGS** – Well right, because the study session...we are
33 being asked to make a recommendation on a document that we are not fully
34 conversant with and the study session that you planned to have with the City
35 Council really has no value to us because we have already made our decision,
36 so you know I believe and I think I speak for the consensus of this Commission,
37 that if we are going to be asked for our opinion you know, we must offer
38 intelligent comments; we must make intelligent decisions and those decisions we
39 would expect would be at least looked at by the governing body; the City Council,
40 but since we have no actual knowledge or very little knowledge compared to
41 theirs, I think it is very easy for them to side step this Commission and it makes
42 this job somewhat meaningless, so I think I speak for myself that we are all here
43 to be meaningful to have meaningful input and we can’t do that without having
44 adequate information in a timely fashion from the Staff.

1 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – I can
2 make a note for next year to at least provide you with a link; the Planning
3 Commission with a link to the document; to the proposed CIP perhaps at least a
4 couple of weeks earlier than you were made aware of it.

5
6 **COMMISSIONER OWINGS** – Right and I’m not in any way trying to infer that we
7 don’t have confidence in the Staff’s ability to direct us correctly or properly
8 because we really do trust you folks, it’s just that...you know it’s just we should
9 know what we are voting on.

10
11 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** –
12 Understood

13
14 **COMMISSIONER GIBA** – For no other reason than to gain the confidence of the
15 people out there who expect us to be doing the job that we are supposed to be
16 doing here and to add to that if I would, that is the reason I brought those
17 comments up; not necessarily his.

18
19 **COMMISSIONER OWINGS** – John I’d like to just make one comment. You do
20 not need to continually apologize for asking questions. I think it is absolutely
21 necessary for this Commission to ask questions. You should be applauded for
22 your questions and you do not need to beg forgiveness for them and that is my
23 opinion.

24
25 **COMMISSIONER GIBA** – Thank you very much. I’m just trying to be polite to
26 these gentlemen.

27
28 **PLANNING OFFICIAL TERELL** – And I would concur that no impoliteness
29 implied or actual was received but again it is something that the State requires us
30 to do and we appreciate that you are taking it seriously. It is something that
31 hopefully becomes more of discussion in future years. It is actually relatively
32 recent that we actually were able to bring it to you at all. I mean it used to go
33 directly to City Council, so we’re making progress slowly but surely, but to
34 answer Commissioner Van Natta’s question...

35
36 **COMMISSIONER VAN NATTA** – I found it

37
38 **PLANNING OFFICIAL TERELL** – Basically you are going to find that the fiscal...

39
40 **COMMISSIONER VAN NATTA** – I did find that, but I did want to say that if we
41 wait until every project is absolutely 100 percent perfect and everybody agrees
42 on it and that everything is exactly the way we want to see it, nothing is ever
43 going to get done and there are times when we have to say yes it is not perfect
44 but if we don’t get it going in the right direction things won’t get completed and so
45 I’m going to move that we make a finding that the Fiscal Year 2012-2013

1 Proposed Capital Improvement Plan is in conformance with the City of Moreno
2 Valley's General Plan.

3
4 **CHAIR BAKER** – Okay we have a motion; do we have a second?

5
6 **VICE CHAIR SALAS** – I'll second

7
8 **CHAIR BAKER** – Okay Commissioner Van Natta makes the motion and
9 Commissioner Salas second; all in favor

10
11 Opposed – 0

12
13 **Motion carries 7 - 0**

14
15 **CHAIR BAKER** – Thank you. Do we need a Staff wrap up on that?

16
17 **PLANNING OFFICIAL TERELL** – No, that will just be forwarded to the City
18 Council for final review and action.

19
20 **CHAIR BAKER** – You know I appreciate all the discussion on this. Some things
21 that we do... that is my third time probably; I've been through that since I've been
22 on here. There are a lot of things that we have to kind of take for granted that
23 Staff knows what they are doing; that's what they get paid to do. It is good to ask
24 questions but at the same time certain things we just have to accept the Staff's
25 report and just run with them. They're the experts and we're the lay people, so
26 that being said questions are always good but we need... these guys out here
27 are our experts and they are the ones that we pay and we'll work on seeing if we
28 can get this straightened out for next year a little bit better. If people really want
29 to read the 400 page document and go through it so be it, Larry will work on
30 getting the link to us so maybe what do you think. I know that it is a time
31 sensitive thing. Do you think a two week lead time maybe.

32
33 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Yes know
34 I think I sent out the link to City Staff here; the department heads and to the City
35 Council; I believe I sent it out the week before last so that would give you
36 anywhere from 7 to 14 days to at least have it available to review.

37
38 **CHAIR BAKER** – Okay thank you

39
40 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Sure, and
41 just a final note, it can be downloaded as a PDF document so you can download
42 it to your local drive and then have it available whenever you wanted.

43
44 **CHAIR BAKER** – Okay thank you for your help.
45

1 **SENIOR PUBLIC WORKS DEPARTMENT ENGINEER GONZALES** – Thank
2 you

3
4
5 **APPROVAL OF MINUTES**

6
7 **1. October 13, 2011**

8
9 **2. November 3, 2011**

10
11 **3. February 9, 2012**

12
13 **CHAIR BAKER** – Okay now at this time I need a motion to approve the following
14 minutes. Minutes number one being October 13th, 2011; the second set of
15 minutes is November 3rd, 2011 and then February 9th, 2012.

16
17 **VICE CHAIR SALAS** – I'll move that we approve

18
19 **CHAIR BAKER** – Okay a second?

20
21 **COMMISSIONER CROTHERS** – I'll second

22
23 **CHAIR BAKER** – Okay we have a motion and a second to approve these three
24 sets of minutes; all in favor?

25
26 Opposed – 0

27
28 **Motion carries 7 – 0**

29
30 **CHAIR BAKER** – Okay thank you. Okay the next thing is we are going to move
31 on or this will be actually Public Hearing Items.

32
33
34 **PUBLIC HEARING ITEMS**

35
36 **1. Case Number: PA12-0007 Tentative Parcel Map No. 36449**
37 **PA11-0041 Plot Plan**

38
39 **Case Planner: Julia Descoteaux**

40
41 **COMMISSIONER OWINGS** – Mr. Chairman, due to my candidacy for City
42 Council and the fact that I've taken campaign contributions for parties involved in
43 the upcoming discussion and hearing, I would like to recuse myself at this time.
44

1 **CHAIR BAKER** – Okay, we'll come and get you when Item No. 1 is over okay.
2 Thank you. Okay do we need to show in the minutes that Commissioner Owings
3 recused himself?
4

5 **PLANNING OFFICIAL TERELL** – Commissioner Owings has left the room.
6

7 **CHAIR BAKER** – Okay, very good, thank you. So we'll go on to Item No. 1.
8 This is Case No. PA12-0007 and PA11-0041, a Tentative Parcel Map No. 36449
9 to subdivide 6.84 acres into five lots for commercial purposes and a Plot Plan to
10 develop one parcel with a retail store. The Applicant for this project is
11 Winchester Associates and Boos Development Group. The owner is Professors
12 Fund IV LLC and our representatives for this project tonight are Dave Slawson
13 and David Morse. Our Case Planner on this will be Julia. Let me do one thing
14 here before you start. I want to give the location of this project. It is at the
15 southwest corner of Perris Boulevard and JFK Drive (APN 485-081-034). Julia
16 you are up.
17

18 **ASSOCIATE PLANNER DESCOTEAUX** – Good evening Chair Baker and
19 members of the Planning Commission. I'm Julia Descoteaux, Associate Planner
20 and before you this evening is Tentative Parcel Map 36449, PA12-0007. The
21 Applicant has submitted the Parcel Map for the subdivision of approximately 6.84
22 acres into five individual commercial parcels ranging in size from .59 acres to 2.7
23 acres. The proposed parcel size is consistent with the requirements of Section
24 9.04.040 of Title 9 of the Moreno Valley Municipal Code which allows parcels to
25 be a minimum of 10,000 square feet within the Neighborhood Commercial Zone.
26 All the proposed parcels will include street frontage, however cross easements
27 and shared access will be provided where applicable.
28

29 Plot Plan PA11-0041 is a proposed retail building which will be constructed on
30 parcel 3 of the proposed Tentative Parcel Map on approximately one acre. The
31 project includes an 8,320 square foot retail building located just south of the
32 existing CVS Store with frontage along Perris Boulevard. The site will include
33 shared access with the existing CVS Store and the proposed parcel number 4
34 and 5 of the Tentative Parcel Map 36449.
35

36 The property surrounding the project includes residential to the south and west;
37 both R5 and Residential 10 to the north of the JFK. To the east are existing
38 retail, Neighborhood Commercial zoned and existing multi-family; R20 and R15.
39 All the new lots in the Parcel Map will access either by Perris Boulevard or John
40 F. Kennedy and the proposed parking lot for the proposed retail building meets
41 the Municipal Code requirements which require 37 parking spaces, which they
42 currently have in their site plan.
43

44 The retail building includes a stucco building with a metal roof and panels that
45 resemble a stone enhancement on all four sides of the building. The design
46 includes a variation of roof lines and reveals for dimension and decorative

1 lighting. Landscaping will be provided per the City's landscape requirements.
2 Based on the nature of the project, there were no specific studies associated with
3 the project. The site is consistent with infill development.
4

5 An Initial Study was completed with a determination that there would be no
6 significant impacts to the environment for the proposed Tentative Tract Map.
7 Based on the information in the Initial Study a Negative Declaration was
8 recommended and will be prepared.
9

10 Notification was sent to all property owners within 300 feet. To date I have
11 received several phone calls regarding the project. Two of them were just
12 inquiries as to what the project was and you know where the actual building was
13 going to be and the other one you have a letter from one of the neighboring
14 property owners who had some; not necessarily concerns with the project, but he
15 just wanted us to know that he had some concerns about signage which we will
16 address based on our sign criteria and with that both the Applicants for the
17 Tentative Map and the retail building are here to answer any questions for you.
18

19 This concludes my Staff Report. Thank you. Excuse me, one more thing. You
20 have several conditions from Land Development; LD11 and LD12 that have been
21 removed from the actual conditions of approval... LD11 and LD12 and you
22 should have a green sheet up there. Thank you
23

24 **CHAIR BAKER** – Okay at this time I'd like to open up testimony for any
25 questions of Staff for this particular project. Okay, Mr. Slawson is going to come
26 forward now; the Applicant.
27

28 **APPLICANT SLAWSON** – Good evening Mr. Chairman and Planning
29 Commissioners. My name is David Slawson and I'm with Winchester Associates
30 in Moreno Valley. On behalf of Professors Capital we're doing a Parcel Map; the
31 land division and we agree with the conditions of approval and I've talked with
32 Clement. The elimination of the two conditions we agree with; LD11 and LD12
33 and I just wanted to make a point a clarification. Julia and I just thought of this; I
34 was reviewing the Negative Declaration in relation to that; the finding with
35 regards to soil stability would still be in the positive I believe because we are
36 conditioned to do a Erosion Control Plan and best management practices, but
37 not the... so just a point of clarification. Other than that we agree with the
38 conditions of approval and I'm here to answer any questions with regards to the
39 Map.
40

41 **CHAIR BAKER** – Okay what I need to do now is open Public Testimony for
42 Commissioners to.... we don't need to do that yet. Let's first off have questions
43 for the Applicant and then I'll open up to public opinion. Okay, does anyone have
44 any questions of Mr. Slawson?
45

1 **VICE CHAIR SALAS** – I’ve got one. Hey Dave on the onsite water, where does
2 it drain into? Are we keeping it onsite all the onsite water?
3

4 **APPLICANT SLAWSON** – The water is going to... the natural grade drains to
5 the southeast and back out onto Perris Boulevard. For the mapping itself we
6 didn’t consider the drainage flow. Each individual site plan is going to have to
7 design a system that captures, cleanses and you know filters the solids and the
8 different pesticides from the water before it goes into the public system.
9

10 **VICE CHAIR SALAS** – Okay so that’s going to be the responsibility of whichever
11 or whoever owns and develops the parcel.
12

13 **APPLICANT SLAWSON** – Yes correct and in fact I was told by the engineer
14 from Boos Development they have a plan to do just that for their site.
15

16 **VICE CHAIR SALAS** – Okay, thanks
17

18 **CHAIR BAKER** – Are there any other questions for the Applicant?
19

20 **APPLICANT SLAWSON** – Okay, thank you and if you have any questions for...
21

22 **CHAIR BAKER** – David Morse...
23

24 **APPLICANT SLAWSON** - ... he can just come up...
25

26 **CHAIR BAKER** – Why don’t you come forward...?
27

28 **VICE CHAIR SALAS** – You don’t look like David Morse
29

30 **APPLICANT KENDALL** – I’m Christy Kendall with Boos Development. I’m the
31 local Project Manager for this project. Have you guys heard of Family Dollar and
32 do you what it is or should I maybe explain what Family Dollar is.
33

34 **COMMISSIONER VAN NATTA** – I think it’s good if you explain for the rest of us.
35

36 **APPLICANT KENDALL** – Okay, Family Dollar as I said is an 8320 retail
37 development and the comparison we like to say; because the dollar in it kind of
38 has a negative connotation; the comparison we like to say is that a Family Dollar
39 is like an Ace Hardware to a Home Depot is a Family Dollar to a Target or a
40 Walmart to where it is not a 99 cent store. You are not going to walk in a see a
41 bunch of 99 cent things, you are going to see some Health and Beauty, some
42 food, some general merchandise, some clothing and you are going to see name
43 brand items. Family Dollar is in 44 states and California made 45 and they made
44 their entrance into the market a little under a year ago and we opened our first
45 ground up store in January in California City and since then Family Dollar has
46 opened quite a few and I’m not sure of the actual count at this point; in line and

1 ground up stores; mostly in the San Joaquin Valley and the Inland Empire and
2 now they are starting to move north, south and more towards the coast. It is a
3 retail store that operates from 8 am until 9 pm and it has one delivery a week
4 from their Texas distribution center. They are actually in the process of opening
5 another one on the west coast, but for now it is just one delivery on the W6708 to
6 the store, so it doesn't interrupt the surrounding properties and Family Dollar will
7 hire from the community that it is in. The way you can apply is you can go on line
8 to their website or go to an existing store that is open. Now there are more
9 stores that have been open and in line spaces, it is easier for the local population
10 to go in and actually fill out an application, but a Family Dollar store will hold
11 anywhere from three to eight employees. They'll have a manager, an assistant
12 manager and then three to five additional employees at the store.

13
14 **CHAIR BAKER** – Do any of the Commissioners have a question of this young
15 lady?

16
17 **COMMISSIONER RAMIREZ** – Thank you for coming. I am just curious, what
18 other cities in the Inland Empire do you have Family Dollar stores at?

19
20 **APPLICANT KENDALL** – We are currently; I know there are Inland stores that
21 are open in Fontana, Rialto, Ontario and I believe there is one other City. We are
22 currently permitting all of the... and I don't think I said that I'm with Boos
23 Development. We are Family Dollar's preferred ground up developer, so for the
24 most part unless there is a random build to suit, we will be doing all of their
25 ground up development, so we are currently entitling projects in the City of
26 Fontana, Moreno Valley. We have projects in the early stages in San
27 Bernardino, Cal Mesa has some in the works; there is Hemet. We have some
28 pre-deal ones and they are the way down into Imperial and San Diego Counties
29 as well.

30
31 **COMMISSIONER RAMIREZ** – Okay

32
33 **COMMISSIONER VAN NATTA** – So this is the type of store where somebody
34 could... it's like a neighborhood store where somebody could go to and just
35 about pick up anything they need that they don't want to make a trip to the big
36 box store or something like that. Its milk, bread, eggs; that kind of stuff too and...

37
38 **APPLICANT KENDALL** – Exactly, food isn't prepared there but milk, bread and
39 eggs; anything that can go in the coolers that is already packaged will go in there
40 and they'll sell it. It is not a tremendous amount of food merchandise but there
41 are the basic essentials. It is kind of the stop in between going to the big box.

42
43 **COMMISSIONER VAN NATTA** – So when you say you are the ground up
44 developer on it, you are in charge of like the design of the store; what it is going
45 to look like; where the signage's; all that kind of stuff, so this gentlemen who
46 wrote in and has some concerns about signage that is facing the west where the

1 residential development is, would there be any signs on that side. It seems like
2 that would be the back of the store.

3
4 **APPLICANT KENDALL** – There actually would not at this point. We are not
5 proposing signs on the back elevation. There will be a ground sign that is on the
6 main road. There will be a sign on the front of the building. I don't even think; we
7 may be putting a sign on the side by CVS but they're really isn't a need to have
8 one on the back.

9
10 **COMMISSIONER VAN NATTA** – And along the back between this development
11 and the residential, they'll be a sound wall or...

12
13 **APPLICANT KENDALL** – There is actually quite a bit of space. We are taking
14 on a one acre parcel and the remainder of land on the sellers overall property
15 there will be a field that is behind there. So if you have been by the CVS there is
16 an open field behind it. Essentially there is about that much land that will be
17 behind our site between us and the existing six foot wall that already separates
18 the residential.

19
20 **COMMISSIONER VAN NATTA** – Which might be developed for something at
21 some time but it is not part of this project.

22
23 **APPLICANT KENDALL** – Exactly

24
25 **COMMISSIONER VAN NATTA** – So you don't actually abut the residential
26 development then right?

27
28 **APPLICANT KENDALL** – We'll be several hundred feet away.

29
30 **COMMISSIONER VAN NATTA** – Okay, thank you

31
32 **CHAIR BAKER** – Okay, is there anyone else? Okay, thank you.

33
34 **APPLICANT KENDALL** – Thank you

35
36 **CHAIR BAKER** – Now we're going to open up to and I don't think we have any
37 Speaker Slips but following the law of the land here we will open up Public Item
38 Testimony and no Speaker Slips at this point for this.

39
40 **PLANNING OFFICIAL TEREILL** – No, I don't know if anybody is in the audience
41 but you don't have any Speaker Slips.

42
43 **CHAIR BAKER** – I don't have any. Is there anyone that wants to speak to this
44 item? If not, we'll close the Public Testimony on this particular item and go into
45 Commissioners Debate.

1 **VICE CHAIR SALAS** – I don't have any debate but I do have a comment on the
2 store. I frequent the store in Arizona and I'll tell you what it is very convenient to
3 have a variety of items and it is always very clean, so I'm glad to see one coming
4 into town myself.

5
6 **CHAIR BAKER** – Very good, thank you. Is there anyone else?
7

8 **COMMISSIONER VAN NATTA** – I just want to say anything that enables people
9 to pick up what they need without using more gasoline to get it is a good idea.
10

11 **CHAIR BAKER** – Very good. Okay anyone else down in this direction? Okay
12 and if not I think the letter there that the gentlemen said about the signage and
13 the wall, we've addressed that right?
14

15 **VICE CHAIR SALAS** – Well let's address that. John is there a restriction on it for
16 them not to do that. I mean is there anything saying that they can't put a sign
17 back there. I mean if I lived there I wouldn't want a sign in my... I wouldn't want
18 to go to bed with sun glasses on.
19

20 **PLANNING OFFICIAL TERELL** – Under our Sign Code they would have the
21 right to have a sign, so you know they could have a sign. The elevations that
22 they provided us which would indicate that they propose to come in for signs
23 doesn't show that there are signs on the rear side, so barring any condition of
24 approval that they would accept not to do a sign on the back, they would have
25 the right, but I can't imagine why they would do it.
26

27 **VICE CHAIR SALAS** – You got me either. None of the other stores do it.
28

29 **COMMISSIONER CROTHERS** – John, just to make sure, if this comes back with
30 the actual proposed building and the design and everything that we will get
31 eventually, correct?
32

33 **PLANNING OFFICIAL TERELL** – The building is right there. Yes that is the
34 building that you will get.
35

36 **COMMISSIONER CROTHERS** – Can we make that a condition that there be no
37 sign that faces the homes?
38

39 **PLANNING OFFICIAL TERELL** – You can only do that with the concurrence of
40 the Applicant because they would be giving up something that they have a right
41 to in our Code.
42

43 **COMMISSIONER CROTHERS** – Okay
44

1 **COMMISSIONER VAN NATTA** – I think based on what we were told and the fact
2 that there is that buffer area between there and the homes; there wouldn't be any
3 reason to do that.

4
5 **CHAIR BAKER** – Okay, any other discussion or debate? If not we'll move to a
6 motion to accept this. You have the adoption; if not I can hand it to you. I just
7 need a...

8
9 **PLANNING OFFICIAL TERELL** – You are going to actually have two items; two
10 actions on this one.

11
12 **VICE CHAIR SALAS** – Exactly two... we do one at a time John?

13
14 **CHAIR BAKER** – So, Commissioner Crothers... she is going to do it

15
16 **PLANNING OFFICIAL TERELL** – Yes

17
18 **CHAIR BAKER** – Yes one for each item; okay. Are we going to vote on both
19 those together or...?

20
21 **PLANNING OFFICIAL TERELL** – Well they are two separate Resolutions.

22
23 **VICE CHAIR SALAS** – One at a time

24
25 **CHAIR BAKER** – Yes, one at a time, okay

26
27 **COMMISSIONER CROTHERS** – So I motion to **APPROVE** Resolution No. 2012-
28 06 and thereby:

- 29
30 1. **ADOPT** a Negative Declaration for PA12-0007 Tentative Parcel Map No.
31 36449 pursuant to the California Environmental Quality Act (CEQA)
32 Guidelines; and,
33
34 2. **APPROVE** PA12-0007 Tentative Parcel Map 36449 subject to the attached
35 Conditions of Approval included as Exhibit A.

36
37 **COMMISSIONER GIBA** – I'll second

38
39 **CHAIR BAKER** – Okay, Jeff seconds that; all in favor?

40
41 Opposed – 0

42
43 **Motion carries 6 – 0 - 1, with one Abstention (Commissioner Owings)**

44
45 **CHAIR BAKER** – Okay, the second portion

46

1 **COMMISSIONER CROTHERS** – I again motion to **APPROVE** Resolution No.
2 2012-07 and thereby:

- 3
4 1. **RECOGNIZE** that PA11-0041 Plot Plan qualifies as an exemption in
5 accordance with the California Environmental Quality Act (CEQA) Guidelines,
6 Section 15332 In-Fill Development Projects; and,
7
8 2. **APPROVE** PA11-0041 Plot Plan subject to the attached Conditions of
9 Approval included as Exhibit A.

10
11 **CHAIR BAKER** – Okay we have a motion from Commissioner Crothers and a
12 second?

13
14 **COMMISSIONER VAN NATTA** – Second

15
16 Opposed – 0

17
18 **Motion carries 6 – 0 – 1, with one Abstention (Commissioner Owings)**

19
20 **CHAIR BAKER** – Okay, final vote count; we’ve got that and Staff wrap up.

21
22 **PLANNING OFFICIAL TERELL** – Yes, this action shall become final unless
23 appealed to the City Council within 15 days and just the reason you had two
24 actions is because the environmental was different, so that’s kind of why we had
25 to go through it. It is not the usual on a project. Also just if you are interested
26 there is a second Family Dollar that is going to be up in the Moreno Valley Plaza.
27 They have already leased space up there, but that is not coming to you because
28 that is within an existing building.

29
30 **CHAIR BAKER** – It will be an in-line project, correct?

31
32 **PLANNING OFFICIAL TERELL** – Correct

33
34 **CHAIR BAKER** - Okay, does someone want to go get Commissioner Owings?
35 We’re going to make him earn his money.

36
37 **ATTORNEY EARLY** – Chair if I may for a moment?

38
39 **CHAIR BAKER** – Yes

40
41 **ATTORNEY EARLY** – While Commissioner Owings is coming back in the room,
42 I’ll just need to let the Commission know that I have a legal conflict with this next
43 issue, so I’ll actually be stepping out for a moment. If you do have any legal
44 issues that arise, you can let John know. We have access to the City Attorney by
45 cell phone where we can consult him if it necessary. We just might need a short
46 recess to do that. I’ll be right back.

1 **CHAIR BAKER** – Okay, thank you folks. Good luck to you. Item No. 2... are
2 you ready to go Commissioner Owings?

3
4 **COMMISSIONER OWINGS**- I am ready

5
6 **CHAIR BAKER** – Okay he's ready.
7

8
9 **2. Case Number: PA12-0002 Conditional Use Permit**

10 .
11 **Case Planner: Julia Descoteaux**

12
13 **CHAIR BAKER** – Okay Item No. 2, Case Number PA12-0002; a Conditional Use
14 Permit to expand the use of an existing bowling alley to include an arcade area.
15 The Applicant is Michel Knight and the Owner is Tripeak. The Representative is
16 Michel Knight. The location for this project is 23750 Alessandro Boulevard,
17 Suite K, and the Case Planner is Julia. Do you want to proceed with your part?
18

19 **ASSOCIATE PLANNER DESCOTEAUX** – Thank you Commissioners. I'm Julia
20 Descoteaux. Before you this evening is a Conditional Use Permit application
21 where the Applicant proposes to expand the existing bowling alley use to include
22 an arcade area. A Conditional Use Permit is required for an arcade when the
23 use is within 300 feet of residential. The proposed modifications to the existing
24 bowling alley include a reduction of the bowling lanes from 38 to 20, which will
25 provide space for the arcade area and the dining area. Additional uses within the
26 facility can include a remote control car area, banquet room, billiards, skating rink
27 area, sports area and a food and beverage area.
28

29 The Applicant proposes to operate the entertainment center Sunday through
30 Thursday from 9 am to 12 am and Friday and Saturday from 9 am to 1:30 am.
31 The Moreno Valley Police Department reviewed the project and did not have any
32 concerns regarding the operations. Several conditions of approval have been
33 included which require the owner to maintain a relationship with the Police
34 Department and additionally if any issues arise from the operation of the
35 business, the operator may be required to provide additional security both inside
36 the facility and/or within the shopping center as determined by the Police Chief.
37 The project satisfies the findings for a Conditional Use Permit as stated in the
38 Resolution attached to this report.
39

40 The site is within an existing shopping center, which is zoned Neighborhood
41 Commercial. Properties to the north are the existing single family residential. To
42 the east and the west is Neighborhood Commercial and properties to the south
43 are undeveloped Business Park and developed Community Commercial. The
44 project will use the existing shopping center parking and the site includes
45 adequate parking for the expanded use as designed with the original bowling
46 alley.

1 The project will not have a significant effect on the environment because it will
2 occur within an existing structure and is therefore exempt from the provisions of
3 the California Environmental Quality Act as a Minor Alteration to an Existing
4 Facility. To date I have not received any phone calls regarding this project and
5 the Applicant is here to answer any questions for you as well as myself. Thank
6 you very much.

7
8 **CHAIR BAKER** – Thank you Julia. Before we bring the Applicant forward, do
9 any of the Commissioners have any questions of Staff on this project?

10
11 **COMMISSIONER CROTHERS** – While you are going through this Julia, I see
12 that the Moreno Valley Police Department has reviewed the project and didn't
13 have any concerns, yet later in that same paragraph it says you know the owner
14 is to maintain a relationship with the Police Department and if any issues arise
15 due to the operation of the business operator, may be required to provide
16 additional security.

17
18 **ASSOCIATE PLANNER DESCOTEAUX** – That's correct

19
20 **COMMISSIONER CROTHERS** – I can't see how the Police Department could
21 not have an issue with this or at least express concerns because there have
22 been three if I am correct previous businesses in this location that have all been
23 shut down and have had high crime activity there, so my concern is how does the
24 Police Department not have concerns for the same type of business that is going
25 into the same location that has had three I believe; two or three previous
26 applicants or operators that have had extreme problems with the Police
27 Department. I just don't see how they you know... I'm not understanding that
28 part of it and then my second question is do they plan to redo the parking lot
29 because the last time I drove through there it wasn't a very well maintained
30 parking lot.

31
32 **PLANNING OFFICIAL TERELL** – Well I'll try the first one. We make the
33 attempt. We provide the information to the Police Department. They take a look
34 at it and often the person responsible for it doesn't have the history that say you
35 or I might have because of our being here when those things occurred and that is
36 why we make a point of including certain conditions even when the Police
37 Department has not requested it just to provide them that flexibility in the future.
38 Is that a fair statement?

39
40 **COMMISSIONER CROTHERS** – Kind of; yes. Is there any requirement on the
41 City's part to add in or to inform the Police Department that hey this is a location
42 that has had prior problems and you know that has taken up public service and
43 you know it has required service from the Police Department on many occasions.
44 I mean I don't understand how they could not put that address into their system
45 and run it for calls of service and see that there have been a lot of calls of

1 service. I mean I just think that's maybe a little negligent on their part and maybe
2 on our part we need to provide more information than we are giving.

3
4 **PLANNING OFFICIAL TERELL** – Well I think we did provide them that we were
5 going to add these conditions and I think they are being very positive and I think
6 being fair because I think it wouldn't be reasonable to require security there if in
7 fact this operator is able to control that with his private security, so that's why we
8 provided him the flexibility. It's not that the Police Department doesn't know it, I
9 didn't want to give that impression but this is a new operator and he has a grace
10 period, but he also has a conditional of approval.

11
12 **COMMISSIONER CROTHERS** – I agree not holding it against the new operator
13 by any means, but my background is definitely safety and concern and you know
14 safety and security for the City that I live in. You know I've been to that bowling
15 alley the three different times that it was under different operations though. You
16 know my concerns comes as a consumer and not as you know just on the
17 Planning Commission and so you know I want to make sure it is a good place
18 that I would go and that I would also bring my nieces and my nephews to or invite
19 other community members to and in the past it hasn't proven to be so my
20 concern is you know the safety and security of course and you know I would hate
21 to see it go the same route that it did before, so I'm glad to know that he is going
22 to have some kind of security, but we definitely need to use our Police
23 Department for everything that they are there for and public safety and things
24 that they are there for so, you know don't hesitate to call them I guess.

25
26 **CHAIR BAKER** – Commissioner Salas has a comment here

27
28 **VICE CHAIR SALAS** – I understand exactly what you saying and the only
29 reason I have a little comfort with this is only because I'm reading in here most of
30 the trouble was with the night club and they are not reopening the night club, they
31 are only going to have a DJ

32
33 **COMMISSIONER CROTHERS** – But they are serving alcohol

34
35 **VICE CHAIR SALAS** – Yes, right and it is still a bowling alley. I used to bowl in a
36 league there and most of the trouble came at night at the bar. It wasn't at the
37 bowling alley itself and they have gotten rid of that. They are allowing only at
38 banquets to have that thing and I think again I will say that most of the problem
39 happened at with the live band. If they were going to open that night club up I
40 would never support this, but you know maybe it is because I'm a bowler, but
41 anyway...

42
43 **CHAIR BAKER** – And we can direct some of this to the Applicant when he
44 comes forward. Are there any other comments here from the Commissioners for
45 the Staff? If not could I please have the Applicant come forward.

1 **COMMISSIONER VAN NATTA** – So basically the reason we’re looking at this is
2 because of the conversion of part of it to the arcade, which has the restriction
3 because of the proximity to the residential area.

4
5 **ASSOCIATE PLANNER DESCOTEAUX** – That’s correct

6
7 **COMMISSIONER VAN NATTA** – So that ‘s really the only reason it is coming
8 before us is just because of that, so we just have to decide if removing some
9 bowling lanes and putting in an arcade instead is going to have a significant
10 impact.

11
12 **ASSOCIATE PLANNER DESCOTEAUX** – That’s correct

13
14 **COMMISSIONER OWINGS** – Are we not looking at the liquor license; the fact
15 that they are serving alcohol?

16
17 **PLANNING OFFICIAL TERELL** – No

18
19 **COMMISSIONER OWINGS** – It normally does require a Conditional Use Permit
20 doesn’t it?

21
22 **PLANNING OFFICIAL TERELL** – It already has. It previously received that
23 authorization; the existing facility already been granted the ability to have a liquor
24 license.

25
26 **CHAIR BAKER** – That is done through the ABC. We don’t have anything to do
27 with that; right?

28
29 **PLANNING OFFICIAL TERELL** – Well if it was brand new and hadn’t been in
30 operation before, you would need to see that; basically it would be a night club.

31
32 **COMMISSIONER VAN NATTA** – Well I’ve never been in a bowling alley without
33 people having beer while they are bowling. There are some people that can’t
34 bowl without beer so that’s a part of it.

35
36 **PLANNING OFFICIAL TERELL** – Either they can’t bowl as well or they don’t feel
37 as good about it.

38
39 **COMMISSIONER OWINGS** – George is the expert on the drinking and the
40 bowling; right?

41
42 **VICE CHAIR SALAS** – I withhold comment

43
44 **CHAIR BAKER** – Okay, anything else? Let’s bring Michel forward please.
45 Would you please state your name and address for the record.

1 **APPLICANT KNIGHT** – Good evening Commissioners. I’m Michel Knight of
2 33998 Cal Vista, Temecula.

3
4 **CHAIR BAKER** – Just kind of give... we’re looking for some kind of what you are
5 doing there. We kind of got a thumbnail sketch but maybe some of the
6 Commissioners have some direct questions for you since you are the operator
7 and what you plan on doing. One thing we always like to know is about how
8 many people you are going to employ and we know the hours that you are going
9 to be open.

10
11 **APPLICANT KNIGHT** – Okay, I will try to simplify as much as possible. As I see,
12 some of the Commissioners are bowlers and some have been to the building
13 before. Think of this exactly as a replica of Lucky Strike and a mini Dave and
14 Busters. It is family. It is not a night club. I’ve heard so much about the previous
15 person who was there for two or three years. We thought long and hard about
16 when we looked at the building because when a building has a negative
17 impression and a negative image, it is really very hard to turn it around because
18 people just associate the new business with the old business. It is a very modern
19 one. I don’t know if you’ve seen the plan over here.

20
21 For the ones who bowl, instead of having a masking on the front, it is all big
22 projectors instead the whole masking; just one giant projectors all the way across
23 where you can see the movies you want every different night, so one night it is
24 romance movies, one night it is black and white; one night it is western movies;
25 one night is science fiction movies and then five lanes have been converted; the
26 actual lanes have been converted to a dining area, so when you go there to dine,
27 you are actually sitting on the lanes watching people bowl from their faces rather
28 than from their behinds. Yes, so that’s the second difference. The third part is
29 the arcade. It is about a quarter of the size of Chuckey Cheese and it is all kids
30 redemption games and this is where the other 15 lanes were sitting basically.

31
32 In the middle there is the first function ever in Riverside County as far as I know.
33 It is a little indoor remote race track. Basically it is just like on this carpet here,
34 there is a two foot little miniature wall for kids not to run inside and put the remote
35 control cars and race them against each other on the carpet and that’s about it.
36 What used to be the night club is now totally gutted out; changed the flooring and
37 the walls and it is a banquet hall for weddings and kids parties on the weekend
38 and that’s about it.

39
40 **COMMISSIONER CROTHERS** – I would think people would need to be careful
41 when they are dining looking at the bowlers. Some bowling balls kind of go
42 crazy. Some people aren’t so accurate with their bowling balls.

43
44 **APPLICANT KNIGHT** – Yes it is on the side; you see them from the side. I’ve
45 never seen anybody who can throw a 10 pound ball up in the air.

1 **COMMISSIONER CROTHERS** – I have. I've seen them go backwards and
2 sideways. It sounds good. Thank you.

3
4 **VICE CHAIR SALAS** – Can you talk to us about security? What kind of security
5 are you going to have security there?
6

7 **APPLICANT KNIGHT** – Yes, the normal standard security for dress code for
8 everybody coming in; a very strict dress code and the security at the door. We
9 will not be searching people; you know bags; everybody coming in is not going to
10 be searched; it is intended for families. How can I say this without being
11 diplomatic; screening the people coming in. If your pants are down at your
12 knees, the answer is go get a belt.
13

14 **VICE CHAIR SALAS** – Yes, this is privately owned. Is this a Brunswick backed
15 or is this privately owned?
16

17 **APPLICANT KNIGHT** – It is privately owned; yes, but the machines are brand
18 new; the Brunswick; the latest machines; the lanes and the machines.
19

20 **VICE CHAIR SALAS** – It used to be an AMF.
21

22 **APPLICANT KNIGHT** – Well I can't go forever
23

24 **COMMISSIONER VAN NATTA** – There was mention in here and Julia
25 mentioned something about a skating rink?
26

27 **APPLICANT KNIGHT** – Okay, we had a little problem. How can I say this being
28 diplomatic here again? Something called occupancy. Some of the tables for
29 occupancy were way out of reason, so the area where we have the arcade,
30 according to the tables it would take 660 people and there is no way you can fit
31 660 people even if they are in love with each other and if they just hug each other
32 on queue they will not fit, okay we had this argument over and over again, so in
33 order to just get over the whole occupancy argument it took us three months of
34 back and forth, so we said okay we are just going to put a skating rink in the
35 middle to get over the occupancy; to cut the space down in half and then we
36 came with the idea for an artsy remote control race car space so that's why the
37 alternative and the language; it's not a skating rink, it's little remote control cars;
38 you know the little ones and the kids play the remote control.
39

40 **COMMISSIONER VAN NATTA** – Oh okay, so that takes up enough of the floor
41 space to where the occupancy doesn't overwhelm.
42

43 **APPLICANT KNIGHT** – Yes
44

45 **VICE CHAIR SALAS** – Do you have any other businesses like this or is this your
46 first venture?

1 **APPLICANT KNIGHT** – No, we have another one
2
3 **VICE CHAIR SALAS** – Where is that?
4
5 **APPLICANT KNIGHT** – It is in Lake Elsinore. It is twice; two and half times the
6 size of this building.
7
8 **VICE CHAIR SALAS** – What is the name of it?
9
10 **APPLICANT KNIGHT** – Trevi
11
12 **VICE CHAIR SALAS** – Say that again
13
14 **APPLICANT KNIGHT** – Trevi... like the fountain
15
16 **VICE CHAIR SALAS** – Okay
17
18 **COMMISSIONER VAN NATTA** – And you are aware of the plans for the bowling
19 alley, arcade and everything in the mall?
20
21 **APPLICANT KNIGHT** – After we took over the building and paid, we were
22 happily surprised
23
24 **COMMISSIONER VAN NATTA** – Happily?
25
26 **APPLICANT KNIGHT** – What else can I say?
27
28 **COMMISSIONER VAN NATTA** – Well do you feel like it is far enough away and
29 attract a different set of people or do you don't think it is going to impact your...
30
31 **APPLICANT KNIGHT** – I lived in the east about 20 years of my life in Japan and
32 China. I know the Round One mentality very well; the corporate mentality. I
33 was very surprised to see them come to Moreno Valley because they look strictly
34 at statistics numbers okay and their model depends on karaoke and extremely
35 expensive arcade games; \$2.00 to \$5.00 for arcade game play versus ours is
36 only 50 cents. They don't do any league bowling.
37
38 **COMMISSIONER VAN NATTA** – And you're not doing any karaoke?
39
40 **APPLICANT KNIGHT** – No, we don't do any karaoke; no karaoke rooms; we call
41 it Universal Strike based on Universal Studios because the theme is really for
42 movies. Every night it is a different one; we are playing different movies on the
43 big screens. That is what we are looking for; more family... until 8 or 9 o'clock
44 you can get your kids there and after that just couples or families with a little bit
45 older kids who can go and have fun there.
46

1 **COMMISSIONER VAN NATTA** – So you feel like it's enough of a different type
2 of venue that it will maybe attract people who wouldn't want to go to the other
3 one because of the expense
4
5 **APPLICANT KNIGHT** – Yes
6
7 **COMMISSIONER VAN NATTA** – Okay
8
9 **APPLICANT KNIGHT** – They are very rigid in their pricing and their business
10 model. You play leagues and you know one thing when you play leagues, you
11 don't play music; they play music regardless whether you like it or not. They
12 have ping pong and they insist on having the ping pong tables whether people
13 play it or not. They don't even sell food on site.
14
15 **COMMISSIONER VAN NATTA** – Are you planning on soliciting leagues and
16 stuff for yours?
17
18 **APPLICANT KNIGHT** – Oh yes. We already have five days booked for leagues.
19
20 **COMMISSIONER VAN NATTA** – Good and how soon do you think you would be
21 able to be open once you have the approval? How long is that going to take?
22 Oh you mean it depends on them?
23
24 **APPLICANT KNIGHT** – No, I'm looking at the second row.
25
26 **COMMISSIONER VAN NATTA** – Oh okay
27
28 **APPLICANT KNIGHT** – No, we had a meeting this morning with the plan check
29 company. They had about 50 concerns and it is very basic things really. They
30 are going to do the first inspection on Monday and 1 o'clock. We've already
31 finished the liquor license. We have already finished the health inspection that
32 are all signed off I'm sorry and now just the last inspection by the City... They
33 come on Monday and I expect and I hope the Monday after they will sign it off.
34
35 **COMMISSIONER VAN NATTA** – I guess my question was whether you felt you
36 were going to be open before the one in the mall opens?
37
38 **APPLICANT KNIGHT** – I don't know when the one in the mall is going to open
39 but I hope to open within the third to fourth week of the month.
40
41 **COMMISSIONER VAN NATTA** – Oh cool
42
43 **APPLICANT KNIGHT** – It is all done inside. Inside it is all done; it's really...
44
45 **VICE CHAIR SALAS** – Open in time for summer league huh

1 **APPLICANT KNIGHT** – We have actually the first league signed up to start on
2 the 23rd of this month. It is all done; finished inside and we've been back and
3 forth really debating this occupancy for how long now?
4

5 **PLANNING OFFICIAL TERELL** – I'm not sure but your approval is really the use
6 obviously that has to happen in order to expand the use of the building. The
7 critical path is the Building and Fire Certificate of Occupancy and I think that's
8 what Mr. Knight has been referring to. Randy Metz is here you know and he
9 might be able to comment on what he believes is a reasonable time frame but
10 that's what has to happen if you approve it tonight.
11

12 **FIRE MARSHALL METZ** – Commissioner Van Natta in order to answer your
13 question, Mr. Knight is currently in the plan check process with both Building and
14 Safety and the Fire Department to address the potential change of use in
15 occupant load that he referred to originally. We are still in the correction notice
16 process in working with him and his engineer on what that occupant load is going
17 to be and what the specific requirements architecturally and from a fire and life
18 safety perspective will be within the building due to the occupant load change
19 from an R2 use as opposed to the removal of the lanes that require less people
20 because less square footage was actually occupied.
21

22 We've been working with Mr. Knight and his engineer and we anticipate
23 continuing that next week with the two contract firms that are doing those
24 reviews. Once he has gotten a plan approval he will be then be issued a Building
25 Permit from Fire and Building and Safety to finish the improvements that he has
26 got in place right now and at this point in time you know I can't comment on when
27 that process will occur as we continue to work with his engineer, but I think we
28 are getting much closer and it could happen as early as next week to give him an
29 actual Building Permit.
30

31 **CHAIR BAKER** – That would be very good.
32

33 **COMMISSIONER CROTHERS** – Mr. Knight, I just have a few more questions.
34 You mentioned you are the owner of Trevi Lanes in Lake Elsinore.
35

36 **APPLICANT KNIGHT** – Yes ma'am
37

38 **COMMISSIONER CROTHERS** – Okay, are you going to be using the same
39 security company that you are currently using in Lake Elsinore?
40

41 **APPLICANT KNIGHT** – No
42

43 **COMMISSIONER CROTHERS** – Okay
44

45 **APPLICANT KNIGHT** - I am going to use everybody... we have about 500... we
46 stopped counting at the number 500 of applications locally for jobs. After that the

1 rate was quite high, so we've interviewed people; everybody is local and
2 surprisingly enough pretty much every one we need is going to be from the City
3 because they live within a three or four mile radius. We are looking at about 46
4 jobs.

5
6 **COMMISSIONER CROTHERS** – That's great. Do have the same dress code
7 kind of family requirements as you do at Trevi?

8
9 **APPLICANT KNIGHT** – Yes

10
11 **COMMISSIONER CROTHERS** – Okay, I've read about Trevi in the newspaper.
12 I've in Southwest for over 5 years, so I've had quite a few run ins I guess with
13 patrons of the Trevi Lanes over there and I just want to make sure that there will
14 be security measures to prevent that kind of issue from happening here in
15 Moreno Valley, especially because of the location and the past that it has had.
16 Again my background is safety and security and I want to make sure that you
17 know if things are happening at the other location that there are not also
18 happening at this location.

19
20 **APPLICANT KNIGHT** – Will do

21
22 **COMMISSIONER CROTHERS** – Thank you very much

23
24 **CHAIR BAKER** – Is there anyone else?

25
26 **COMMISSIONER GIBA** – Yes, just one comment. I wanted to thank you for this
27 addition because from what I can see and what you have now presented I'm
28 rather pleased because I think it's a good family environment for the kids and I'm
29 hoping that everything that we're concerned with will go real well, so I just want to
30 say thank you for taking that and making it something unique because that is
31 what I thought when I read over the plans that I thought it was something unique
32 to Moreno Valley, so thank you.

33
34 **APPLICANT KNIGHT** – You're welcome. Thank sir

35
36 **CHAIR BAKER** – Very Good; is there anyone else? So you welcome you
37 aboard and we hope that we can get everything through the City here for you. I
38 know that's been plaguing you quite a while here. Do we have any Speaker
39 Slips? Is there anyone... so just to be the legal deal here, I'm going to open up
40 Public Testimony on this item and if there are no speakers on this I'll close Public
41 Testimony and then we will go into Commissioner's Debate on this. Thank you
42 so much for your help. Good luck to you.

43
44 **APPLICANT KNIGHT** – Thank you very much

45

1 **CHAIR BAKER** – Okay, Commissioner’s Debate... is there anything you need to
2 talk about on this before we move on a motion?

3
4 **COMMISSIONER VAN NATTA** – I just want to make a comment.

5
6 **CHAIR BAKER** – Yes, very good

7
8 **COMMISSIONER VAN NATTA** – Too many times I’ve heard there is nothing to
9 do in Moreno Valley and especially for families; good wholesome fun and as long
10 as we can keep this good and wholesome, I think it will be a real good addition to
11 Moreno Valley and give people a place to go with their families and fun things to
12 do without spending a bunch money.

13
14 **CHAIR BAKER** – Okay, thank you very much; good input... anyone else? I’m
15 looking here at your recommendations. Is this a two part deal or am I looking at
16 this wrong where we need to do one on this or is it the two we’ve got to work on
17 here?

18
19 **PLANNING OFFICIAL TERELL** – You have to do both and have them at the
20 same time. They just happen to be split by the page but it is one action and read
21 it all at one time.

22
23 **CHAIR BAKER** – Yes, go on ahead

24
25 **COMMISSIONER VAN NATTA** – Okay I move that we **APPROVE** Resolution
26 No. 2012-08 and thereby:

- 27
28 1. **RECOGNIZE** that PA12-0002 a Conditional Use Permit qualifies as an
29 exemption in accordance with CEQA Guidelines, Section 15301 Existing
30 Facilities; and,
31
32 2. **APPROVE** PA12-0002 a Conditional use Permit subject to the attached
33 Conditions of Approval included as Exhibit A.

34
35 **COMMISSIONER CROTHERS** – I’ll second

36
37 **CHAIR BAKER** – Okay, all in favor?

38
39 Opposed – 0

40
41 **Motion carries 7 – 0**

42
43 **CHAIR BAKER** – Staff wrap up

44
45 **PLANNING OFFICIAL TERELL** – Yes this item shall become final unless
46 appealed to the City Council within 15 days and just a comment... the prior

1 operators that were a problem... for whatever reason, that was built a long time
2 ago. He got approved without a Conditional Use Permit. I can't vouch for why
3 that happened but it did; it was a long time ago and so with this approval and the
4 unlikely event that you know this operator falls out of line, it is a Conditional Use
5 Permit; it has a lot more strings attached to it that if problems happen, we have a
6 much stronger ability to act.

7
8 **COMMISSIONER CROTHERS** – Thank you very much John

9
10 **CHAIR BAKER** – Julia would you ask the legal beagle to come back on in.
11 Thank you.

12
13 **PLANNING OFFICIAL TERELL** – You can proceed. Just hold all your legal
14 questions until he returns.

15
16 **CHAIR BAKER** – Okay

17
18
19 **3. Case Number: PA12-0008 Municipal Code Amendment**

20
21 **Case Planner: Jeff Bradshaw**

22
23 **CHAIR BAKER** – Item No. 3 has to do with Case Number PA12-0008, a
24 Municipal Code Amendment to Section 9.12.060.D, to increase the maximum
25 copy area and maximum height of drive-thru restaurant menu boards. The
26 Applicant for this is Contractors Permit Services. The Owner is Inland Bells Inc.
27 and the Representative is Cummings Signs. The location for this will be city-wide
28 and Jeff Bradshaw will speak to this item.

29
30 **ASSOCIATE PLANNER BRADSHAW** – Thank you. Good evening
31 Commissioner Baker and members of the Planning Commission. The item
32 before you this evening is a request to amend a portion of our Sign Code. The
33 Applicant requested two changes in their application or three I guess. One is to
34 increase the copy area; the other is to increase the height for menu boards for
35 drive-thru restaurants and the third aspect of the request was to be able to place
36 an illuminated logo element on the top of the sign, so those were the three things
37 that were requested by the Applicant.

38
39 Having had a chance to converse with the owner of the Taco Bell Restaurant, he
40 shared that the larger, taller menu boards, the inclusion of the logo that's
41 illuminated are all preferred kind of at a corporate level if you will, based on Taco
42 Bell's experience with the way they advertise their product at other locations and
43 what he is looking for here is something that would be consistent with what they
44 have done in other locations. What accompanied the application was a survey of
45 Sign Codes from other local jurisdictions. Staff had a chance to review those and
46 see what some of the other cities were doing.

1 Based on a review of sampling of other areas, it appears that our current
2 standards for menu boards are somewhat less than what is allowed in other
3 cities. So again Staff had a chance to review that information. We looked at the
4 increase in copy area and height and felt that those requests were reasonable
5 and consistent with both our Code and with the General Plan and so the
6 recommendation is to allow for the copy area to increase from 36 square feet
7 which it is currently, to 48 square feet and that would apply both to a pre-menu
8 board and the menu board. If the occupant decided that they wanted to go with a
9 single menu board, then we would recommend approving an increase in copy
10 area of up to 64 square feet.

11
12 The other element of the request that Staff was supportive of was that increase in
13 height, where the current limitation is 6 feet measured from the base from grade
14 to the top of the menu board and what is being recommended here is the change
15 from 6 feet to 8 feet. We also looked at the request on the use of the logo and
16 that was an area that we did have some concern with just because it has a little
17 more far reaching consequences if we make that change. Under the City's Code
18 currently, logos are permitted when they are made part of the design of a wall
19 sign or a monument sign or even a freeway sign, but they are not permitted in
20 isolation when they are used by themselves and so we see instances where that
21 request is made as part of a sign package.

22
23 A lot of time service stations will want to place their logos on the pumps and the
24 directional signage on the canopy; lots of places you wouldn't expect to see the
25 logo, at least by our Sign Code and so we did have concerns with expanding the
26 use of logos and that is not something that we are recommending for approval
27 this evening.

28
29 The amendment itself qualifies as an exemption under CEQA Guidelines as a
30 Class 5 Categorical Exemption. Notice for this change for the Municipal Code
31 Amendment was published in the paper, per the requirements of the Municipal
32 Code and as of this evening I had not received phone calls or inquiries about the
33 item before you this evening, so with that Staff would recommend the Planning
34 Commission adopt or approve the Resolution before you this evening,
35 recommending that Council recognize that the project is exempt from CEQA and
36 also recommending approval of the Code Amendment as it is presented to you.
37 Thank you.

38
39 **CHAIR BAKER** – Thank you. We don't really have an Applicant like from
40 Cummings Signs here?

41
42 **ASSOCIATE PLANNER BRADSHAW** – Yes actually there is a representative
43 here this evening.

44
45 **CHAIR BAKER** – Do they want to speak to us maybe or...?
46

1 **ASSOCIATE PLANNER BRADSHAW** – Yes definitely

2
3 **CHAIR BAKER** – Okay could we bring the Applicant forward please?

4
5 **COMMISSIONER VAN NATTA** – Can we ask Staff a question before she
6 comes...?

7
8 **CHAIR BAKER** – Yes, okay, hang with me just here a minute. They have a
9 question for Staff on this, okay...

10
11 **COMMISSIONER VAN NATTA** – So what was mentioned about the logos, that it
12 is currently not allowed to have a logo unless it is part of a sign? You can't have
13 just a logo?

14
15 **ASSOCIATE PLANNER BRADSHAW** – A logo in isolation by itself is not
16 permitted.

17
18 **COMMISSIONER VAN NATTA** – Why

19
20 **ASSOCIATE PLANNER BRADSHAW** – The reason is the City recognizes for
21 advertising purposes, three different types of signs. There is a wall sign, which
22 you typically see on the building of the business you go into or a monument sign,
23 which is the stand alone sign next to the road or a freeway sign, which is the
24 largest sign you can see as you are going by on the 60 or the 215. Those are
25 the instances where under our Code we can approve the use of the name of the
26 company or whatever branding or logo, they would combine that typically into a
27 single sign. We don't have a category of sign that allows for a logo to just be
28 placed in isolation. There just simply isn't a category of sign for that to occur.
29 Where we see the request and where you see some other cities allow that is as
30 you enter the site, they might have a little sign that says enter or exit and above it
31 maybe the logo that goes with that company.

32
33 **COMMISSIONER VAN NATTA** – Yes because that's just what I was going to
34 ask like it helps you find where the entrance is for the drive-thru or something like
35 that.

36
37 **ASSOCIATE PLANNER BRADSHAW** – We do allow for directional signage, we
38 just don't create opportunities for the company to continue to advertise again the
39 name of their business on the directional sign so you can see them, but it would
40 simply say enter or exit.

41
42 **VICE CHAIR SALAS** – Like at McDonalds, you can have the golden arches but
43 you can't have McDonalds on it. Is that what you are saying?

44
45 **ASSOCIATE PLANNER BRADSHAW** – You can have an enter or exit sign but
46 we wouldn't approve the golden M as part of the sign.

1 **COMMISSIONER VAN NATTA** – So let's say you've got a shopping center and
2 you've got several eateries in there and you've got an enter here and an enter
3 here and you are not sure which one goes to the Taco Bell and which one goes
4 to the McDonalds, why couldn't the enter sign have the Taco Bell logo on top of it
5 and why would that be a problem?
6

7 **PLANNING OFFICIAL TERELL** – I think the easy answer to that is it is not
8 permitted anyplace in the Sign Code today so it is a bigger issue. The City
9 Attorney's Office by way of association; the City Attorney's Office has completed
10 a comprehensive legal review of the current Sign Ordinance and it has provided
11 a more legally defensible Code and that has gone to the City Council and Study
12 Session and will go again I believe next month to the City Council and they'll be
13 giving some direction to kind of go beyond looking at the legal structure and
14 requesting that Staff look at the standard, so we'll be taking a much bigger
15 picture of the standards. We didn't want to apply that to this particular; we didn't
16 want to put that on this Applicant's dime, I guess I will put it that way because if
17 we approved a logo on what is considered an accessory sign, the menu boards
18 are only currently permitted to have their convenience sign. If you are in the
19 drive-thru; what do they have to offer... it is not meant to be an advertising sign
20 to attract attention from off the site.
21

22 **COMMISSIONER VAN NATTA** – Or to remind you what line you are waiting in
23

24 **PLANNING OFFICIAL TERELL** – You are in... yes, so that's a bigger picture
25 issue and we'll have a discussion later...
26

27 **COMMISSIONER VAN NATTA** – Hey, wait a minute, what was this... so within
28 the menu board they could have advertising in there, but you just couldn't have a
29 separate lighted sign above it.
30

31 **PLANNING OFFICIAL TERELL** – Correct
32

33 **COMMISSIONER VAN NATTA** – So it could still be there but it would have to
34 take up part of the square footage that is allowed for their sign
35

36 **PLANNING OFFICIAL TERELL** – Correct; that is what is permitted today.
37

38 **COMMISSIONER VAN NATTA** - I guess the other half of my question and not
39 to be argumentative, but just to get more information is when an applicant comes
40 up with something and they are asking for something, it doesn't get to us unless
41 you are recommending that we approve it? So if there is something that they
42 want, they just can't bring it and ask the Planning Commission to approve it. It is
43 not going to get on our Agenda unless you have already vetted it; you
44 department has already vetted it and decided that it is something you approve of
45 so it can come to us for approval?
46

1 **PLANNING OFFICIAL TERELL** – Well as Jeff said, we bring forward the
2 request; he identified what the request was but our recommendation doesn't
3 include the full request.

4
5 **COMMISSIONER VAN NATTA** – Yes but we don't see that part of the request in
6 here.

7
8 **PLANNING OFFICIAL TERELL** – It is in the report

9
10 **VICE CHAIR SALAS** – Well I think what she is asking, when you say
11 recommended for approval; Staff recommends for approval okay, would you ever
12 get any that says Staff doesn't recommend for approval?

13
14 **PLANNING OFFICIAL TERELL** – Have their ever been projects that have come
15 forward with the recommendation of denial, yes that has occurred. Usually we
16 try to work with the Applicant...

17
18 **COMMISSIONER VAN NATTA** – So you could... but in other words you could
19 put something in here that says we recommend you approve this part of the
20 request; we recommend that you deny this part of the request or something like
21 that.

22
23 **PLANNING OFFICIAL TERELL** – No what we do is we recommend a request
24 that we work with the Applicant; this is what we are going to do recommend.
25 We'd let you know what we're not recommending but don't have approve this or
26 don't approve that; we just describe it...

27
28 **COMMISSIONER VAN NATTA** – Okay, so the recommendation would just
29 include those things that you have already kind of smoothed out; worked out; put
30 all together and say okay this is something that we think is workable and the
31 Attorney has reviewed it and the Sign Department has and everybody has
32 reviewed it and this is what is going to work and this is what we are presenting

33
34 **ASSOCIATE PLANNER BRADSHAW** – That's accurate and the only reason we
35 are here this evening is because what they are asking for is beyond what our
36 Sign Code currently allows for, so what we are asking for is your review and if
37 comfortable, recommendation to Council that they make a material or permanent
38 change to the Sign Code so that in the future if someone else comes to the City
39 and they want to be able to build a larger menu board they could.

40
41 **COMMISSIONER VAN NATTA** – So we're not just approving it for this project...

42
43 **ASSOCIATE PLANNER BRADSHAW** – This is a City-wide change

44
45 **COMMISSIONER VAN NATTA** – We are making a recommendation that it be
46 changed

1 **ASSOCIATE PLANNER BRADSHAW** – And that is Staff’s hesitation to use this
2 as the vehicle to make the change to the logos because it is also City-wide and
3 has implications for other businesses as well.
4

5 **PLANNING OFFICIAL TERELL** – And as logos and this is not every sign but
6 about... occasionally and I’ll take a Starbuck’s and remember when that came in
7 and they had their logo on the entry sign; their logo on the little pole that says you
8 know your car is too high; they had I believe they was probably a dozen logos
9 and we said you can’t have under the sign and they said oh fine we won’t do it.
10 So in that case you didn’t hear about it because they didn’t feel strongly enough
11 because they deal in a variety of cities and some cities allow it and some cities
12 don’t, so that happens on occasion. In this case, this Applicant felt strongly
13 enough and was willing to pay for the application to get that approved for himself
14 as well as everybody else. The bigger picture issues as I said will be part of a
15 more comprehensive look at the Sign Ordinance and what it requires and what it
16 doesn’t allow.
17

18 **COMMISSIONER VAN NATTA** – Because you have to look at it and say how
19 else could it be applied and what is the harm.
20

21 **PLANNING OFFICIAL TERELL** – Correct, so it is a bigger picture issue, but
22 certainly within the next and I’m going to say it is probably within the next year
23 and the only reason I’m saying that is because your next six months is going to
24 be quite busy with applicants, but within the next year you will be seeing the Sign
25 Ordinance and we’ll probably have a Sign Committee or some other ways to get
26 a full list of issues that people have about the current Sign Code.
27

28 **COMMISSIONER VAN NATTA** – Okay, now we have somebody waiting very
29 patiently, so I’ll shut up.
30

31 **ASSOCIATE PLANNER BRADSHAW** – Just for reference you had asked about
32 the explanation of the Applicant’s request and kind of our response to that. It is
33 page 2 of this report or page 184 of the packet if is helpful. There is a paragraph
34 or two that goes into that.
35

36 **COMMISSIONER VAN NATTA** – Okay thank you
37

38 **COMMISSIONER CROTHERS** – John I just wanted to clarify that today we are
39 deciding on the actual size and height of the signage; not the addition to the sign
40 with logo; correct?
41

42 **ASSOCIATE PLANNER BRADSHAW** – Yes, what Staff is recommending out of
43 the request from the Applicant is to increase copy area for the menu board and
44 height for the menu board.
45

1 **COMMISSIONER CROTHERS** – Are both items; the actual sign size and the
2 additional logo part of what we could possibly approve today

3
4 **ASSOCIATE PLANNER BRADSHAW** – As presented to you this evening, we
5 explained the way I guess if you will, why we are not supportive of the logo
6 change and why we are not recommending it and so really our recommendation
7 is limited to just an increase in copy area and an increase in height.

8
9 **PLANNING OFFICIAL TERELL** – To answer your question, if you wanted to do
10 more than that, you would need to refer it back to Staff and we would have to
11 come back.

12
13 **COMMISSIONER OWINGS** – I guess that would be up to the Applicant right?

14
15 **COMMISSIONER VAN NATTA** – Well the Applicant... I'm sure the Applicant
16 would have to request it, but just looking at this here, they wanted the inclusion of
17 the company logo because it was consistent with their corporate preferences and
18 more consistent with menu boards at other Taco Bell locations.

19
20 **COMMISSIONER CROTHERS** – Right, which my concern is if we are able to
21 approve both or just one?

22
23 **PLANNING OFFICIAL TERELL** – You can only act on the Staff
24 recommendation. If it is more than that we would need to refer it back because
25 we need to... I mean you can give us direction but I can tell you we'll come back
26 with the same recommendation, just because if we allow it in this situation it will
27 really causes a big problem with our Sign Ordinance and I really would ask you
28 to defer that to a bigger policy decision.

29
30 **COMMISSIONER VAN NATTA** – But if we made a decision like that then
31 somebody would have to start looking at the Sign Ordinance right away, but
32 having to wait for it to come back to make a decision on something that is not
33 part of your recommendation would mean that it would be at the very least
34 another month before that recommendation could be made, in which time
35 probably the Taco Bell that was asking for it would have already ordered their
36 signs as approved.

37
38 **PLANNING OFFICIAL TERELL** – The sign under this recommendation is
39 already there.

40
41 **COMMISSIONER VAN NATTA** – Yes... oh you mean the larger copy area?

42
43 **COMMISSIONER OWINGS** – This is a retroactive approval?

44
45 **PLANNING OFFICIAL TERELL** – A portion of the copy area is covered over, but
46 they have the ability to retrofit this sign very quickly.

1 **VICE CHAIR SALAS** – Okay, the logo is not part of this at all right?

2
3 **COMMISSIONER OWINGS** – Well the Applicant wanted it

4
5 **ASSOCIATE PLANNER BRADSHAW** – It is presented as information as part of
6 the Staff Report as an extension of the applicant’s request or their application as
7 it is presented to us.

8
9 **VICE CHAIR SALAS** – But we’re not approving that or...

10
11 **ASSOCIATE PLANNER BRADSHAW** – As recommended by Staff, it is not part
12 of the action

13
14 **COMMISSIONER VAN NATTA** – Well we are not approving it but the point that I
15 was trying to make is that we don’t get to approve anything unless you have
16 already presented it to us and say please approve this. We can’t approve
17 something that you have not presented to us, right? That was my concern. So
18 we can’t listen to something the Applicant says and say that sounds like a good
19 idea; I don’t know why we can’t do it; we’re going to approve it.

20
21 **COMMISSIONER OWINGS** – Well we could direct Staff

22
23 **ATTORNEY EARLY** – Exactly, I think that’s where you are going with this. What
24 is before you in the Resolution or the Municipal Code Amendment that is before
25 you is all that is before you tonight. If you want a different or additional
26 amendment you need Staff to go back and draft that amendment and bring it
27 back to you at a later date. They may still not recommend that, but at least you
28 have it before you to so direct.

29
30 **COMMISSIONER VAN NATTA** – So then they would bring it to us and they say
31 we do not recommend this, but it would be there with the verbiage that meets
32 what we were are asking them to do.

33
34 **ATTORNEY EARLY** – That’s correct. This is City-wide because we are talking
35 about a Municipal Code Amendment. There is always... every applicant or every
36 potential applicant always has an individual localized approach for the Variance
37 process where they need specific findings for their property where they can come
38 in against Staff’s approval to make their own basically exception to a Code
39 provision.

40
41 **COMMISSIONER VAN NATTA** – So they couldn’t just ask for a variance so they
42 could put their logo on their signs.

43
44 **ATTORNEY EARLY** – Well they certainly have the right to do that. I doubt they
45 would. I think it would be very difficult for them to make any of the required

1 findings for the variance for this particular issue, so I don't even think that would
2 be a practical approach for them. They certainly would have that right to.

3
4 **COMMISSIONER OWINGS** – So following up on Commissioner Van Natta's
5 scenario, you come back with a Staff Report and you say that the logo issue is
6 that you do not approve it. We approve it. At that point what happens then?

7
8 **ATTORNEY EARLY**- You would recommend it for approval and to bring it
9 forward to the City Council who would then have the opportunity to review it and
10 they would ultimately would decide whether to adopt it or not.

11
12 **COMMISSIONER VAN NATTA** – Then they could override our approval like they
13 often do.

14
15 **ATTORNEY EARLY**– Absolutely

16
17 **COMMISSIONER OWINGS** – Well they would support the Staff

18
19 **ATTORNEY EARLY** – It is important and John did mention this, we are in the
20 middle of a comprehensive Sign Code over haul right now. Most of those
21 changes are not; well they are not policy changes as far as things like this go.
22 Most of them are more legalistic types of changes, but Council has directed us to
23 come back with a couple of policy changes. We certainly can if there is a
24 concern with this Commission that this is an issue. It can certainly be included
25 as it was in the Staff Report as a item that has been brought up as well. As that
26 goes forward, there will be committees of the business community; they will be
27 involved as well. It will come back to you all eventually as well. The Sign Code
28 Amendment is a very as John said, it would probably be a year before that is
29 actually adopted into practice.

30
31 **COMMISSIONER VAN NATTA** – Well it seems to me as much as want to put
32 ourselves forth as being business friendly; if national brands like Starbucks and
33 Taco Bell and I'm sure there are others have their sign programs that include a
34 little more exposure of their logo for advertising purposes and that logo is going
35 to be contained on the property that they own or are leasing, then what is the
36 harm.

37
38 **ATTORNEY EARLY**– It's a policy decision outside of...

39
40 **COMMISSIONER VAN NATTA** – Then why should it take a year or more to get
41 a policy decision...?

42
43 **PLANNING OFFICIAL TERELL** – I'm not arguing that it couldn't be done, but it
44 is really a function of priorities and the Council can direct us to do it sooner, but
45 the current direction is every month we will have a very large project coming to
46 you and the City Council and that is our priority right now as the applicants

1 coming in and people have requested this and I would say without exception; we
2 say would say that it doesn't meet our current code. You know it isn't like we've
3 got to have this, it is basically putting in a program that says this is the most we
4 would like, what do you think and we say this isn't permitted and they say okay
5 fine. It is not an argument that you have...

6
7 **VICE CHAIR SALAS** – Because when you submit something, you pick your
8 battles and that's not a battle you want to pick. I mean it makes common sense,
9 but just to get off the subject for a minute, somewhat less on our size; you said
10 that ours are somewhat less than other cities. Can you put a number to that; one
11 foot, two feet; what are we talking?

12
13 **ASSOCIATE PLANNER BRADSHAW** – Some of that is included in the
14 attachments that we provided where they had done a survey of other cities. Let
15 me see if I can find that for you. San Bernardino allows two menu boards per
16 building and they allow a maximum of 45 square feet and 8 feet in height.
17 Riverside is 40 square feet with 8 feet in height and I think I had gone on line and
18 searched for some other cities and they really kind of bracketed the City. There
19 were some instances where the cap of the menu board square footage was
20 actually less than what the city allowed. There were some that were similar but
21 they were some communities that do allow for larger menu boards than the City
22 does.

23
24 **VICE CHAIR SALAS** – Alright, thank you

25
26 **COMMISSIONER OWINGS** – John, just a clarification. You said directional
27 signs... do they count against the square footage; allowable square footage or is
28 there an exemption for just purely directional signs?

29
30 **PLANNING OFFICIAL TERELL** – All directional signs are exempt

31
32 **COMMISSIONER OWINGS** – That's why the logo is really critical here in what
33 we are talking about because if you put the logo on it and it would have to be
34 counted against the square footage and the Applicant would maybe lose...

35
36 **PLANNING OFFICIAL TERELL** – It could be. I mean I think again...

37
38 **COMMISSIONER OWINGS** – Well then it becomes an advertising vehicle as
39 opposed to...

40
41 **PLANNING OFFICIAL TERELL** – It is an additional sign that would most likely
42 require a permit. I think the idea is the policymakers having a bigger discussion
43 on this could allow more signs and that certainly is going to be healthy discussion
44 to have but it hasn't been as far as issues that come up with the Sign Code, this
45 hasn't been one that people haven't felt very strongly about. The menu boards
46 as a specific you know, that is a change in the industry. I think they offer so

1 many items; the fast food restaurants now and they really need more space and I
2 think that is what has happened more recently

3
4 **COMMISSIONER VAN NATTA** – Well everybody but In and Out; they don't need
5 more space.

6
7 **PLANNING OFFICIAL TERELL** – They've got all the off menu items so as long
8 as you know it is fine

9
10 **COMMISSIONER OWINGS** – You could put some tacos and stuff on the In and
11 Out...

12
13 **COMMISSIONER CROTHERS** – John I just think it is a shame you know. When
14 you pull up to a drive-thru and see this big black ugly box you know and it may
15 have colorful photos on it, but you know if this is what is proposed other than just
16 a big plain black box, I just don't see why this shouldn't be presented to the
17 Planning Commission as something the Planning Commission can approve,
18 because this sign looks a thousand times better than any sign that we've had so
19 far that are just big plain black boxes you know and some are not kept up very
20 well and I seem to think that if their logo is on it, there are more apt to take care
21 of it because it does present their logo and that is how these companies sell their
22 product is logo. Logo is very important to companies all across; whether they are
23 small companies or multi-national companies. I just think it is a shame that you
24 know we're not getting that option to make a decision on that.

25
26 **PLANNING OFFICIAL TERELL** – And I understand that but the reason we didn't
27 bring it forward is that it is a much bigger issue than just this kind of sign. It
28 would be out of in my opinion; it would be out of place to have it allowed at one
29 place and not all the other places that it could be and that's really the discussion
30 is to have a discussion on priorities for that. Maybe all them are okay, but that
31 will be happening in the not too distant future.

32
33 **COMMISSIONER CROTHERS** – Right just one other comment that I wanted to
34 bring forward. You said that in the next couple months we are going to have a
35 bunch of different applicants coming in; major applicants coming in and that is all
36 well and fine and you know I understand that our attention should be to them
37 when their time comes, but right now this is the applicant and this is the project
38 that we are dealing with and we need to give them the same amount of courtesy
39 as we are going to be giving to the upcoming applicants and I think to just
40 automatically say no and you know we'll deal with it later kind of thing, you know
41 they are an applicant that wants right now; they are wanting to come into Moreno
42 Valley right now and they are wanting to upgrade their sign right now and you
43 know and I think that it is all well and good that in the next year or so or
44 whenever we'll get to this Ordinance, but you know we have an applicant right
45 now who is looking at this change and you know it is unfortunate that we can't
46 address that.

1 **COMMISSIONER VAN NATTA** – I don't see why we can't.

2
3 **CHAIR BAKER** – Let's move... this young lady has been sitting here for about a
4 half hour; so patient with us, so go ahead and give me your or give us your run
5 down on this and we'll go from there.

6
7 **APPLICANT BETT** – Absolutely, my name is Cami Bett. I am here on behalf of
8 Contractor Permit Services on behalf of Cummings as well as Inland Bells. A
9 couple of quick things... I think that the increase in the overall square footage as
10 well as the height is consistent with a lot of cities. I am a permit expediter for
11 signage so I hear a lot of your concerns in a lot of different cities and I've pulling
12 permits for eight years for signage as well as Taco Bell's consistently over the
13 last eight years as well and I think with the proposed Taco Bell sign, is consistent
14 with numerous cities. I think there has only been one city that I've actually had to
15 go with a 25 square foot sign, which you guys have all I'm sure been through fast
16 food restaurants and the sizes that are consistent; even here in Moreno Valley a
17 25 foot sign is just; there is just not; there is too much of a demand now for food
18 on the go; fast food on that small of a sign doesn't you know justify it, but I think
19 that what we are proposing with the height; the overall square footage I think is
20 acceptable and in looking at the menu boards throughout the City of Moreno
21 Valley, if you guys look at the photos of very local to this particular location that
22 we are looking at this Taco Bell location, that you'll see that there are a lot of
23 signs that are above the current code as well as within, but a lot of them are
24 above.

25
26 You'll also notice there is a lot of additional signs in addition to that big black box
27 that you are speaking of that I think that arch element that we are proposing
28 eliminates the franchisees from adding those additional menu signs. Like for
29 instance and not to call McDonalds out, but the very first one; the McDonalds
30 menu board there has a very large addition on top of that menu board and the
31 one thing with the Taco Bell's consistently throughout the years is that they want
32 that arch element up there to eliminate the franchisees from going hey we've got
33 a special on tacos and you know we are going to put it up here. They don't want
34 that covered. They want that clean and if you look there is also a Taco Bell here
35 in the City that already has that particular arch and you'll notice in looking at the
36 other signs that are shown here; the other franchisees at other restaurants that
37 the Taco Bell menu board is pretty clean. They are very consistent. Some of the
38 Del Taco's, McDonalds, Jack in the Box; they all have a lot of accessory signs.
39 Taco Bell is trying to keep their franchisees contained in that menu board and
40 that is why they have that space. They are consistent throughout the
41 franchisees.

42
43 Now I understand the logo issue as far as with the Sign Code. I deal with that a
44 lot in a lot of cities and like you were saying the companies will come in and say
45 that's okay we won't worry about that. Now my question in that conversation that
46 you guys had is the arch element less the logo on the top of the menu board that

1 we are proposing is consistent with the architecture of the building itself. If you
2 have been by the location or seen the Taco Bells, they have that arch element on
3 the building. Now I'm not sure if I can direct this question at Jeff or not is would
4 that arch element be allowed as long as it is within that overall square footage
5 less that logo because that is not technically a logo, it is an element of the actual
6 menu board itself and that might you know answer...

7
8 **COMMISSIONER VAN NATTA** – The logo on it looks cool

9
10 **COMMISSIONER OWINGS** – You are considering the bell the logo?

11
12 **APPLICANT BETT** – Yes, the bell would be the logo

13
14 **COMMISSIONER OWINGS** – In Riverside that would just be the City emblem

15
16 **APPLICANT BETT** – But that would be in keeping consistent through you know
17 other Taco Bell locations and now I have some cities that allow that some cities
18 that don't allow, it depends on their sign criteria and you know...

19
20 **PLANNING OFFICIAL TERELL** – I think it was incorporated in within that square
21 footage; it has to be within that square footage, we could look at that. I mean it is
22 part of the sign.

23
24 **COMMISSIONER VAN NATTA** – If the arch with the logo is part of the total
25 square footage of the... what is the square footage...

26
27 **COMMISSIONER OWINGS** – Not with the logo

28
29 **APPLICANT BETT** – Not part of the square footage but part of the overall height
30 because there is not copy on that right?

31
32 **PLANNING OFFICIAL TERELL** – Well the entire structure is what is permitted
33 and technically it is not a sign in the same way as the other signs are, but if they
34 could incorporate within the height and square footage, because height and
35 square footage is the maximum boundaries of this type of construction.

36
37 **COMMISSIONER VAN NATTA** – So the one that they are proposing is how tall?

38
39 **VICE CHAIR SALAS** – Eight feet

40
41 **COMMISSIONER VAN NATTA** – Including the arch or not including the arch?

42
43 **APPLICANT BETT** – Well the arch is actually... including the arch, at the top of
44 that little bell which technically is a little bit taller, it is 8 feet, 7 ½ inches, so
45 without that bell it would bring it down several inches.

46

1 **COMMISSIONER VAN NATTA** – Okay but that signage area there; you’ve got
2 one that has the dimensions on it...
3
4 **APPLICANT BETT** – You are talking about the actual sign menu itself?
5
6 **COMMISSIONER VAN NATTA** – Yes the menu board area
7
8 **APPLICANT BETT** - The height of the menu box is 5 foot, 7 ½ inches and is 7
9 feet, 8 inches wide, which makes for how much square footage?
10
11 **COMMISSIONER VAN NATTA** – Which makes for how much square footage?
12
13 **APPLICANT BETT** – We’re just under that 48. We are at 46 and change.
14
15 **ASSOCIATE PLANNER BRADSHAW** – The dimensions of the board also need
16 to include the base; the distance from grade, so you are looking about a foot of
17 extra dimension
18
19 **COMMISSIONER VAN NATTA** – Yes but it’s just a trim across the top
20
21 **COMMISSIONER OWINGS** – You are saying it would be 9 foot 8... It would be
22 8 foot, 8 right?
23
24 **APPLICANT BETT** – It is 8, 8
25
26 **PLANNING OFFICIAL TERELL** – It is 8 foot, 8... yes
27
28 **COMMISSIONER OWINGS** – The overall height from where?
29
30 **APPLICANT BETT** – With that arch
31
32 **COMMISSIONER OWINGS** – Right and the City’s position is that it should be no
33 higher than what?
34
35 **PLANNING OFFICIAL TERELL** – 8 feet
36
37 **COMMISSIONER OWINGS** – You know the interesting question here that I see
38 first of all, Commissioner Van Natta points out McDonalds is really in Riverside
39 and not in Moreno Valley just for the record. It doesn’t seem to be... I mean are
40 we... do we have Code Enforcement here. It seems like every example we have
41 here is in excess of the current Sign Code right?
42
43 **ASSOCIATE PLANNER BRADSHAW** – And we were going to address that as
44 well, but we weren’t sure.

1 **COMMISSIONER OWINGS** - But I'm just wondering from the Applicant, from
2 your standpoint are you one of those people that says hey whatever we can get
3 away with or you want everyone to play by the same rules?
4

5 **APPLICANT BETT** – Well I mean from my standpoint I think that being an
6 expediter for signage especially that I think that the change that we are proposing
7 for the square footage and the height requirements, I think are... I think it's a
8 change that needs to be made because a lot franchisees; a lot of locations with
9 menu boards I've found over the years, they will put they their sign in that they
10 want anyway and I'm just saying...
11

12 **COMMISSIONER OWINGS** – Well I think my question is this, if you are a
13 franchisee and not a sign company, would you want the City of Moreno Valley to
14 fairly consistently enforce the Sign Codes or do you want it to be anything goes?
15

16 **APPLICANT BETT** – No absolutely, it needs to be fair and consistent
17

18 **COMMISSIONER OWINGS** – So I guess the question to Staff then is why are we
19 not enforcing Sign Codes? I mean we are approving a sign that everybody has
20 already.
21

22 **ASSOCIATE PLANNER BRADSHAW** – Yes and we can address that if you like.
23 If you look at the eight signs that were proposed and of the eight, two are not in
24 the City; three or four of those were approved under the County's Ordinance
25 before the City's Ordinance existed in '92 and then the specific example which
26 we didn't want to raise, the sign or the mini-board that was there was done
27 without a permit. They just simply decided they wanted a menu board and put it
28 up.
29

30 **COMMISSIONER OWINGS** – Would that be KFC?
31

32 **COMMISSIONER VAN NATTA** – Which board?
33

34 **ASSOCIATE PLANNER BRADSHAW** – It is the Taco Bell on Sunnymead.
35

36 **COMMISSIONER OWINGS** – Well about the KFC. That is under the proposed
37 sign area but it is over the current sign area. It is 36 square feet now right? I'm
38 not just talking about the height; I'm talking about the square footage.
39

40 **COMMISSIONER VAN NATTA** – Could we... okay, as a compromise to the Sign
41 Code that would prevent people from just throwing their logo all over the place,
42 could our revision to the Sign Code simply include the increasing of the menu
43 board size and then just include a thing that the menu board itself could have a
44 logo above it; a lighted logo above it?
45

1 **PLANNING OFFICIAL TERELL** – I think the quick answer is no. We already
2 allow architectural enhancement to it and to the extent that they could now make
3 a good case that it is part of the architecture and not simply a logo. We could
4 work with them on that as long as it was within the square footage and the
5 height. So as presented, we couldn't work with that because it is too high and
6 the square footage would exceed what is proposed, but I guess I'm a little bit
7 frustrated with this discussion because you know take my word for it, we can't be
8 amending the Sign Code to add logos here and there without looking at the
9 bigger issue and this particular Applicant has been very sensitive about what it is
10 costing him to do this and I really don't want to spend and he may not even want
11 to pay for a lot of additional Staff work to look at the logo issue. It is a big issue
12 and I understand your concern and you want to provide what the Applicant has
13 reasonably asked for, but it is a big issue and I really encourage you not to look
14 at it.

15
16 **COMMISSIONER VAN NATTA** – But the City is going to look at this in terms of
17 being for the Taco Bell sign that that is an architectural enhancement instead of
18 the placement of the logo.

19
20 **COMMISSIONER OWINGS** – Well especially if they left the bell off

21
22 **PLANNING OFFICIAL TERELL** – They could enhance this sign and make it look
23 prettier without having a logo on it; yes and make it more compatible with the
24 architecture. We don't require that because these are really convenient signs
25 that are not... you are already in the drive-thru so they are not meant... you know
26 we don't get hung up on the aesthetics of them as we would if it was visible from
27 the public right-of-way. People have the option to do that.

28
29 **COMMISSIONER VAN NATTA** – Well I think we've been hung up on this whole
30 thing a little bit too long. We need to move forward...

31
32 **COMMISSIONER OWINGS** – Mr. Chairman if I could address the Applicant.
33 You know while we have a sign expert here, you know these signs there is more
34 at issue here than just the signs, so you know there is an environmental issue
35 here in terms of the amount of time that people are stopped while they are
36 reading these signs, so you know does the amount of square footage that the
37 sign has increased, does it enhance and speed up the process of people picking
38 the menu and choosing the menu item and getting through the drive-thru or does
39 it increase the idle time in the drive line in the driver queuing, which you know if
40 you know anything at all about emissions, that is when the most emissions occur
41 is in the idle time, so the proposed changes would affect what it would have in
42 terms of that.

43
44 **APPLICANT BETT** – Well I think the biggest thing is the consistency throughout
45 the other Taco Bell franchisee locations. I don't know about you but when I go to
46 a fast food restaurant, I always; it is pretty; it is habit; what is that number; what

1 number is that again. You look for what you are familiar with on the menu and I
2 think if we could be allowed to have the menu board that is consistent throughout
3 the other Taco Bell locations that it will allow people to find their norm of what
4 they are looking for faster.

5
6 **COMMISSIONER OWINGS** – So it's your things and then it would speed up the
7 process

8
9 **APPLICANT BETT** – Absolutely, I think it would speed it up

10
11 **COMMISSIONER OWINGS** – Decrease queuing and therefore have a beneficial
12 effect on the environment.

13
14 **APPLICANT BETT** – Absolutely, that and the copy size would not have to be
15 reduced in order to be able to get all of their items listed on their menu board
16 completely.

17
18 **COMMISSIONER OWINGS** – So if I could summarize your desires, your desire
19 would be that the City fairly and equally administer the sign or Code Enforcement
20 would fairly enforce the Sign Code, whatever the Sign Code is and that the size
21 be increased, that you'll be allowed to have architectural enhancement if you
22 remove the logo and have it not count as the square footage for the signage, but
23 you would be willing to allow that to count against that overall height requirement.

24
25 **APPLICANT BETT** – Correct

26
27 **COMMISSIONER OWINGS** – Thank you

28
29 **CHAIR BAKER** – Okay, anyone else? Okay Commissioner Salas has to be
30 excused to go to the restroom. He'll be back directly. We'll open this up to
31 Public Testimony. I don't have any Speaker Slips. Does anyone want to speak
32 to this issue? I am going to open and close Public Testimony. We've pretty well
33 debated this. We'll go into Commissioners Debate. While Commissioner Salas
34 is out, does anyone have anything to add to what has been stated on this. You
35 can go have a seat if you like. Thank you so much for your patience.

36
37 **APPLICANT BETT** – Hey, I get paid to be patient

38
39 **COMMISSIONER OWINGS** – Thank you

40
41 **APPLICANT BETT** – Thank you

42
43 **CHAIR BAKER** – Let me ask you one thing while you are up here. I used to pull
44 signs for a restaurant chain or expedite. Is neon like on Outback; is that
45 considered square footage. Maybe not in this town but on a lot of them it does.

46

1 **APPLICANT BETT** – Sometimes, more and more they like the LED borders.
2 Now they are going with the LED rope borders. The rope borders are not being
3 signage. I know Chili's is one that I'm working on currently in several locations,
4 in several cities that are so far I have not had that issue with being part of the
5 signage.

6
7 **CHAIR BAKER** – The LED borders, but the neon...

8
9 **APPLICANT BETT** – I think going green a lot of them are going with the LED
10 borders. I think it just truly depends on that sign criteria; that Sign Code for the
11 cities.

12
13 **CHAIR BAKER** – You know from the Planning Department, this is really
14 Pandora's Box here; trust me I've lived with this for a while and I know from a lay
15 standpoint; you know like and I like what you are doing here. I like the arch and
16 the... I just think maybe it ought to be built into the square footage. Maybe we
17 need more height and more square footage and make that happen; if it happens.
18 I don't understand how this has happened on some of these other signs in town
19 but it is neither where we're at on this right now, so if we are getting up to... Now
20 let me ask you this. Is 64 feet for one sign; you know where you don't have a
21 menu board per say; a pre-menu board. Is that what you are telling me?

22
23 **ASSOCIATE PLANNER BRADSHAW** – Yes, what we are hearing as we were
24 preparing this was instances where some restaurants were deciding they wanted
25 to have just one large board rather than two and we didn't feel that it was
26 appropriate to double, to give them 96 square feet; that seems a little excessive,
27 so we came up with this other size; the 64 square feet for a single menu board if
28 they elected to do that.

29
30 **CHAIR BAKER** – Let me ask you this. Bumping this up four feet is that
31 someone we are going to be back in here doing again and again in a couple of
32 years. I mean this 36 to 40, is that consistent with what Riverside and other
33 surrounding communities are doing? Is that correct?

34
35 **ASSOCIATE PLANNER BRADSHAW** – The small sampling we did; this seems
36 to be consistent. It certainly is not the high end but it seems to be kind of in the
37 mid range of what other cities are doing. Our Code was adopted in '92, so this is
38 the standard that has been applied to our community since 1992 and as time has
39 gone on, the demand or the way business is operated is just different and what
40 we are recommending appears to be consistent with both what the Applicant is
41 asking for and what other cities are doing.

42
43 **COMMISSIONER OWINGS** – Mr. Chairman...

44
45 **PLANNING OFFICIAL TERELL** – I'm sorry, just to add on to what Jeff said. The
46 original City Sign Code that was adopted in 1992; there was a major sign revision

1 about 10 years ago when we had a Sign Committee and everything and they
2 looked at all this and this is what we have today, so what will happen relatively
3 soon would be another effort like that, because I recall from 10 years ago there
4 was a debate among the merchants about what signs to have and not to have,
5 so there might be some merchants that don't want this and others that do and
6 members of the community that do or don't want it, so that's why it is part of that
7 bigger discussion.

8
9 **COMMISSIONER OWINGS** – You know if I could direct your attention to page
10 206, the McDonalds which is incorrectly labeled Moreno Valley; assuming that
11 Riverside does a better job of sign Code Enforcement than we do in terms of
12 signs, that sign is actually 66 square feet, because it is 46 square feet without the
13 additional top of 20 square feet, so you know Taco Bell sign that we have over
14 here in Sunnymead is really 43 square feet and I guess the question is does that
15 include the... how was 23 square foot calculation, how did you treat the
16 architectural treatment in the logo... and that would be to the Applicant. How
17 was that calculated? Is that calculated in the sign area?

18
19 **APPLICANT BETT** – Let's see here. I believe that was not including the arch
20 element.

21
22 **COMMISSIONER OWINGS** – So if you did include the arch element in it what
23 would that sign area be?

24
25 **APPLICANT BETT** – Actually no I take that back because the overall height of
26 that including the element is 8, 8, so if you take that 8, 8; the overall width by the
27 overall height it does not calculate out. Yes it doesn't. I'm sorry. I was trying to
28 do math in my head there. It does not include that.

29
30 **COMMISSIONER OWINGS** – The overall height and overall width would be 56

31
32 **APPLICANT BETT** – The sign area itself; the copy area is the 43

33
34 **COMMISSIONER OWINGS** – So did you ever calculate it with the design
35 element that you desire to see what the square footage would be?

36
37 **APPLICANT BETT** – No, because typically most cities that arch is not
38 considered copy; it is not considered sign area; it is considered in the overall
39 height of the sign but not typically in the square footage sign area.

40
41 **COMMISSIONER OWINGS** – For example, on page 206 there again, you have a
42 48 square foot sign, because it has an additional 5 square foot topper, so the
43 total square footage on it is you know...

44
45 **APPLICANT BETT** – Those are added elements to that original box, so
46 originally...

1 **COMMISSIONER OWINGS** – Well right, but they are not in compliance with our
2 Sign Code now nor would they be in compliance with the new Sign Code

3
4 **COMMISSIONER CROTHERS** – Well Tom, if you notice the one on 206 that you
5 talking; the two that are talking about, the things on the top of the sign have
6 actual ads. They are actual copy print. I think that is why they are added into the
7 main area of the sign.

8
9 **COMMISSIONER OWINGS** – But they would count against the square footage.
10 They should count against the square footage correct?

11
12 **APPLICANT BETT** – The one you were speaking of, the Taco Bell there on
13 Sunnymead, that was not counted into the sign area. Like I said typically the
14 arch and most cities don't count the base as your sign area as well, so your base
15 because there is no copy on there, but that is considered into your overall height.

16
17 **COMMISSIONER OWINGS** – I guess my point is this, if you were to just count it,
18 it would still be within what we allowing everyone else to have.

19
20 **APPLICANT BETT** – For what we are proposing

21
22 **COMMISSIONER OWINGS** – And your sign is a much cleaner; it has a much...
23 graphically it is much cleaner; it is easier to read; it has an aesthetically pleasing
24 appearance as opposed to some of these other signs we see here.

25
26 **APPLICANT BETT** – Correct, I absolutely agree.

27
28 **VICE CHAIR SALAS** – Is that your point?

29
30 **COMMISSIONER OWINGS** – That's it

31
32 **VICE CHAIR SALAS** – There is nothing we can do.

33
34 **COMMISSIONER OWINGS** – Well no there is something we can do about. This
35 City should enforce its Sign Ordinance. Don't have laws that you don't enforce.

36
37 **CHAIR BAKER** – Okay, thank you and good luck

38
39 **APPLICANT BETT** – Alright, thank you very much

40
41 **CHAIR BAKER** – You bet. Okay guys you are making me get old fast.

42
43 **COMMISSIONER VAN NATTA** – Remember that song, "Here's Your Sign".

44
45 **CHAIR BAKER** – Good we have Election of Officers tonight. That's all I have to
46 say. Okay, good, so let me get back to this. Did we open up to...? Okay I closed

1 that, so we're good to go there. Now we're going to go into Commissioner
2 Debate. I can't imagine what else we could say about this, but let's go up and
3 down the rows. Does anybody have one last deal before we vote on this?
4

5 **COMMISSIONER GIBA** – I just want some clarity with all the discussion. All we
6 are voting on is just overall height and that was 48 to 64 if it was one sign.
7

8 **PLANNING OFFICIAL TERELL** – That's correct
9

10 **COMMISSIONER GIBA** – No logos on it; nothing like that.
11

12 **CHAIR BAKER** – From six zero to eight zero on the height or do we need to do
13 that?
14

15 **COMMISSIONER VAN NATTA** – No that is already in there. That's in the
16 Resolution.
17

18 **CHAIR BAKER** – That's already in there, okay
19

20 **ASSOCIATE PLANNER BRADSHAW** – They are attached to the Resolution by
21 reference.
22

23 **CHAIR BAKER** – I've got it, okay, good... anyone else? Let's move this deal
24 forward. Okay, can we get a motion on this?
25

26 **COMMISSIONER VAN NATTA** – Yes... I move that we **APPROVE** Resolution
27 No. 2012-10 and thereby **RECOMMEND** that the City Council:
28

- 29 1. **RECOGNIZE** that application PA12-0008 (Municipal Code Amendment) will
30 not have a significant effect on the environment and is therefore exempt from
31 the provisions of the California Environmental Quality Act (CEQA), per
32 CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption; and
33
- 34 2. **APPROVE** PA12-0008 Municipal Code Amendment as referenced on
35 Exhibit A.
36

37 **VICE CHAIR SALAS** – I second
38

39 **CHAIR BAKER** – Okay we've got a motion and a second for this item; all in favor
40

41 Opposed – 0
42

43 **Motion carries 7 – 0**
44

45 **CHAIR BAKER** – Thank you very much and Staff wrap up.
46

1 **PLANNING OFFICIAL TERELL** – So action as well as verbatim minutes of your
2 discussion will be forwarded to the City Council for final review and action and I
3 think this is really what the Planning Commissions are for is to talk about issues
4 and to forward their comments to the City Council who ask for verbatim minutes
5 from many years ago, so I think they actually do read them. Whether they agree
6 with them or not

7
8 **CHAIR BAKER** – You can bet on that, I'll have some phone calls in the morning.
9 You can take it to the bank.

10
11 **COMMISSIONER OWINGS** – They haven't done the minutes for three months.

12
13 **CHAIR BAKER** – Well okay, they'll find out about it. Thank you Jeff, I appreciate
14 you guys patience.

15
16
17 **4. Case Number: PA08-0033 General Plan Amendment**
18 **PA08-0034 Change of Zone**
19 **PA08-0035 Conditional Use Permit**

20
21 **Case Planner: Claudia Manrique**

22
23 **CHAIR BAKER** – This has to do with a General Plan Amendment, Change of
24 Zone and Conditional Use Permit for a Smog Inspection Station and Tire Sales.
25 The Applicant/Owner is Socrates Urena and also he is the Representative. The
26 location for this proposed business is at 22184 Alessandro Boulevard and
27 Claudia is our Case Planner...Proceed Claudia.

28
29 **ASSOCIATE PLANNER MANRIQUE** – Good evening. I'm Claudia Manrique the
30 Case Planner. As stated the proposed project is located at 22184 Alessandro
31 Boulevard. The project is located in the area of Moreno Valley referred to as
32 Edgemont. The majority of the structures within this area are older, single and
33 small multi-family residences. Some of them have been converted to commercial
34 use already along Alessandro Boulevard.

35
36 The proposed project requires a Conditional Use Permit for the Smog Inspection
37 Station and Tire Sales Business. The smog aspect of the business is a testing
38 center only. No auto repairs are to be conducted on site. The existing residential
39 structure will be converted into the main office. The building façade will be
40 modified to emphasize the proposed commercial use. The garage which is
41 behind the existing house will be used as the service bay for the smog inspection
42 testing as well as tire service.

43
44 There was a previous approved application PA03-0037 for the same business
45 that expired requiring a new application to be submitted. The project was
46 approved back in October of 2003 when the site was zoned Community

1 Commercial. During the General Plan Update of 2006 the parcel was rezoned to
2 Office Commercial. This appears to have been done in recognizing the split
3 zoning on the property and the potential incompatibility of general commercial
4 and residential uses on the same parcel.

5
6 To avoid potential conflicts, there is a condition of approval added that will
7 require a parcel split prior to any residential development on the northern half of
8 the parcel. The existing General Plan designation for the site is Residential
9 Office. The Applicant proposes to change from Residential Office to Commercial
10 under the General Plan. The project requires the front one third of the parcel
11 zoning to be changed from Office Commercial to Community Commercial. The
12 rest of the parcel will remain in the Residential 10 zoning district. Approximately
13 .54 acres of the 1.46 acre site will be rezoned Community Commercial and the
14 remaining .92 will remain R10. The General Plan Amendment and Change of
15 Zone are necessary for the approval of the Conditional Use Permit. The General
16 Plan Amendment, Zone Change and Conditional Use Permit applications were
17 submitted in April of 2008.

18
19 The biggest issue with this project has been the lack of enough fire flow demand
20 and water pressure on the site due to the parcel being located in the Box Springs
21 Water District. The Applicant has been working with both Box Springs Water
22 District and Eastern Municipal Water District to meet the Fire Prevention
23 requirements and the Applicant has also installed a fire hydrant on site which has
24 been reviewed and accepted by the Moreno Valley Fire Prevention Bureau.

25
26 The site has currently been disturbed and includes an existing residential
27 structure; therefore we are recommending the adoption of a Negative
28 Declaration. There was Public Notice posted on the site as well as mailing within
29 300 feet of the project and posted in the local newspaper. As of this afternoon I
30 received two calls regarding the property. One was somebody interested in
31 buying the property and the other one was interested in what she could do with
32 her property because she also is in the Box Springs Water District and is aware
33 of the water pressure issues. Thank you.

34
35 **CHAIR BAKER** – Okay, thank you Claudia. Okay to start this off, do we have
36 any Commissioners that have questions of Staff on this particular project? None;
37 okay, let's move this along and bring the Applicant forward. Socrates if you
38 would please come forward. State your name and address for the record please.

39
40 **APPLICANT URENA** – Good evening Commissioners. Thank you for having
41 me. My name is Socrates Urena. My address is 22184 Alessandro Boulevard
42 and would you like to know about the project.

43
44 **CHAIR BAKER** – Yes please
45

1 **APPLICANT URENA** – It's a project and the original approval date was in 2003,
2 but due to various reasons, change of management and different priorities we
3 allowed it to expire, so currently the main goal that we have is to make it a bit
4 more... offer more than most smog stations offer, such as a nicer waiting room
5 for children, possibly an enclosed area for like a playground versus what you are
6 used to seeing, which is just plain, old ugly building, industry dirty and not really
7 a place for a family and also somewhere not just the men can go but also the
8 mothers and everybody; anybody that needs to get their smog check done. I'm
9 not sure what else to mention about. It sure has taken a lot of work to get this far
10 due to the water issues.

11
12 **CHAIR BAKER** – On the tire issue, how far are you going to go with that vision?
13 I mean are you going to align or dismount tires or what is going there; fix flat tires
14 or sell tires or...

15
16 **APPLICANT URENA** – Yes, just sell, repair, possibly rotations, no alignment;
17 what else can there be.

18
19 **CHAIR BAKER** – You'd do balance obviously, right?

20
21 **APPLICANT URENA** – Yes, that's pretty much a required necessity, but no
22 alignment and just trying to keep it simple and efficient as possible. It is not a
23 very large building, so there can't be too much storage and there is not much
24 room for equipment, so to keep it as basic and almost for emergencies.

25
26 **CHAIR BAKER** – Okay, let's start at the end. Commissioner Carlos do have any
27 questions on this?

28
29 **COMMISSIONER RAMIREZ** – One question... do you plan on living in the
30 facility as well too?

31
32 **APPLICANT URENA** – Oh no, just strictly business

33
34 **COMMISSIONER RAMIREZ** – Okay, thanks

35
36 **APPLICANT URENA** – I definitely want to make it look as professional and as
37 complete as a business as can be and leave very little signs of a residence;
38 make it look like a real business. As of right now, I don't know if you have been
39 by the area, but it doesn't look too nice. It is run down; ugly pebbles in the front.
40 I want to change all that and make it look really nice.

41
42 **COMMISSIONER GIBA** – That's what I was going to ask you. Why did you
43 choose to put this type of facility there instead...there's a little taco restaurant
44 and then there is a house on one side over there and so it doesn't look like it
45 would be the appropriate location for something like that. If you go farther to the
46 east, there are some commercial buildings and stuff that could house a facility

1 such as this. What was your thinking to put this in the middle of housing; there
2 are just houses around there for all intents and purposes.

3
4 **APPLICANT URENA** – Mainly because there is not that much competition there.
5 There is now since the time of starting the application and all this and also it is
6 not a very industrial business. It can fit in there and doesn't disturb the
7 neighborhood much and as far as the location there, it is on a very busy street;
8 Alessandro Boulevard has grown significantly in the last few years and we think
9 that all that passing by area; drivers, will help to get business in there.

10
11 **CHAIR BAKER** – Okay

12
13 **COMMISSIONER CROTHERS** – I just want to say thank you for coming out and
14 speaking with us about your project and also keeping in mind that you know not
15 only men go to these businesses, but that women and children go to these
16 businesses and I can't tell you how many I've been to are dirty and greasy and
17 smell like an auto shop and you know I kind of don't even want to sit down, so it
18 makes me feel better that you are going to keep that in mind that not just men do
19 this now that women are increasingly taking over this kind of responsibility and
20 keeping them in mind so thank you.

21
22 **CHAIR BAKER** – Okay very good

23
24 **VICE CHAIR SALAS** – I don't have any comments

25
26 **COMMISSIONER VAN NATTA** – Are you provided with enough room? I'm
27 looking at this piece of land here and it looks very narrow on Alessandro
28 Boulevard even though it is deep. Is there going to be enough area for customer
29 parking when they are waiting to where they don't have to be out on the street?

30
31 **APPLICANT URENA** – Yes, as soon as they enter the driveway and go past the
32 main building that is currently a house that will be the office. There is parking all
33 the way on the east side of the property.

34
35 **COMMISSIONER VAN NATTA** – How many cars can you accommodate parking
36 for there?

37
38 **APPLICANT URENA** – I'll look at the map real quick and let's see.

39
40 **ASSOCIATE PLANNER MANRIQUE** – There are 10 parking spots on the site
41 plan.

42
43 **COMMISSIONER VAN NATTA** – Are you planning doing this as just a drive up
44 or by appointment?

1 **APPLICANT URENA** – A little bit of both. The parking spaces should be enough
2 to accommodate and not be on the streets and by appointment obviously you
3 can manage them a lot better. You can schedule for slow hours.
4
5 **COMMISSIONER VAN NATTA** – And what is currently the neighbors on either
6 side of you. What is currently there?
7
8 **APPLICANT URENA** – It is mostly residential
9
10 **COMMISSIONER VAN NATTA** – I mean directly right next to you from one side
11 to the other
12
13 **APPLICANT URENA** – Directly next to it there is a taco place and the rest is
14 residential and then there is an empty lot and apartment.
15
16 **COMMISSIONER VAN NATTA** – Alright, thank you
17
18 **CHAIR BAKER** – Okay, Commissioner Tom.... Okay, one thing that comes to
19 mind when we were just talking, have you looked into signage? How are you
20 going to get people in there? You know we were talking about signage; is that
21 available a monument sign allowed along there or not?
22
23 **APPLICANT URENA** – Well we plan on doing a small monument sign; nothing
24 too big.
25
26 **CHAIR BAKER** – Have you talked to the City about that?
27
28 **APPLICANT URENA** – No, not yet
29
30 **CHAIR BAKER** – Not yet, okay
31
32 **APPLICANT URENA** – We definitely plan on following the...
33
34 **CHAIR BAKER** – I had to throw that out, I couldn't resist.
35
36 **VICE CHAIR SALAS** – I can't believe he brought up signs
37
38 **CHAIR BAKER** – It was fresh on my mind guys, but you have to have a sign to
39 get them in there. What is the frontage on there? I went by there. It can't be
40 over 100 feet can it?
41
42 **APPLICANT URENA** – It is exactly 100 feet.
43
44 **CHAIR BAKER** – That's what I thought
45

1 **APPLICANT URENA** – Yes, whatever we can get through City Ordinance and
2 the Code and whatever we can fit.
3
4 **CHAIR BAKER** – Is that going to be workable guys or not for a monument sign
5 for these guys?
6
7 **PLANNING OFFICIAL TERELL** – Yes, they can have a monument. There are
8 size requirements, but they can be immediately behind the property line, so they
9 would be relatively close to the street.
10
11 **VICE CHAIR SALAS** – Does it have the logo on it...? I'm only kidding
12
13 **PLANNING OFFICIAL TERELL** – But no direction on it; yes
14
15 **CHAIR BAKER** – I think anything we do in that part of town is going to be a big
16 plus. I mean it really will and I know development down there where this Box
17 Springs Water District is very tough and I know that burger joint where we had a
18 whale of a time getting water for them and are you required to be sprinkled? Are
19 you under 5,000 square feet right?
20
21 **APPLICANT URENA** – I don't have to
22
23 **VICE CHAIR SALAS** – There's a fire hydrant
24
25 **CHAIR BAKER** – Yes he did that
26
27 **APPLICANT URENA** – The fire hydrant that is there...
28
29 **CHAIR BAKER** – I think it's a big plus I really do and it is unfortunate that it has
30 taken you this long to get here but at least you have been persistent I'll say that.
31 You've got a good persistent business model. Okay, anything else? Okay let's
32 move forward with this. Okay, thank you for help. Did your gentleman behind
33 you have anything he'd like to add or not?
34
35 **SPEAKER RALPH** – My name is Ralph Solis, the Civil Engineer, and I was
36 waiting in case there were any engineering questions to answer.
37
38 **CHAIR BAKER** – Oh very good, thank you. I appreciate you coming out.
39
40 **APPLICANT URENA** – Thank you for your time
41
42 **CHAIR BAKER** – Okay I'm going to have to open this up to Public Testimony
43 and we're going to close testimony. There is no one here that wants to speak on
44 this so moving on to Commissioners Debate. Is there anything else we can say
45 about this item before go up to vote?
46

1 **VICE CHAIR SALAS** – I vote to approve

2
3 **COMMISSIONER CROTHERS** – I'll approve

4
5 **CHAIR BAKER** – Okay have you got the deal there

6
7 **COMMISSIONER CROTHERS** – I want to motion to **APPROVE** Resolution No.
8 2012-09 and thereby **RECOMMEND** that the City Council:

- 9
10 1. **APPROVE** a Negative Declaration for PA08-0033 General Plan Amendment,
11 PA08-0034 Change of Zone, and PA08-0035 Conditional Use Permit in that
12 this project will not result in significant environmental impacts,
13
14 2. **APPROVE** PA08-0033 General Plan Amendment, PA08-0034 Change of
15 Zone and PA08-0035 Conditional Use Permit

16
17 **CHAIR BAKER** – Okay could I have a second to that motion?

18
19 **VICE CHAIR SALAS** – You've got it

20
21 **CHAIR BAKER** - Okay Commissioner Salas seconds that; all those in favor?

22
23 Opposed – 0

24
25 **Motion carries 7 – 0**

26
27 **CHAIR BAKER** – Staff wrap up please

28
29 **PLANNING OFFICIAL TERELL** – Yes, this action will be forwarded to the City
30 Council for final review and action.

31
32 **CHAIR BAKER** – Okay, thank you.

33
34
35 **OTHER BUSINESS**

36
37 **1. Election of Officers**

38
39 **CHAIR BAKER** – Okay, the next order of business here is the Election of
40 Officers. I think the first thing I'm going to do is open the floor up to a nomination
41 for a Chairman and then we'll have the Vice Chairman after that; okay.

42
43 **COMMISSIONER GIBA** – I nominate Ray to stay there

44
45 **CHAIR BAKER** – What was that?

1 **COMMISSIONER GIBA** – To stay
2
3 **CHAIR BAKER** – No I can't. I really appreciate that, but I think I'm going to
4 decline. I'd like to get some new blood up here really. I appreciate that so...
5
6 **COMMISSIONER OWINGS** – Mr. Chairman
7
8 **CHAIR BAKER** – Yes sir
9
10 **COMMISSIONER OWINGS** – I'd like to nominate Commissioner Van Natta
11
12 **CHAIR BAKER** – Commissioner Van Natta has been nominated. Are there any
13 other nominations? Yes sir
14
15 **COMMISSIONER RAMIREZ** – I'd like to nominate Commissioner Van Natta as
16 well
17
18 **CHAIR BAKER** – Okay, a second to that. Okay nomination is closed. Okay all
19 favor?
20
21 Opposed – 0
22
23 **CHAIR BAKER** – Welcome aboard
24
25 **COMMISSIONER VAN NATTA** – I can't say no
26
27 **CHAIR BAKER** – Okay let's open up for the Vice Chair
28
29 **COMMISSIONER OWINGS** – Mr. Chairman, I'd like to nominate George Salas
30 for Vice Chair
31
32 **CHAIR BAKER** – Okay, any other nominations for Vice Chair?
33
34 **COMMISSIONER RAMIREZ** – I'd like to nominate Commissioner Salas as well
35
36 **CHAIR BAKER** – Okay, a second or an endorsement... all in favor
37
38 Opposed – 0
39
40 **CHAIR BAKER** – Okay I should close nominations first right. I want to be the
41 letter of the law here. Okay nominations are closed; all in favor?
42
43 Opposed – 0
44
45 **Motion carries 7 - 0**
46

1 **CHAIR BAKER** – Welcome aboard guys

2
3
4 **STAFF COMMENTS**

5
6 **CHAIR BAKER** – Okay, Staff Comments

7
8 **PLANNING OFFICIAL TERELL** – Yes to accommodate a couple of projects,
9 your June meeting will be on June 28th; so it will be two weeks later. There are
10 two projects. The first one is the Vogel Industrial Building and that is a 1.6 million
11 square foot warehouse on Perris Boulevard at the south City boundaries in the
12 Moreno Valley Industrial area and they were very anxious to move forward
13 quickly to get to Planning Commission because they are a finalist for a particular
14 tenant and hopefully by the time they get here they can actually announce who
15 that tenant is. The second is a big one; the small one is an entertainment related
16 type facility in the old Boompas Restaurant in Sunnymead Ranch Shopping
17 Center. I think it is called Lakeside Plaza and so it is an entertainment. Basically
18 the operation of a bar; a sports bar is really what they want to have there, so that
19 will be coming to you at that meeting also.

20
21 **VICE CHAIR SALAS** – What is the name of that? Did they name that?

22
23 **PLANNING OFFICIAL TERELL** – I haven't heard the actual name but the
24 owners do own a restaurant; a Sushi restaurant in the same shopping center.

25
26 **VICE CHAIR SALAS** – Right next door

27
28 **PLANNING OFFICIAL TERELL** – Yes

29
30 **COMMISSIONER GIBA** – Yes I know, I've been in that one when I go there, so
31 I've been trying to convince them to put the Sushi shop across

32
33 **PLANNING OFFICIAL TERELL** – The other item that will be on there; I know
34 Commissioner Owings has a proposal to do more of this but it will be what we
35 would call your first Study Session item which will be a discussion of the Climate
36 Action Strategy that you had in Joint Session with the City Council and will be
37 coming back to you so you can have a more in-depth discussion of that prior to it
38 being brought forward for formal action.

39
40 **CHAIR BAKER** – Thank you

41
42
43 **PLANNING COMMISSIONER COMMENTS**

44
45 **COMMISSIONER OWINGS** – Mr. Chairman, I've asked; I've given John a
46 document that I got from the Riverside Planning Department. We are in the

1 process of an entitlement process there and we will be going to one of their
2 workshops which is exactly what we were trying to discuss with the City Council
3 in our Study Session about these types of things with larger applicants. I've have
4 asked him to copy it and maybe not even do it in color because it would be
5 cheaper, but in talking with the Planning Director, they say that this process is
6 overwhelmingly appreciated by applicants across the board. It saves applicants
7 tons of money they say in terms of the entitlement process because the
8 Commission and the Planning Staff potential objections are brought forward early
9 in the process, so I'll be going through this process in the next few months. I'll
10 report back to you about how it works, but they have been doing it for many
11 years and they find it to be an essential part of their process, so contrary to what
12 some of the City Council members said, you know it is our body and we do have
13 the right to run our Commission the way we wish to do it and I believe these are
14 very beneficial. I think the Staff believes they are beneficial and I think we should
15 move forward with them.

16

17 **CHAIR BAKER** – Thank you Commissioner Tom. Is there anyone else here in
18 Commissioner Comments before we wind this up tonight?

19

20 **VICE CHAIR SALAS** – I've got one

21

22 **CHAIR BAKER** – I'd like to thank you Ray you did a great job and everything you
23 went through congratulations and you...

24

25 **COMMISSIONER VAN NATTA** – Ray I hope you and I can meet so you can tell
26 me what I'm supposed to be doing

27

28 **CHAIR BAKER** – I'll be more than happy to help you

29

30 **COMMISSIONER OWINGS** – Did you plan your term that way?

31

32 **CHAIR BAKER** – It's been an interesting year, I'll say that

33

34 **COMMISSIONER CROTHERS** – I just wanted to end the meeting by saying
35 thank you Ray. You've been a great mentor to me throughout; being able to sit
36 next to you and whisper and ask questions and you helping me out. I appreciate
37 all the help you have given me and congratulations to Meli and to George.

38

39 **CHAIR BAKER** – I appreciate that... you bet. Yes sir, Carlos....

40

41 **COMMISSIONER RAMIREZ** – I also wanted to say thank you Ray for all your
42 hard work and effort and also Happy Mother's Day to all the lovely ladies out
43 there this weekend. Today happens to be Happy Mother's Day in Mexico, so
44 any Mexican mothers out there watching us, Happy Mother's Day to you and we
45 look forward to seeing you next month.

46

1 **CHAIR BAKER** – Okay, very good thank you
 2
 3 **COMMISSIONER OWINGS** – Thank you Ray
 4
 5 **COMMISSIONER GIBA** – That’s why I re-nominated you, you did a wonderful
 6 job
 7
 8 **CHAIR BAKER** – I didn’t mean to cut you off, I appreciate that.
 9
 10 **COMMISSIONER GIBA** – I just wanted you to know that I appreciate you,
 11 especially you and your graciousness out here and Meli, fantastic
 12
 13 **COMMISSIONER VAN NATTA** – You’ll appreciate him even more after I’ve
 14 been Chairing for a while
 15
 16 **COMMISSIONER GIBA** – Just keep an eye on the ...
 17

18
 19 **ADJOURNMENT**

20
 21 **VICE CHAIR SALAS** – I move for adjournment
 22

23 **COMMISSIONER OWINGS** - Second
 24

25 **CHAIR BAKER** – Okay, Commissioner Salas moves for adjournment; all in
 26 favor... Okay, good night Moreno Valley.
 27
 28
 29
 30
 31

32 _____
 33 John C. Terell
 34 Planning Official
 35 Approved
 36
 37
 38
 39
 40
 41

_____ Date

42 _____
 43 Ray L. Baker
 44 Chair

_____ Date

1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 JUNE 28TH, 2012

5
6 **CALL TO ORDER**

7
8 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley
9 Planning Commission on the above date in the City Council Chambers located at
10 14177 Frederick Street.

11
12 **ROLL CALL**

13
14 Commissioners Present:

15 Chair Van Natta
16 Vice Chair Salas
17 Commissioner Baker
18 Commissioner Crothers
19 Commissioner Giba
20 Commissioner Owings
21 Commissioner Ramirez

22
23 Staff Present:

24 John Terell, Planning Official
25 Julia Descoteaux, Associate Planner
26 Gabriel Diaz, Associate Planner
27 Larry Gonzales, Senior Engineer, Public Works
28 Randy Metz, Fire Marshall
29 Suzanne Bryant, City Attorney's Office

30
31
32 **PLEDGE OF ALLEGIANCE**

33
34
35 **APPROVAL OF AGENDA**

36
37 **CHAIR VAN NATTA** – I'd like to hear a motion to approve the Agenda?

38
39 **VICE CHAIR SALAS** – You've got it. I motion

40
41 **COMMISSIONER BAKER** - Second

42
43 **CHAIR VAN NATTA** – Okay we have a motion and a second. All those in favor?

1 Opposed – 0

2
3 **Motion carries 7 – 0**

4
5
6 **PUBLIC HEARING ITEMS**

7
8 **CHAIR VAN NATTA** – We welcome the members of the public who are here
9 with us today and ask that they observe the procedures to be followed in the
10 meeting and those are on display at the rear of the room.

11
12
13 **PUBLIC COMMENTS**

14
15 **CHAIR VAN NATTA** – We will now hear any comments by any member of the
16 public on any matter which is not listed on the Agenda and which is within the
17 subject matter jurisdiction of the Commission and we have no speaker slips and
18 nobody at the podium and as there are no Non-Public Hearing Items we will
19 move on to the approval of the minutes we received in advance of the meeting.

20
21
22 **NON-PUBLIC HEARING ITEMS**

23
24
25 **APPROVAL OF MINUTES**

26
27 **1. December 8th, 2011**

28
29 **2. January 26th, 2012**

30
31 **CHAIR VAN NATTA**– We will move on to the Approval of minutes we received in
32 advance of the meeting; minutes for December 8th, 2011 and January 26th,
33 2012. Could I have a motion to approve the minutes?

34
35 **COMMISSIONER GIBA** – I motion to approve the minutes

36
37 **CHAIR VAN NATTA** – Okay and a second?

38
39 **VICE CHAIR SALAS** – I'll second it

40
41 **CHAIR VAN NATTA** – Okay moved and seconded... all in favor?

42
43 Opposed – 0

44
45 **Motion carries 7 – 0**

1 **PUBLIC HEARING ITEMS**

2
3 **1. Case Number: PA12-0018 Conditional Use Permit**

4
5 **Case Planner: Julia Descoteaux**

6
7 **CHAIR VAN NATTA** – Our first Public Hearing Item is Case No. PA12-0018; a
8 Conditional Use Permit for a restaurant sports bar with entertainment

9
10 **VICE CHAIR SALAS** – Are done? I was just going to say that I have to recuse
11 myself from this. I have a conflict on this one.

12
13 **CHAIR VAN NATTA** – Okay

14
15 **VICE CHAIR SALAS** – Okay, I'll be back

16
17 **CHAIR VAN NATTA** – Thank you. Our Case Planner is Julia Descoteaux and
18 would you go ahead with the presentation.

19
20 **ASSOCIATE PLANNER DESCOTEAUX** – Yes, application PA12-0018 is a
21 Conditional Use Permit for a full service bar and grill restaurant with
22 entertainment in the Lakeshore Village Shopping Center. The Applicant CSSD
23 Enterprises has submitted for the Conditional Use Permit. The site is zoned
24 within the Specific Plan 168 in the Sunnymead Ranch area and it is zoned
25 Scenic Highway Commercial.

26
27 The Conditional Use Permit proposes a 3,300 square foot sports bar including,
28 karaoke, billiards, a jukebox and a DJ with dancing. A full service bar and an
29 outdoor seating area will be provided. If you recall; if you've lived here for a
30 while, you'll know that this space was previously Boompa's Pizza Parlor, so it's
31 been kind of a restaurant use before in the past. The project as proposed and
32 conditioned satisfies the findings for the approval of a Conditional Use Permit as
33 stated in the Resolution. The site again is located within the Lakeshore Village
34 Shopping Center which is in Sunnymead Ranch at the southeast corner of the
35 existing shopping center. Most of the properties to the south, north, east and
36 west are all within the Specific Plan and most of the area is with existing
37 residential, with the lake and the clubhouse directly across the street from north
38 of this location.

39
40 The project will use the existing shopping center parking. A parking analysis was
41 completed with adequate parking provided for the existing tenants and the
42 proposed sports bar and grill. As the project will occur within the existing
43 structure, the Planning staff reviewed the project for consistency with the
44 Municipal Code and routed the project to the Fire Prevention Division; the
45 Building and Safety Division and the Moreno Valley Police Department.

1 Conditions of approval have been included to address any issues as identified as
2 part of the staff review. The project will not have a significant effect on the
3 environment because it will occur within an existing structure and is therefore
4 exempt from the provisions of the California Environmental Quality Act as a
5 Minor Alteration to an Existing Facility, Class 1 Categorical Exemption.
6 Notification was sent to all property owners within 300 feet and to date I have not
7 received any phone calls regarding the project. The Applicant is here also and if
8 you should have any questions, both the
9 Applicant and I are here to answer them for you. Thank you.

10
11 **CHAIR VAN NATTA** – Okay, Commissioners does anyone have any questions
12 of Staff?

13
14 **COMMISSIONER GIBA** – I just want to disclose that I've had discussions with
15 the Applicant at some point in time.

16
17 **CHAIR VAN NATTA** – Okay, is there anybody else... any questions for Staff?

18
19 **COMMISSIONER GIBA** – Just one regarding the parking... did you include the
20 parking in the rear as part of that parking at all?

21
22 **ASSOCIATE PLANNER DESCOTEAUX** – Yes

23
24 **COMMISSIONER GIBA** – Okay, so that back side parking which has only
25 access from the one road; what is it, Old Lake?

26
27 **ASSOCIATE PLANNER DESCOTEAUX** – Right; we included that but there is
28 still adequate parking in the front

29
30 **COMMISSIONER GIBA** – I'm just curious

31
32 **CHAIR VAN NATTA** – Would that be likely to be used by employees or
33 something in the back to lessen the impact on the parking lot in the front?

34
35 **ASSOCIATE PLANNER DESCOTEAUX** – It might and the Applicant may have
36 a better answer for that, but there is a walkway area in-between the buildings
37 there and kind of a courtyard kind of, almost area back there adjacent to the
38 building, so it would be; it could be used for staff and/or customers.

39
40 **CHAIR VAN NATTA** – Can you clarify for me exactly what we're looking at for
41 the Conditional Use Permit that changes what it was used for before?

42
43 **ASSOCIATE PLANNER DESCOTEAUX** – Well it did have alcohol. It had a full
44 service bar before, however and John may remember more than I, but I don't
45 recall it having any karaoke back then, which anything with live entertainment
46 requires a Conditional Use Permit as well.

1 **CHAIR VAN NATTA** – Okay, so this is the main reason it comes before us for
2 Conditional Use Permit, is because it is adding the live entertainment. How close
3 is the residential? I think it is on the other side of Old Lake Road is where there
4 is residential?

5
6 **ASSOCIATE PLANNER DESCOTEAUX** – There is actually residential on both
7 east, west and south....

8
9 **CHAIR VAN NATTA** – How far away is the closest residence to this project?

10
11 **ASSOCIATE PLANNER DESCOTEAUX** – Well there are some within 300 feet
12 because we did have to notice them

13
14 **CHAIR VAN NATTA** – How many?

15
16 **ASSOCIATE PLANNER DESCOTEAUX** – How many did we notice?

17
18 **PLANNING OFFICIAL TERELL** – Yes I think if you look at the exhibit that shows
19 the zoning, that gives you a pretty good idea of where the closer residential is
20 Village Drive and there is an Edison easement and there are houses on
21 Ridgefield Terrace and those would all be... we notice within 300 feet of the
22 parcel line, so I would guess there are houses as close as 150 to 200 feet from
23 this location. Obviously this activity is all inside the building, so noise and other
24 things hopefully won't be an issue, but our code since it was adopted in 1992 has
25 always required a Conditional Use Permit for these type of activities in a
26 Neighborhood Commercial Zone, which the shopping center falls under that
27 category.

28
29 **CHAIR VAN NATTA** – I don't know which of these questions are going to be
30 better for the Applicant but hours of operation?

31
32 **ASSOCIATE PLANNER DESCOTEAUX** – 11 in the morning to 2 am.

33
34 **CHAIR VAN NATTA** – Until 2 am... I don't think Boompa's was open that late
35 though.

36
37 **ASSOCIATE PLANNER DESCOTEAUX** – No probably not... well maybe they
38 were on the weekends; I don't recall.

39
40 **PLANNING OFFICIAL TERELL** – As I recall since I used to live up in that area,
41 Boompa's was open late on weekends, but probably not till 2 o'clock.

42
43 **CHAIR VAN NATTA** – Okay, any other questions for Staff?

44
45 **COMMISSIONER GIBA** - Did you get any feedback from the local residents in
46 that area?

1 **ASSOCIATE PLANNER DESCOTEAUX** – No I have not received any phone
2 calls or any questions regarding the project. The Applicant has and I'm sure they
3 can answer these questions for you but spoke to the Homeowner's Association
4 there and the Church that is in the vicinity and didn't have any negative
5 comments and they aren't here, so again I haven't had any.

6
7 **CHAIR VAN NATTA** - Can we have the Applicant come up then and tell us a
8 little bit about the project?

9
10 **PLANNING OFFICIAL TERELL** – Okay, if you would just go ahead and open the
11 Public Hearing first, that would be great.

12
13 **CHAIR VAN NATTA** – Okay I'm sorry, I was thinking that would come
14 afterwards. Okay, I open the Public Hearing part of the presentation.

15
16 **APPLICANT LIM** – Hello my name is Steve Lim. I've seen some faces here
17 before, but currently I operate the Oishii Sushi next door in the same shopping
18 center currently for... I've been currently in there for almost three years now
19 myself operating and so from what I've gathered and the clientele in the
20 Sunnymead Ranch community, they want something else to kind of expand on
21 their food criteria in the shopping center, because the shopping center is kind of
22 vacant. More than half the units are vacant in there right now, so you know from
23 my expertise and my father helping me out as well, you know I had a bar and
24 grille; a full service restaurant in LA before I did the restaurant here and so you
25 know I shopped around. I went to the Moreno Beach area and Sunnymead
26 Ranch is still somewhere I want to keep pursuing business and so with the
27 clientele that I've built and the relationships that I've built, not just with the City
28 but actually the community, you know I think that this is something that I think will
29 be beneficial to the City and the community up there. You know there will be a
30 lot of jobs that we are going to be hiring and most of them hopefully will be local
31 people and so you know if there any questions as far as you know what the
32 project is or you know concerns, you guys can ask but we are going to be
33 serving... the food is going to be more high end; it is going to be high end
34 American restaurant with the full service bar.

35
36 The CUP originally was formed because we wanted to add the two billiard tables
37 on the floor plan there. I don't know if you guys see the floor plan, but the billiard
38 tables were originally why we submitted for the CUP and of course karaoke and
39 stuff like that is only going to happen on certain nights; maybe Wednesday night
40 or something. We are going to have Taco Tuesday Nights... try to make a good
41 place for someone to unwind; kind of have fun in the neighborhood; don't have to
42 drive too far and at the same time kind of build the neighborhood which is
43 Sunnymead Ranch. A lot of people don't know what it is of who lives up there. A
44 lot of people have kind of come up from around the City because of my
45 restaurant. I just want to make it more of a center where if you have friends that
46 live up there, now you don't have to call them to come down here below the

1 freeway to a lot of the bigger restaurants and stuff like that. I wanted to kind of
2 expand my food range as far as what I know and provide good pizza; good
3 burgers; good salads; good healthy food and at the same time a good looking
4 restaurant... nothing you know I don't think like the City has seen yet, so I've got
5 a lot of big plans for it. Hopefully you guys are on board and we can get that
6 thing opened up pretty soon.

7
8 **CHAIR VAN NATTA** – Okay, questions?

9
10 **COMMISSIONER CROTHERS** – I have a question for you. In the paperwork it
11 says that there is going to be a dance floor.

12
13 **APPLICANT LIM** – Well in the conditions, there really... you know it's... like the
14 hours and stuff like that, it is conditioned from 11 to 2, just for the hour's sake for
15 my alcohol license. Of course on the weekdays, I'm probably not going to be
16 open until 2, so the hours will be adjusted. On the weekends I do expect it to be
17 a little bit busy, so we'll be open a little bit later. On the dance floor, I only
18 wanted to do that because there will be special events like superbowl weekend
19 or some big sporting events where people want to have a little fun after the whole
20 big event and so there is going to be a little space that we can kind of move
21 tables and stuff and like that if people want it, but it is not going to be a regular
22 thing that you are going to see when you walk into the restaurant, but that is just
23 on there just in case we need it for special events. We don't have an issue with
24 it.

25
26 **COMMISSIONER CROTHERS** – Okay, right. Thank you very much

27
28 **COMMISSIONER RAMIREZ** – Thank you Mr. Lim for coming out. My question
29 has to do with the afterhour's portion since you are going to be open late on the
30 weekends. Are you going to add security to your premises and this is a two part
31 question and also are you going to have any kind of age restrictions since it is
32 going to be mostly adult oriented on the weekends at night.

33
34 **APPLICANT LIM** – Security wise what I want to do I mean it is going to be an
35 upscale restaurant; kind of the clientele I want to represent from my sushi
36 restaurant, so it will be a family restaurant. After certain hours I will have dress
37 codes maybe on Friday and Saturday's to make sure people are attired to
38 actually be a good patron limit... the age differences, where we limit the minors
39 come in after certain hours, but for the most part on the weekdays it will be more
40 of a restaurant and then you know on Friday and Saturdays after about 9 pm and
41 10 o'clock when there shouldn't be minors in there because there going to be a
42 lot of drinks and that is when we might cut an age difference at a certain time, but
43 I do kind of actually have to operate to kind of see what kind of clientele we are
44 going to have first, so I mean it is going to take a little bit of time to actually adjust
45 to what the clientele is and what my hours are going to be and stuff like that
46 because we've never seen anything like it except for my restaurant and from

1 what I've seen you know on the weekends we serve until 9:30 or 10 o'clock, so
2 I'm trying to serve food till about 11 o'clock or 12 and then see how it winds
3 down, so I don't have a set schedule of exactly what time we are going to limit or
4 something like that, but you know it also depends on how many families come in
5 at the beginning. If it is a lot of family oriented business, then really it might be
6 up to their decisions of when they might not bring their kids or you know we might
7 help with that process, but...

8
9 **CHAIR VAN NATTA** – Are there any other questions? Well my first question
10 was going to be is how is this going to affect the sushi restaurant next door, but
11 you answered that right off the bat, so I was looking at the floor plan and saying
12 well I know the sushi place has outside tables there and is this going to infringe
13 on them, but it sounds like it is not going to be a problem.

14
15 **APPLICANT LIM** – There are no tables outside. We don't have any tables
16 outside and so one of the biggest draws of why we wanted to open next door. I
17 mean of course I might lose business; people might say that, but I mean to me
18 on the weekends the restaurant is a big clientele, so there is a lot of people
19 waiting outside in that courtyard area, so I wanted someone who is there on a
20 Friday night that doesn't want to leave the parking lot and still not want to stay in
21 the parking lot to kind of go explore different things, so they can actually go into
22 establishment; go in there and sit down and have an appetizer maybe; you know
23 certain things that I'll have in my restaurant will still be there on the other
24 restaurant side for them, and just kind of let the community have another space
25 to actually kind of enjoy their weekends and you know different foods, so that
26 way they see oh there is a bar here or there is a restaurant here. They have
27 good pizza; they have good burgers; they've got good drinks, so they can
28 actually you know come in for sushi on a Friday night, but they couldn't get in, but
29 not be disappointed because they have something else to try and then obviously
30 they can come back or if they want to wait, we have the vibrating coasters so that
31 if you leave an ID or a credit card you can come back in and get seated that way;
32 so I wanted to create more food up there; we needed more food. Jack-in-the-box
33 and Del Taco kind of gets old a little bit quick.

34
35 **CHAIR VAN NATTA** – You can't eat sushi every day huh.

36
37 **APPLICANT LIM** – You can, but a little bit expensive.

38
39 **CHAIR VAN NATTA** – Now the plan is talking about a DJ and jukebox and so
40 forth. Do you have any plans for live music?

41
42 **APPLICANT LIM** – No, that is one thing that I discussed with Julia as well. I was
43 applying for entertainment and not live entertainment because the shopping
44 center and my landlord have come to an agreement where we are not going to
45 do live music in there, so and the DJ stuff is going to be for special events and
46 you know nights where we need kind of have a big night in MoVal. You know

1 sometimes in planning an opening; a grand opening, we'll have some skylights
2 up there and kind of make a little buzz going on you know and hopefully that will
3 help the sushi restaurant too.

4
5 **CHAIR VAN NATTA** – And you'll watch the noise levels to keep from...

6
7 **APPLICANT LIM** – Oh yes, and the jukebox is very modernized. It's like the
8 internet jukebox that you see in most places like Buffalo Wild Wings and has a lot
9 of different genres of music and that will be controlled through the house
10 speakers, so it's not going to get overly... no one can control the volume except
11 for the house, so we'll have full control of that.

12
13 **CHAIR VAN NATTA** – Well if we have no other questions from
14 Commissioners... Do you...

15
16 **COMMISSIONER GIBA** – Just one that came up. On the outside you're going
17 to have that patio area... currently it doesn't have any kind of a wall, so it looks
18 as if you are going to put some kind of a structural wall up there in that area?

19
20 **APPLICANT LIM** – There was existing a patio there, so you'll see on the ground
21 there is still the foundation stakes for them, so we're going to revive that and
22 hopefully we'll put... I'm trying or we're still thinking about what we're going to be
23 doing for the patio but there will probably be a plexi-glass wall that is about seven
24 feet high that people can't jump in and out and it will be still be enclosed inside
25 the patio space, because I don't patrons that are walking back and forth to bother
26 my patrons and you know I wanted to keep it kind of blocked off but still be able
27 to see it, so I'm not going to build a wall but it might be a plexi-glass wall or a
28 barrier that will contain the patio space and the actual physical walkway.

29
30 **COMMISSIONER GIBA** – One of the things that we were discussing earlier is
31 that that back parking lot you know; do you have any idea what you may or may
32 not want to do with that in the future. There is really no access except from the
33 Old Lake Road, but there is tons of parking back there.

34
35 **APPLICANT LIM** – A lot of my customers... I mean you can walk... if you park in
36 the back of the structure where the new Verizon tower... I don't know if you guys
37 know there is a new tower up there now... that is another walkway to get into the
38 building, so I mean a lot of my regular customers that come to sushi on a busy
39 night know that the parking lot is kind of getting full, they actually know now to
40 park in the back and walk through that way, so people are starting to find out
41 about. My employee's park in the back to try to get the front side cleared up and
42 then I'm trying to get Subway next door and stuff like that as well as next door to
43 kind of do the same.

44
45 **COMMISSIONER GIBA** – Thank you Mr. Lim
46

1 **APPLICANT LIM** – Thank you

2
3 **CHAIR VAN NATTA** – If we have no other questions then I'm going to open for
4 Public Testimony and we have no Speaker Slips and I don't see anybody waving
5 they want to say anything, so we're going to close the Public Testimony and then
6 we'll have Commissioner discussion on it. Who would like to start?

7
8 **COMMISSIONER GIBA** – I've been waiting for you to finish that. I've been
9 waiting for you to put that in there.

10
11 **APPLICANT LIM** – We've been working on it.

12
13 **COMMISSIONER GIBA** - It's something that we've needed sorely up in that area
14 and I really appreciate you doing that.

15
16 **APPLICANT LIM** – And I think I forgot to say that I did meet with the
17 Homeowners Board in Sunnymead Ranch; or the Homeowners Association. I
18 met with the whole Board there. I showed them my site plan; explained what
19 was going on; answered any of their questions and they are all fully on board
20 trying to get something open and then I attended the wine and cheese event
21 about a week and a half ago on Friday. I introduced myself to the people that
22 were there. There was a big turnout there and so to me I think instead of the
23 neighbors finding out about something through here, I kind of wanted to go out
24 because I had a lot of people telling me that it is better to go out and reach to the
25 community because of my restaurant and who I was already with the center, so I
26 did that and I did a lot of outsourcing to get the word out and try to get people to
27 kind of get excited which I've seen a very good response, so...

28
29 **CHAIR VAN NATTA** – Okay, well thank you. You can go ahead and have a seat
30 now because we are done with questions. Thank you. Okay so Commissioner
31 Crothers has something to say.

32
33 **COMMISSIONER CROTHERS** – I just want to say that I drive across town to eat
34 sushi over there, so I can't imagine that I won't drive across town to check this
35 place out and I'm excited that there is something else up there. For a long time it
36 has been empty, so I'm glad that we've got something on the agenda that we can
37 you know help build up the City and I'm excited to see this if it passes go forward.

38
39 **COMMISSIONER RAMIREZ** – I agree with Commissioner Crothers. I think that
40 particular area is longing for a place where residents can walk to and have a
41 good time and not have to worry about driving home. I think the only issue would
42 be underage folks hanging out there after hours because there is nothing to do
43 out there for kids. Sometimes they might get curious, but aside from that I love
44 the idea and I am ready to vote this through.

1 **COMMISSIONER BAKER** – You know I was surprised when I went up to that
2 shopping center today, the number of units like he said that are vacant in that
3 area, so this will be a big plus. You thought it was somewhere around 50
4 percent, but there are a number of units open, so this will be a big plus besides
5 giving... and you are kind of in that corner spot, which is not exactly an anchor
6 but it needs to have something happen there, so I'm behind this 100 percent. I
7 think the community needs it. It's a good wholesome entertainment type
8 situation to get involved in, so I will vote for it.

9
10 **COMMISSIONER OWINGS** – No comment

11
12 **CHAIR VAN NATTA** – Well my only comment is I hope they do karaoke more
13 than one night a week because... Alright, do we have someone who would like
14 to make the motion on this?

15
16 **COMMISSIONER CROTHERS** – I'll make the motion. I motion to **APPROVE**
17 Resolution No. 2012-12 and thereby:

- 18
19 1. **RECOGNIZE** that PA12-0018 a Conditional Use Permit qualifies as an
20 Exemption in accordance with CEQA Guidelines, Section 15301, Existing
21 Facilities; and,
22
23 2. **APPROVE** PA12-0018, a Conditional Use Permit, subject to the attached
24 Conditions of Approval, included as Exhibit A.

25
26 **COMMISSIONER GIBA** – And I'll second

27
28 **CHAIR VAN NATTA** – We have a motion and a second. Is this a roll call vote or
29 a ...?

30
31 **PLANNING OFFICIAL TERELL** – No just a voice vote

32
33 **CHAIR VAN NATTA** – Okay, then all in favor?

34
35 Opposed – 0

36
37 **Motion carries 6 – 0, with one abstention (Vice Chair Salas)**

38
39 **CHAIR VAN NATTA** – Can we have a wrap up from our Staff please?

40
41 **PLANNING OFFICIAL TERELL** – Yes this action shall become final unless
42 appealed to the City Council within 15 days.

43
44 **CHAIR VAN NATTA** – Okay, thank you. Would someone like to tell
45 Commissioner Salas that we are done with item and see if he wants to come

1 back in and thank you very much? Welcome back gentleman. Okay, back to
2 business.

3
4
5 **OTHER BUSINESS**

6
7 **1. Study Session Discussion: Draft Energy Efficiency and Climate**
8 **Action Strategy**

9
10 **CHAIR VAN NATTA** – The next item on the Agenda is a discussion of the Draft
11 Energy Efficiency and Climate Action Strategy. So Mr. Terrell would you like to
12 tell us where we are at on this.

13
14 **PLANNING OFFICIAL TEREILL** - I will do a brief introduction and then Gabriel
15 Diaz, the Planner working on this will provide additional information before your
16 discussion. As you recall back in April we had a Joint Study Session with the
17 City Council. We went over the strategy at that time. One of things we promised
18 to do was to give you an opportunity to have another discussion and give us any
19 additional input you might want to provide prior to us finalizing the document and
20 bringing it back to you for formal review and action. As you know this is a
21 strategy, so this a policy document similar but not quite the same as the General
22 Plan, so there is a lot of aspirations in the proposal that will not become effective
23 until some subsequent formal action to adopt an ordinance or policy or
24 something like that, so it is just a guideline and with that I'll hand it over to Gabriel
25 to give you a little more background.

26
27 **ASSOCIATE PLANNER DIAZ** – Thank you Chairman and Commissioners. I'm
28 Gabriel Diaz, Associate Planner for the City. We had last met on April 3rd, with a
29 Joint Study Session with the City Council. From some of that discussion there
30 was a further Staff outreach for the public and also out of that discussion came
31 out that we focus on policies that won't stunt development and have the City lead
32 by example. Regarding your package, the strategy that is in your package is an
33 older version. I don't know if you guys noticed the difference. The version that
34 we took to Study Session is the newer one which hasn't changed and that is the
35 same version that we took out to the public for review, so my apologies. It was
36 put in there accidentally. The wrong version was inserted, but you do have the
37 older version from the Study Session. From that Study Session you asked us to
38 do some public outreach which we have. We reached out to the local schools,
39 EHPB, the Environmental Historical Preservation Board and the public. At our
40 EHPB meeting that was held on May 14th, there was discussion of possibilities of
41 harvestable landscape, possibly on our bigger projects like Sketchers for
42 example.

43
44 Another idea was having street signs directing people to alternative fueling
45 stations and encouraging that the City encourages green building materials and
46 having the City recognize green businesses here in town like our City Council.

1 That was from the EHPB meeting. We held a public outreach meeting on June
2 7th. We had the public there in attendance and in addition we had a
3 representative from WRCOG and the Energy Coalition and Moreno Valley Utility.
4 The Staff was able to present a power point presentation, which was similar to
5 the ones that you guys saw at the Study Session. This has been our outreach
6 efforts and Staff is looking for additional direction from Planning Commission on
7 the Energy Efficiency and Climate Action Policies. Thank you. That concludes
8 Staff's presentation.

9
10 **CHAIR VAN NATTA** – Okay does anyone have questions? Okay, go ahead

11
12 **COMMISSIONER GIBA** – I had a couple of them. Your outreach... is that
13 accurate; is that accurate that one person attended?

14
15 **ASSOCIATE PLANNER DIAZ** – Correct

16
17 **COMMISSIONER GIBA** – Are we really getting the word out? No, it I'm
18 being...it's kind of humorous, but...

19
20 **PLANNING OFFICIAL TERELL** – We did a press release. We had it on the
21 website. We had advertisements on the website. We had flyers. We sent out
22 letters to individuals who had previously expressed an interest in the plan and we
23 got buttons.

24
25 **ASSOCIATE PLANNER DIAZ** – I did research with other cities that are going
26 through the same process. We had one city that actually went through this
27 process; the City of Santa Clarita. They had two...I guess they are a bigger city,
28 so they had two meetings, one on the east and one on the west side and they
29 had eight people in total.

30
31 **CHAIR VAN NATTA** – I doubt that this means that people don't care. It may
32 mean that they don't know what kind of input they could possibly give us or they
33 are trusting that the process is going to provide a good plan.

34
35 **PLANNING OFFICIAL TERELL** – Yes and Gabriel did receive a couple of
36 emails or whatever, but they didn't provide any input for or against, so it is hard to
37 say. Usually no news is good news, but certainly the EHPB, which is a group of
38 citizens such as yourself, did provide several comments as Gabriel mentioned
39 and that's where we got the most input. Obviously those are folks that are much
40 more motivated on something like this.

41
42 **CHAIR VAN NATTA** – Are there any more questions?

43
44 **COMMISSIONER OWINGS** – Madam Chairman... you know I've spent a lot of
45 time reading this so I hope you'll bear with me as I'm going to ask a few
46 questions. It started out in the project description, you talked about that we

1 received a grant from the Federal Stimulus Package. Could you tell me what the
2 amount of the grant was and what strings were attached to the grant for us to
3 participate?
4

5 **PLANNING OFFICIAL TERELL** – Well the entire grant was approximately 1.6
6 million dollars and that funded a lot more than just this particular activity. They
7 replaced all the lights. They replaced bulbs in all the traffic signals. There were
8 some other technology upgrades, so there were a variety of things that that paid
9 for. This grant has funded this study. I would say that it was about 10 or 15
10 percent of the grant was for this activity and other things; putting window tint on
11 windows and some other things, so it is a small portion of that grant. The
12 obligation is that we prepared the study and that included a greenhouse gas
13 analysis. This works well because there are certain State mandates to address
14 policies for greenhouse gas reduction, so we were able in essence to comply
15 with that State mandate to look at the issue. We do quarterly reporting; Gabriel
16 does quarterly reporting to the Federal Government on the status of this as well
17 as other activities that he has been working on related to energy efficiency and
18 like any grant we are required to present the policy document. There is no
19 requirement to adopt it, but again that is the parameter and I don't know if that
20 answers your question.
21

22 **COMMISSIONER OWINGS** – Well it does John and to further follow-up on that,
23 did the grant require that we address each of the electric water recycling
24 diversion alternate fuel in education; was there a requirement that we do this all
25 encompassing document as opposed to a more targeted document.
26

27 **PLANNING OFFICIAL TERELL** – Yes
28

29 **COMMISSIONER OWINGS** – It did require that?
30

31 **PLANNING OFFICIAL TERELL** – Yes, it is a comprehensive Climate Action
32 Plan
33

34 **COMMISSIONER OWINGS** – So it talks also later on it talks about the Coalition;
35 the Community Partnership Plan Program between Southern California Edison
36 and the gas company Moreno Valley Electric. Those costs... I understand that if
37 we were to receive funding from Edison, of course that would be money from
38 outside the City, but when we talk about Moreno Valley Electric Utility providing
39 money, that is in essence coming from the City; correct?
40

41 **PLANNING OFFICIAL TERELL** – It would be coming from the ratepayers and
42 that assistance would be parallel to this activity. Utilities are required to identify
43 and provide certain incentives for alternative energy and so those are the things
44 that we're talking about; things that they otherwise have to provide but integrate it
45 within... integrate it and make sure it is consistent with the other policies in the
46 City.

1 **COMMISSIONER OWINGS** – Not necessarily dollars and cents

2
3 **PLANNING OFFICIAL TERELL** – Correct

4
5 **COMMISSIONER OWINGS** – Okay, also it says that we have a website in
6 conjunction with this. Is there any record of how many hits we've had on the
7 website? Is there any kind of indication of public interest?

8
9 **ASSOCIATE PLANNER DIAZ** – I'm not aware that we keep track of that, but I
10 will ask.

11
12 **COMMISSIONER OWINGS** – Okay, other things that drew my attention was
13 there were lots of cost estimate blanks that were... you know I could see where
14 we had already received funding and there would be no additional costs beyond
15 to provide it, but many of the boxes on the presentation for cost to implement
16 were blank. Has there been any kind of comprehensive study to determine what
17 the actual cost to the City for the remaining practices to be implemented would
18 be?

19
20 **PLANNING OFFICIAL TERELL** – I believe some of those were probably filled in
21 based on the greenhouse gas analysis, which came subsequent to the addition
22 that you have in your packet.

23
24 **COMMISSIONER OWINGS** – So there is probably a draft that does have some
25 of that information?

26
27 **PLANNING OFFICIAL TERELL** – Yes, some additional information and certainly
28 we'll go ahead and email that out to all of you, so you have a chance to look at it
29 again before we provide a formal presentation for your review. A lot of the
30 things...and this is not a technical... are a little squishy because until we come
31 up with a specific regulation it is hard to price it out and we wouldn't want and this
32 is not a commitment to do something, it is a commitment in many cases to
33 consider and therefore if we were going to bring forward some kind of a mandate,
34 we will try to provide the best information at that time as far as the actual cost.

35
36 **COMMISSIONER OWINGS** – At that time; right; so you are saying there would
37 be a cost benefit analysis for each of the major... any expenditure at that point or
38 any ordinance?

39
40 **PLANNING OFFICIAL TERELL** – To the extent that we can provide it and
41 obviously sometimes when it is not... if is related to a City project it is pretty easy
42 to do. There is a lot of industry data and more everyday, which is helpful, so we
43 will provide as much as we can and obviously if you have questions, Mr.
44 Numbers; data guy; Mr. Giba we will try to do that.

45

1 **COMMISSIONER OWINGS** – This draft seems to propose a lot of common
2 sense measures that really... you probably don't need a plan in order to do. I
3 mean it would be common sense but I wonder if the draft in any way or the study
4 or analysis in any way asks the question or answers the question of whether or
5 not if we were to as a community to provide closer jobs to our community, what
6 effect it would have in terms of the air and greenhouse effect on all the things
7 that the study is trying to accomplish, so that we could get a relative idea of the
8 effectiveness of this whole large project. In other words, if you were to bring
9 10,000 jobs to the City what would the effect of that be on these factors as it
10 relates to this whole document? Any attempt to do that?

11
12 **ASSOCIATE PLANNER DIAZ** – Well the greenhouse gas analysis is a more
13 scientific approach to the City and the Community. We used the transportation
14 numbers and obviously the General Plan the City has planned out for the future.
15 Those were the numbers that were included as part of the greenhouse gas
16 analysis and that is what they used.

17
18 **COMMISSIONER OWINGS** – So one other thing and you know I noticed was
19 that it talks about retrofitting of diesel vehicles in the City fleet, but it does make
20 mention of natural gas, but it doesn't state compressed natural gas. What
21 initiatives would the City participate in to encourage the fueling facilities for these
22 type of vehicles because without fueling facilities, of course they are impractical
23 for the general public and if we are leading by example, the reason we are
24 converting to compressed natural gas vehicles is so that we can encourage
25 public conversion of vehicles and there is to my knowledge no compressed
26 natural gas source in the City of Moreno Valley.

27
28 **PLANNING OFFICIAL TERELL** – Actually we have... there is one facility down
29 in the industrial area that has been next to the Waste Management Facility for
30 quite some time and I believe that is the one that the City uses for it's vehicles
31 and then there is one that is either open or close to being open up in Canyon
32 Springs Plaza and that one is more of what I'd call a retail operation and so
33 we've tried to encourage them. Both of them were done at an administrative
34 level, so we tried to encourage them through I guess I'd call it expedited
35 processing.

36
37 **COMMISSIONER OWINGS** – The one that you said the City used for its
38 vehicles, is that open to the public?

39
40 **PLANNING OFFICIAL TERELL** – I believe it is open to the public but you have
41 to have some kind of a card, so that one is more for commercial vehicles.

42
43 **COMMISSIONER OWINGS** – Alright, so you have addressed this somewhat, but
44 there hasn't been any real initiative to encourage natural gas availability;
45 compressed natural gas? Would that be a fair statement?
46

1 **PLANNING OFFICIAL TERELL** – Yes beyond those efforts because if you have
2 any suggestions on that? The one that is up in Canyon Springs is actually
3 pursuant to a State initiative to increase natural gas fueling stations, so we were
4 when somebody called and said could they do that here, we said sure you can
5 and then followed up later on exactly how and where they could do it.

6
7 **COMMISSIONER OWINGS** – Well you know that goes hand in hand with other
8 alternative fuel sources too, so as such as bio-diesel etc.

9
10 **PLANNING OFFICIAL TERELL** – Yes the next one that we've heard about and
11 again I think this is a Federal initiative, is to encourage electric quick charge
12 facilities, so we've heard from two or three potential applicants for that program
13 and we told them is readily achievable here and again that would be some kind
14 of an administrative process.

15
16 **COMMISSIONER OWINGS** – Well you know for example, if I were to apply to do
17 an AM/PM market here; fueling station, it could be a condition of approval that it
18 has one of those electric charging stations. I have been involved in the planning
19 of one of those and they are relatively inexpensive.

20
21 **PLANNING OFFICIAL TERELL** – Yes we could consider that and certainly to
22 the extent that you want us to kind of tag it and maybe put that in the document
23 for specificity, we'd certainly be happy to do that. To date, the only charging
24 stations that we've had are related to industrial facilities and it has been a
25 mitigation measure, but certainly they are relatively inexpensive and we certainly
26 could look at bringing that forward to you with information on the cost and see if
27 you would want to provide that as a mandate for some types of projects. The
28 natural gas fueling station up in Canyon Springs has actually expressed an
29 interest in doing a quick charge also.

30
31 **COMMISSIONER OWINGS** – You mention on page 14, that you have installed a
32 computer monitoring system in City facilities. I assume that was done through
33 some grant money?

34
35 **PLANNING OFFICIAL TERELL** – That was pursuant to the Federal grant, yes
36 and also we have a really great staff member over in our Facilities Department
37 who is really on top of this and she is really interested in the whole subject and
38 she has signed up all the City buildings on certain Edison websites with the
39 Coalition, which the Coalition is something the City is part of and because we are
40 a part of it we get a higher rebate for activities we do and by being on that
41 system, it is a monitoring system and it helps; they'll help identify additional or
42 suggest additional conservation measures, so that system that got through the
43 Federal Government, that has been helpful to provide additional resources to do
44 more projects here.

1 **COMMISSIONER OWINGS** – So on page 15, it talks about considering the
2 future use of timers on street lights etc, I would encourage or hope that there has
3 been some effort to determine public safety issues involved with reduction of
4 street lighting. Has there?

5
6 **PLANNING OFFICIAL TERELL** – That is in conjunction with the whole street
7 lighting funding question and there was some discussion about... you wouldn't
8 switch off all the lights on a street at midnight as an example. The idea is to
9 selectively every other light or something where as you probably know, street
10 lights are primarily provided for traffic safety and when traffic volumes are low,
11 especially at local streets, there is not a significant or measurable change in
12 safety if they are turned off. Obviously there would be more study before we
13 actually brought that forward, but there has been some discussion both from a
14 funding perspective as well as how would you do it so you don't compromise
15 public safety.

16
17 **COMMISSIONER OWINGS** – As a you may know, I've had reason to visit
18 several thousand houses in District 3 of the City recently and I would say on
19 some streets; some neighborhoods it is definitely considered a public safety
20 issue in terms of... not in terms of traffic, but in terms of personal safety, so I
21 would hope there would be some consideration given to what neighborhoods
22 these policies would be... there are some high risk neighborhoods these policies
23 may not be appropriate.

24
25 **PLANNING OFFICIAL TERELL** – Right, we would certainly do that in
26 conjunction with the Police Department prior to making these exceptions.

27
28 **COMMISSIONER OWINGS** – Okay, on page 15 and I'm trying to move through
29 these as quickly as possible; I'm sorry John if I'm going too fast, but on page 15 it
30 talks about if the City projects are grouped together, this can provide the City with
31 greater reimbursement payoff. What does that mean? It's a somewhat vague
32 statement to me and I don't understand what it means. Could you please clarify?

33
34 **PLANNING OFFICIAL TERELL** – Projects have to be a certain size in order to
35 qualify for rebates from Edison and the Gas Company and therefore we have
36 already, and we would in the future group together smaller projects so that they
37 are large enough to qualify. That is the main thing. There is nothing like you
38 would have to do a huge project and you get more.

39
40 **COMMISSIONER OWINGS** – Do we have enough land available adjacent to our
41 current facilities to make this feasible?

42
43 **PLANNING OFFICIAL TERELL** – Make what feasible?

44
45 **COMMISSIONER OWINGS** – Grouping smaller projects together or would we be
46 looking at...

1 **PLANNING OFFICIAL TERELL** – Well I think the idea of a smaller project is
2 rather than replacing the lights in one building at a time; replacing them at two or
3 three buildings in order to meet... that's what we've done already or rather than
4 changing out the...

5
6 **COMMISSIONER OWINGS** – So the word project doesn't necessarily mean new
7 buildings or new infrastructure?
8

9 **PLANNING OFFICIAL TERELL** – No; any large project like say the Fire Station
10 over on Morrison that is under construction is probably large enough by itself in
11 order to qualify.
12

13 **COMMISSIONER OWINGS** – Okay, further down on that page it says consider
14 moving City electric load off peak to decrease cost for increased peak capacity?
15 Could you explain how that would be done?
16

17 **PLANNING OFFICIAL TERELL** – That is something that the City utility is
18 already working on. The biggest issue with generation is to kind of shave off the
19 peaks so that you don't have to generate a bunch of energy at I think and I recall
20 the discussion, at 6:30 on a week day, because that is when the peak demand is,
21 because people get home and turn on their air conditioner. There are certain
22 things where you can produce and I'm trying to think of a good example; some
23 industrial uses where they need a lot of refrigeration and they can create ice at
24 midnight to 3 o'clock in the morning and there is a cost incentive for them to do
25 that; they can save money by doing that and then they can basically thaw that ice
26 at 6:30 in the evening and it cuts down the peak demand and part of it is saving
27 energy in total. The other is saving it at peak, so it reduces people's costs,
28 because it is expensive to build additional generation. So that's what that... it is
29 less of a conservation issue and basically saying let's not build an extra power
30 plant because we won't need that peak demand, we use the same amount of
31 energy over 24 hours rather than focusing on energy needed at 6:30 in the
32 evening.
33

34 **COMMISSIONER OWINGS** – On page 25, it talks about recording all new large
35 development projects of regional significance participate in savings by design
36 program. Could you explain what that means?
37

38 **PLANNING OFFICIAL TERELL** – Yes savings by design is an Edison program,
39 which is free and obviously the ratepayers have to pay for certain energy
40 conservation programs and this is one of them that we all pay for if we are getting
41 Edison service, so it is service where you submit your plans to Edison; they
42 basically look at it and suggest ways you could save significant energy and then
43 they identify the rebates that you can get if you do certain things and City
44 projects have already started to do this and this proposal which obviously would
45 have to come forward with an Ordinance amendment if we are going to mandate
46 it would require projects of a certain size to go through that process and therefore

1 at no cost to them they'll get suggestions. They can implement those
2 suggestions or not based on...and I've seen some of them where Edison will say
3 if you spend a thousand dollars doing x, you'll get a five hundred dollar rebate
4 and you'll save one hundred dollars a year, so it will pay for itself in five years. It
5 is basically information and Edison is providing this service and it is do we want
6 to lead the horse to water or not and certain size projects it might make sense...

7
8 **COMMISSIONER OWINGS** – I think my question here really centers around the
9 fact that new services would be Moreno Valley Utility as opposed to Edison;
10 correct?

11
12 **PLANNING OFFICIAL TERELL** – Our utility is looking to do something similar to
13 savings by design. It is basically a consulting service and they are looking into
14 doing that for people in that service area. There actually are a lot of new service;
15 new buildings that are going to occur outside of the Moreno Valley Utility, just
16 because they are infill projects.

17
18 **COMMISSIONER OWINGS** – So there will be some that will be in Edison?

19
20 **PLANNING OFFICIAL TERELL** – Yes, some that are in Edison and then there
21 will be... not the majority but there will a similar program...

22
23 **COMMISSIONER OWINGS** – The majority would probably be our utility; correct?

24
25 **PLANNING OFFICIAL TERELL** – Yes, but there will be a similar program that
26 will be available.

27
28 **COMMISSIONER OWINGS** – You know on that same page it says follow the
29 New York lead. You know other than the fact that I don't think there is much from
30 New York that I want to follow but has there been any consideration... you know I
31 realize these are all suggestions, but it seems to me in my experience that these
32 types of suggestions will eventually end up being a form of ordinances or many
33 of them will be and I think that is the whole purpose of us compiling a list is to get
34 to that point where they are ordinances, so I think we should be cautious when
35 we are talking about this and considering the City has a 14 million dollar budget
36 deficit in the year 2011 to talk about these types of things, so what if they are in
37 this plan; if we adopt them in the plan, are we in some way bound by these?

38
39 **PLANNING OFFICIAL TERELL** – No, we would just look at this as a list and the
40 newer version also has the blanks filled in and one of them is the effectiveness
41 and we have high, low and medium on that. Low cost things that have a high
42 return; those are the first things that we are going to look at. Things that cost
43 money, which are probably going to be a lower return and a higher cost are going
44 to be looked at later based on Staff resources. Obviously if there are items in
45 here that you don't think we want to consider seriously and this may be one of
46 them, we can certainly take it off the list. We have an Edison grant in addition to

1 the Federal grant and one of the items on the Edison grant is to do a revolving
2 fund which is probably much more likely where we are going to take a
3 percentage; we are going to take the rebates and a percentage of the savings
4 that we achieve through energy projects and reinvest those in a revolving fund
5 and that is easy because it is money... it doesn't take money from other
6 activities, so that is kind of where we are going as a first priority. If this is
7 something we look at, it is not going to be for a while.

8
9 **COMMISSIONER OWINGS** – Okay, so if I could follow up on that comment, if
10 you look on page 31, you talk about gray water and other assistance guide
11 books. You know those kinds of books are readily available from other agencies,
12 so to sum up my whole line of questioning is this. This looks like the list and all
13 this.

14
15 **PLANNING OFFICIAL TERELL** – It is

16
17 **COMMISSIONER OWINGS** – There appears to be no focus to the list and I
18 would hope that as a policy setting body that we would pare this down and get it
19 down into something that we could focus. This is a hundred and some pages of
20 stuff that you know there is something here for everybody and everything and
21 some of it is meaningful and some of it is not; some of it is common sense and
22 some of it is not and I would hope that we could pare this document down to
23 something that a rational person would be able to read and embrace and I think
24 that is part of the reason why you don't have any public input is that it is too over
25 reaching and so I would hope that this group or some other group could pare this
26 down. I mean if it is common sense and it is going to be done any how; it doesn't
27 need to part of a policy. If it is going to cost the City money when the City
28 doesn't have any money it shouldn't be on the list. We should only have on the
29 list what we can do and then we could go out and ask the community to embrace
30 it, but I don't think you could get anyone to read this let alone embrace it. It is too
31 over reaching and that is my comment.

32
33 **PLANNING OFFICIAL TERELL** – That is very helpful and hopefully the
34 prioritization that we've done and reformatting would help on that and certainly
35 there are items maybe towards the bottom and both Gabriel and I will commit to
36 as well as Chris Ormsby who is out in the audience and also working on this,
37 commit to taking another review of it and suggest maybe things can be purged
38 out.

39
40 **COMMISSIONER OWINGS** – I think you did a great job in bringing every
41 possible idea that you could possibly think of to the table, but I think now if it is a
42 low priority eliminate it and let's just get it down to something that the City can do.
43 We can definitely do compressed natural gas. We can definitely do all of the
44 other many things that you have already done are commendable, but that is just
45 my basic feeling.

46

1 **ASSOCIATE PLANNER DIAZ** – Could I comment on the intensity of so many
2 items because I put all the items together? There are a lot and unfortunately you
3 got an older version and I'm not saying the newer version is that much shorter,
4 but has put things in order to high, medium and low kind of like what you were
5 saying and they are numbered.

6
7 **COMMISSIONER OWINGS** – Well there is some redundancy in here. I assume
8 in the new version you may have caught all of that, but you know overall we have
9 limited resources and we should you know I just know from past experience in
10 running a business, people cannot do everything well, they can do a small
11 amount of things to focus their time on that and I don't think the City has the
12 ability to focus on every one of these items, so we need to figure out, like I think,
13 the high priority and maybe strive for the medium priority and forget the low
14 priority.

15
16 **COMMISSIONER GIBA** – Now I'll continue. Yes I had a whole list too and you
17 know what, what Commissioner Owings said is exactly what I was going to say,
18 because the first part that concerned me and that's why I said that; are we
19 getting the word out and next part of that would have been exactly what
20 Commissioner Owings said is that this is such an unyielding document that it
21 took me a long time to just go through all of it and it is very comprehensive and
22 there is a lot of redundancy in what you are doing. You could have consolidated
23 quite a few pieces of information into one box for all intents and purposes, but I
24 understand what you are trying to do, is you are trying to be comprehensive and
25 let's look at every possible thing we can, so let me get back to where my biggest
26 concern is that you said you did a public outreach and I think the public's
27 involvement here is very important.

28
29 If this is going to be some kind of guidance document that says we are to be
30 providing input and direction, one of the things that I would suggest you do is I
31 didn't see any list of local high schools or anything that you did and I don't know
32 why you just picked on high schools because you have two school districts you
33 probably should have been working closely with while you were developing this
34 guidance document; this document. You have Val Verde District which is part of
35 our City and you have Moreno Valley School District that encompasses part of
36 our City and there are all kinds of opportunities for the District; the schools from
37 elementary up to high school to participate in the City and so I would like to see a
38 little bit and now if I jump forward on your document, you actually mentioned here
39 that we should collaborate with the school districts. You have a whole list of
40 collaborate with the school districts, so I'd like to see something where you are
41 actually itemizing out what you can do.

42
43 Now some of these things we can't do; the school district has that authority; we
44 do not as a City, so I think those are things that you need to go forward with. A
45 lot of the other things that Commissioner Owings already did... oh here they are;
46 school, ride share programs, replace school buses, encourage schools, school

1 district, school district, school district... all those I don't see any collaboration in
2 this document with those districts because you can't determine what to do with
3 the school district unfortunately as they have monotony over what the City does,
4 so that is one thing that would be very, very vital in anything plus it would be very
5 helpful; trust me, I've made some notes here and I've been working with schools
6 and you could always have all kinds of contests going on for a lot of these
7 programs; schools getting community service programs; you know getting
8 community service points for students can get outreach out to that community for
9 you if you work with them, so those are some of the minor things that I thought I'd
10 make mention of. Diesel vehicles... I know you've said you've retrofitted a
11 couple of them; is there any idea to phase them out completely since many of the
12 particulate problems come from diesel vehicles. I think we only have what one or
13 two and we need to determine if want to just phase those out and go to another
14 format rather than spend money retrofitting.

15
16 **PLANNING OFFICIAL TERELL** – Yes I think it's directed somewhere kind of
17 where the money is and some of the vehicles last a really long time and they are
18 very expensive and I believe one of the ones we retrofitted was a pavement
19 recycler or something and obviously if it is more cost effective to replace it or it is
20 worn out we would definitely look at that.

21
22 **COMMISSIONER GIBA** – Yes that's what I meant; phase them out rather than
23 purchase more of the ones that... one of the other questions that I had was and I
24 am assuming that it is in this report, is how the effect on the quote "new logistics
25 center" out there going to affect all this? With the additional warehousing; the
26 additional vehicles; freeway; has that been calculated into your projections into
27 2020?

28
29 **PLANNING OFFICIAL TERELL** – It hasn't been in this projection because this
30 projection was based on our current General Plan. Those new projects that are
31 not already kind of anticipated by the General Plan will do this kind of review and
32 will I'm sure have much more stringent requirements than we've seen in the past;
33 but no we did not incorporate say "world logistics center" in this because it is not
34 an approved project. That project will do that review as part of its process and
35 we'll identify potential mitigation measures... diesel emissions is obviously the
36 largest issue on a project like that.

37
38 **COMMISSIONER OWINGS** – John are you referring to construction period or
39 operation period?

40
41 **PLANNING OFFICIAL TERELL** – Well for any new project we look at both and
42 typically there is more issues during construction than there are during operation
43 because dust, which is the other major pollutant that occurs doesn't happen after
44 development to any large extent.

1 **COMMISSIONER GIBA** – Have you considered also... I was up in Antelope
2 Valley a while back at the high school over there and I'm sure cities can do it
3 too... that entire carport with the solar panels and automatic charging stations
4 attached to them, I didn't necessarily read that as an alternative for one way to
5 charge your own vehicles as well.

6
7 **PLANNING OFFICIAL TERELL** – Yes I think we talked to some extent about
8 and we can be more explicit if it is more helpful, the whole concept of solar
9 carports, whether it is for charging stations or just a takeoff energy use, we are
10 certainly are looking at that and that is one of the things that Gabriel has started
11 to work on is look at all the potential vendors that can provide that kind of product
12 to the city and the way they work now is they provide financing too, so we will be
13 looking at that specifically for City facilities and we haven't seen too much
14 interest in the private sector but those are things that when people come in and
15 want to do solar rays on the roof, that is a very inexpensive administrative
16 process, because we certainly want to encourage or remove any impediments to
17 people doing that locally.

18
19 **COMMISSIONER GIBA** – I also notice that transportation is your biggest amount
20 of you know; 56 percent; 51 percent; huge volumes in terms of that in the form of
21 transportation. When you did the traffic engineer analysis of it I'm assuming is
22 what it is says here, "City Traffic Engineer of Transportation"... does that include
23 that freeway that goes right through the middle of our City?
24

25 **PLANNING OFFICIAL TERELL** – We do not... no... I guess the answer is no
26 because we have no way to control it, so we don't take responsibility for it.
27 Obviously any cars that are... trips that are originating in Moreno Valley, it would
28 count their emissions on the freeway until they leave the City limits, so we do all
29 that...
30

31 **COMMISSIONER GIBA** – So all that air cover stays over the freeway; doesn't...
32 I'm being a little facetious obviously. You know it is going to add to our City. Is
33 there any way to...
34

35 **PLANNING OFFICIAL TERELL** – Correct... Other than advocacy, we're really
36 not in a position to... well legally we can't even control what kind of vehicles drive
37 on it even on our own streets here, so we don't try to take on what we can't
38 solve.
39

40 **COMMISSIONER GIBA** – So it's not practical?
41

42 **PLANNING OFFICIAL TERELL** – As you may know, the State has a series of
43 initiatives and regulations relative to both vehicle emissions for passenger cars
44 and very stringent ones for diesel trucks that over the next ten years based on...
45 the State-wide Climate Action discussions really is going to take care of a major
46 portion of reduction of emissions as well as greenhouse gases is really reducing

1 diesel and vehicle emissions. They have some very aggressive plans that you
2 know I think not being pursued very aggressively right now because of the
3 economy, that the thought by 2020, which is not that far away, that the Building
4 Code would actually require all new homes to be zero energy, meaning they
5 would produce as much energy as they use. I'm little skeptical on that based on
6 cost issues, but the State is really driving hard down the road and we need to be
7 compatible with that, but again ours is really focusing more on what is practical
8 and cost effective and not what is cutting edge technology because cutting edge
9 technology can often be quite expensive and as Commissioner Owings said,
10 we'll probably make a lot more progress by encouraging job production rather
11 than cutting edge technology for new job producers. That is our reality. In other
12 parts of the State, that is not the reality. They have the opposite problem of
13 having too many jobs and not enough houses.

14
15 **CHAIR VAN NATTA** – Are there any more specific questions on this?
16

17 **COMMISSIONER OWINGS** – Well I did just want to follow up so we don't just
18 have a pointless discussion. Would it be advantageous to have us; the
19 Commission to be provided with the current version of the report, which has
20 some of these prioritizing items and then we could at a later meeting discuss
21 potentially or each of us could pass out a list of things we think should be
22 eliminated from this document and then at some point we would have some
23 method of determining a consensus of the Commission as to the consensus list
24 of deletions so that we could in the decision; help you guys and the Staff in
25 determining things that could be eliminated.
26

27 **PLANNING OFFICIAL TERELL** – Well to the extent you are willing, that would
28 be very helpful. As I think Gabriel and I said earlier, we'll send you the latest
29 version. We'll send that on Monday at the latest and you know email us or call
30 us at any time and if you like I'll make a suggestion that we just include this item
31 on your future Agendas, so at least there is a place holder if you want to discuss
32 it a future meeting...
33

34 **COMMISSIONER OWINGS** – Or we would divide it up into smaller bites and do
35 it over several meetings.
36

37 **CHAIR VAN NATTA** – Actually what I'd like to suggest if we do put it onto a
38 future meeting is rather going through and kind of trying to find the needle by
39 eliminating the haystack piece by piece; if we were to each go through it
40 individually and call with any questions that we might have for clarification and
41 select from the report those items that we felt would be the most advantageous
42 and the ones that we would like to see go into effect in some sort of a tiered
43 hierarchy so that we can say okay, these to me make sense and these to me are
44 things that can be done and there is an awful lot of stuff in here, as
45 Commissioner Owings pointed out that is just like everything in the world that
46 could possibly be done was put into this report, but that was the idea so that

1 everything is on the table to be considered, but it does make it rather daunting in
2 looking from this point how are we going to sift it all out and I think a very efficient
3 way to do that would be to just go through and say I am going to pick out 10
4 things that I think we definitely should be working towards and at least looking to
5 see if they are financially feasible and then you put all of those together and you
6 realize there are these three items or these four or six or whatever that
7 everybody felt was a good idea and that those certainly should be included and
8 I'd like to see us go with type of a approach to direct further refining of the plan.

9
10 **COMMISSIONER OWINGS** – You know I agree with you approach; this caveat.
11 John said that there were certain things that have to be addressed in the plan
12 which we are not really privy to; we don't know what those things are, so there
13 are probably some things that we would delete and throw out that Staff would
14 probably say need to remain.

15
16 **CHAIR VAN NATTA** – Well I think Staff at that point could say these are the
17 things that have to be in there, but the direction that you get from us would give
18 you and just kind of flushing it out a little bit.

19
20 **COMMISSIONER OWINGS** – That's why she is the Chairman.

21
22 **COMMISSIONER GIBA** – John was there was timeline for this?

23
24 **PLANNING OFFICIAL TERELL** – Yes there is.

25
26 **COMMISSIONER GIBA** – I was getting there sooner or later, but...

27
28 **PLANNING OFFICIAL TERELL** – Our schedule and this is really related to the
29 grant schedule is that we'll have another City Council Study Session in August.
30 We'll be bringing this back to you for formal review and action in September and
31 then back to the City Council in October and the October one is when we need to
32 kind of wrap it up pursuant to the grant, so that gives us a little bit of time. I mean
33 it is not a lot of time but it is a little bit of time and then whatever is finally
34 adopted, is not the end all or bee all, it is obviously a document that can be
35 added or subtracted to forevermore and we hope that we would...

36
37 **COMMISSIONER GIBA** – Can we take each one of our sessions and take bite
38 size pieces of this as we go and not just the whole thing as Commissioner Meli
39 meant, so that each time that we have a session then there is another
40 component maybe that we'd be looking at specifically for each, up to the time
41 that we have to come up with a final decision.

42
43 **PLANNING OFFICIAL TERELL** – Well I think, following on the Chair's
44 suggestion, what we will probably do for your next meeting is probably put it on
45 there and kind of have you talk about top 10 or really kind of provide your high
46 priority items and we'll start there and we'll start with the wheat and then the

1 chafe may follow on the site in the same discussion, so that will focus our
2 discussion, so then we'll get your high priorities and then go to the next tier.

3
4 **CHAIR VAN NATTA** – Okay, may I request that we get that report right away,
5 rather than a week before the next meeting?

6
7 **PLANNING OFFICIAL TERELL** – Yes, we'll send it out on Monday at the latest.

8
9 **CHAIR VAN NATTA** – Okay and then we can start looking at it and come in with
10 our priority items and just put this on the next Agenda.

11
12 **COMMISSIONER OWINGS** – Madame Chairman, I'd like to ask or to assure
13 Gabriel that not to feel too bad about giving us the wrong report because we
14 probably need to read this thing three or four more times before we understand it,
15 so don't feel too bad about that Gabriel.

16
17 **ASSOCIATE PLANNER DIAZ** – Okay, thank you.

18
19 **COMMISSIONER GIBA** – In actuality, some of the things I was bringing up were
20 important points for me and that you might want to start considering now,
21 because I really still think the community needs to know what is going on with
22 this document and we really haven't found a clear way to get it to them and all
23 those things that you have like Moreno Valley TV and all that stuff, quite honestly
24 I didn't even know this was going on and I try to watch all those items, so there
25 are other ways to do that. Maybe that is some brainstorming that you can guys
26 can do to get it out.

27
28 **CHAIR VAN NATTA** – Sorry

29
30 **COMMISSIONER GIBA** – I'm done, thank you

31
32 **CHAIR VAN NATTA** – You're done... okay, we don't need another copy of the
33 greenhouse gas thing and all that kind of stuff; just the document itself?

34
35 **PLANNING OFFICIAL TERELL** – The strategy

36
37 **CHAIR VAN NATTA** – The strategy... yes. Have we just about exhausted this
38 for now and we can move on.

39
40
41 **STAFF COMMENTS**

42
43 **CHAIR VAN NATTA** – Okay, Staff Comments

44
45 **PLANNING OFFICIAL TERELL** – Your next meeting is currently scheduled for
46 July 12th and there are two items on that Agenda. One and I didn't get a final

1 word, yes or no; the Applicant was still working on the industrial project; the
2 Vogel project and I'm not quite sure if it was able to go out today because of final
3 work on the consultant's part, but if it was then it will be on July 12th. The other
4 item is the Reach Codes, which is sort of related to this project. It is from the
5 Edison grant and those are specific items that were discussed in April. We did
6 do outreach in that case with the development community, which is the most
7 affected by those proposals. We have revised the proposals based on their input
8 and we'll be bringing that to you on July 12th. What I may look at doing is if the
9 one item isn't going, we might poll you to see if we could delay both items. The
10 Staff Planner for that is on vacation right now, so I need to talk about his
11 schedule too as far as when he needs to meet the grant obligations, but all that
12 said is you may have a meeting on July 12th or you may not, but if you do not, I'll
13 know next week.

14
15 **CHAIR VAN NATTA** – Okay, very good

16
17
18 **PLANNING COMMISSIONER COMMENTS**

19
20 **CHAIR VAN NATTA** – Do any of the Commissioners have something they want
21 to say? No, no other comments? I just want to say I hope everybody turns out
22 for the 4th of July parade and the festivities out at Morrison Park and I understand
23 we have some fabulous marching bands this year and we haven't had that big a
24 bands before and so it should be pretty good and I'll be in the parade, so watch.

25
26
27 **ADJOURNMENT**

28
29 **VICE CHAIR SALAS** – I'll move to adjourn

30
31 **CHAIR VAN NATTA** – Okay a move to adjourn. Do we have a second?

32
33 **COMMISSIONER OWINGS** - Second

34
35 **CHAIR VAN NATTA** – Okay, all in favor say aye and leave.

36
37
38
39 _____
40 John C. Terell
41 Planning Official
42 Approved

_____ Date

43
44 _____
45 Meli Van Natta
46 Chair

_____ Date

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**CITY OF MORENO VALLEY
PLANNING COMMISSION
REGULAR MEETING
JULY 12TH, 2012**

CALL TO ORDER

Chair Van Natta convened the Regular Meeting of the City of Moreno Valley Planning Commission on the above date in the City Council Chambers located at 14177 Frederick Street.

ROLL CALL

Commissioners Present:

Chair Van Natta
Vice Chair Salas
Commissioner Baker
Commissioner Crothers
Commissioner Giba
Commissioner Owings
Commissioner Ramirez

Staff Present:

John Terell, Planning Official
Chris Ormsby, Senior Planner
Mark Gross, Senior Planner
Michael Lloyd, Senior Transportation Engineer
Clement Jimenez, Land Development Engineer
Randy Metz, Fire Marshall
Suzanne Bryant, Assistant City Attorney

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CHAIR VAN NATTA – I'll entertain a motion to approve the Agenda?

VICE CHAIR SALAS – I motion

COMMISSIONER BAKER - Second

CHAIR VAN NATTA – Okay we have a motion and a second. All those in favor?

1 Opposed – 0

2
3 **Motion carries 7 – 0**

4
5
6 **PUBLIC HEARING ITEMS**

7
8 **CHAIR VAN NATTA** – We welcome the members of the public to the meeting
9 this evening and would like to advise you that there are procedures to be
10 followed for the meeting and they are on display in the back of the room.

11
12
13 **PUBLIC COMMENTS**

14
15 **CHAIR VAN NATTA** – At this point we will entertain comments from by any of
16 the public on any matter which is not listed on the Agenda and which is within the
17 subject matter jurisdiction of the Commission and I do have a slip here from a
18 Susan Gilchrist. Would you like to come forward and speak?

19
20 **SPEAKER GILCHRIST** – Good evening Commissioners. I had a chance this
21 afternoon or this morning to go down to Simpson Park in Hemet and while we
22 were there we were hiking around and talking and the individual I was with gave
23 me a math lesson on warehousing and it dawned on me that we really haven't
24 given this the same type of perspective. What he did was he said was okay
25 there is a developer that wants to put in 42 million square feet of warehousing on
26 the east end of Moreno Valley... okay 42 is a small enough number; that is not a
27 big deal, but he said okay you take the 1.8 million square feet for the Sketchers
28 project and you divide that into the 42 million square feet of warehousing, so you
29 get roughly 20 to 23 Sketchers size buildings in that area; then you take a private
30 home and let's say it is 2,000 square feet; so divide the 2,000 square feet into the
31 1.8 that the Sketchers building is and you get somewhere around 800 homes that
32 the rooftop dimensions would be equal to that 800 homes. If the house was
33 1,500 square feet you'd get about 1,000 homes for the same amount of square
34 footage or rooftop.

35
36 Okay you can kind of average it out. So let's say for each Sketchers building you
37 have 1,000 homes and then you take the 23 Sketchers size buildings then you
38 can put in that eastern land block and all of a sudden you have 23,000 homes
39 that would have the same rooftop dimensions. That is scary, because when that
40 Moreno Highlands project originally went through, I looked at the almost 8,000
41 homes and went oh my God, they are going to ruin the whole world, but now you
42 look at 23,000 homes that would equal the same rooftop dimensions that you
43 would have for the warehousing and that's a lot and then you go back to looking
44 at maybe the percentage of open space. If you have a 7,200 square foot lot and
45 you have a 2,000 square foot home, then that basically leaves about 5,000
46 square feet of open space per residential lot; the footprint in small relative to the

1 size of the lot; so that would be about 70 percent of open space. Now of course
2 people put in pools and they do other things, but let's say even 50 percent of a
3 residential lot would be open space; it would be grass or dirt or something you
4 know, but it wouldn't be rooftop.

5
6 I don't think you are going to have anywhere near 50 percent open space in what
7 Highland Fairview is proposing down there and I think maybe you need to look at
8 that in perspective. I personally would prefer homes down there. I think we as
9 residents need to stop just saying no, no, no, to warehousing. We need to give
10 you a plan that we think would work better in that area and I think you need to
11 have mixed use. I agree with warehousing or some type of commercial against
12 the freeway. I think putting homes against the freeway is a mistake, but I also
13 think that turning that entire area into a warehouse only area is wrong because
14 then you are almost encircling the City of Moreno Valley on two sides by that
15 type of development. So I'm looking at maybe we offer another alternative to
16 what Highland Fairview is proposing and I know it is going to come before you
17 okay at some point in time. Thank you very much.

18
19 **CHAIR VAN NATTA** – Thank you for your comments. Are there any other
20 members of the public who had comments at this time? If not I'm going to close
21 the Public Comments Section here and we will move on to our first Agenda item.

22
23
24 **NON-PUBLIC HEARING ITEMS**

25
26
27 **PUBLIC HEARING ITEMS**

28
29 **1. Case Number: P11-090**
30 **PA09-0004**
31 **PA09-0022**

32
33 **Case Planner: Jeff Bradshaw**

34
35 **CHAIR VAN NATTA** – Our Case Planner is Jeff Bradshaw. Would you like to
36 give us an overview please?

37
38 **PLANNING OFFICIAL TERELL** – Jeff is on vacation today, so Chris Ormsby
39 who has been working with Jeff in a supervisory manner will be taking care of the
40 report today.

41
42 **CHAIR VAN NATTA** – Okay, Mr. Ormsby please; thank you.

43
44 **SENIOR PLANNER ORMSBY** – Thank you Chair Van Natta and members of the
45 Planning Commission. The Staff has distributed several documents and letters
46 for your consideration. I just wanted to go over those before I present.

1 You should each have a hard copy of the Facts, Findings and Statement of
2 Overriding Considerations. You should have also received a copy of that earlier
3 in the week as well. I believe that was my email. In addition, a memo has been
4 provided dated July 12th, with regards to revised Special Districts Conditions.
5 There are also two others; one from the Sierra Club San Gorgonio Chapter,
6 dated July 11th, 2012 which was emailed earlier today and also we provided the
7 hard copy and then also a letter from Johnson and Sedlack, dated July 12th,
8 which was distributed this evening and finally there is a modified Mitigation and
9 Monitoring Program which has also been distributed. Towards the end of my
10 presentation, I will have Lynn Calvert-Hayes, Principal with LSA Consultants who
11 prepared the EIR, provide some comments on the modifications to the Mitigation
12 Monitoring Program that was distributed this evening and possibly comments on
13 a least one of the other letters that were distributed as well. So, let me go ahead
14 and provide the presentation of the project itself.

15
16 The proposed project is a 1,616,313 square foot warehouse distribution building.
17 The building will include a total of approximately 44,000 square feet of business
18 office space for the management of the warehouse. It is located on 80 acres and
19 is located on the south side of Grove View Road southerly to the City Limits. The
20 project is located between Perris Boulevard and bounded by Indian Street to the
21 west. In addition to the Plot Plan, there is a Tentative Parcel Map 36162 which
22 combines the four existing parcels into one single 80 acre parcel and that can be
23 seen on the exhibit on the far right on the board.

24
25 An Environmental Impact Report was prepared for the project. The Draft EIR
26 was circulated for a 45 day period from April 20th, 2012 and ended on June 4th,
27 2012. The Draft EIR was also sent to all required State and local agencies; also
28 was presented to the City's Environmental and Historical Preservation Board and
29 provided to other interested parties. Eight comments letters were provided
30 during the 45 day review period. There were two additional letters received after
31 that period. The response to comments prepared by the consultant, included all
32 10 letters, which have been incorporated into the Final EIR and in addition to
33 that, of course the two letters that were provided tonight. With regard to
34 availability of the documents as with the Draft EIR, the Final EIR was provided for
35 public review at City Hall, the City Library and posted on the City's website.

36
37 So with that, then Staff would recommend the Planning Commission take the
38 following actions; Approve Resolution No. 2012-16 and certify the EIR for VIP
39 Moreno Valley Project completed consistent with California Environmental
40 Quality Act and to Approve Resolution No. 2012-17, approving Plot Plan PA09-
41 0004 and Tentative Parcel Map 36162 subject to the attached conditions of
42 approval included as Exhibits A and B and before we actually turn it back over to
43 the Planning Commission, we'd like to invite Lynn Calvert-Hayes with LSA, the
44 Environmental Consulting firm to provide some comments.

1 **SPEAKER CALVERT-HAYES** – Good evening. Thank you for having me here
2 today. It is a pleasure on this nice steamy day. It is nice and cool in here
3 though. I had provided you with a Mitigation Monitoring Plan that was updated
4 for today and we found in going through the letters from Johnson and Sedlack
5 and from the Sierra Club that some of the mitigation measures that were in the
6 errata in the final did not make it appropriately into the Mitigation Monitoring Plan
7 and there were just a couple of them.

8
9 The first one is on page 2 and what I did so that you can see the changes; the
10 new language is double underlined and anything that is being deleted is struck
11 out; so on page 2, under the monitoring frequency for the first mitigation
12 measure, we added “during construction” and then I believe the next one is on
13 page 17; excuse me it is on page 10. This is mitigation measure 4.2.6.3a. It
14 starts on page 9 and follows on page 10. There was language struck out in that
15 mitigation measure in consistency for the errata for the Final EIR. On page 17,
16 the mitigation measure for cultural resources; cultural resource CUL1; there is
17 language in the middle of that first paragraph that has been struck out. It was in
18 response to comments to the original Johnson and Sedlack letter and it was also
19 in the errata. I believe that was about it. Please bear with me, this is pretty long.
20 Yeah, I think that was it. Yes, it was just the mitigation measures that were
21 changed to be consistent with what is in the Final EIR. We also received this...
22 the City received two letters; one from Johnson and Sedlack early this afternoon
23 by email and also one from the Sierra Club and the gist of the letter is responding
24 to the responses the City made on the original letter sent on the Draft EIR and at
25 this point in time the Applicant would like to take additional time to respond to
26 these letters in writing so that we can have the appropriate information in the
27 public record, so we ask at this time if we could do that as far as the public record
28 is concerned. Is that okay?

29
30 **PLANNING OFFICIAL TERELL** – I’m not quite sure I understand. Did they want
31 to continue the Hearing or ...

32
33 **SPEAKER CALVERT-HAYES** – I think it is going to have to take that to be able
34 to respond to these. There are comments in not so much in the Sierra Club
35 letter, but in the Johnson and Sedlack letter they are asking for changes to the
36 mitigation measures and since we didn’t have time today because of the
37 timeframe, the Applicant is not comfortable making those changes without talking
38 about it.

39
40 **PLANNING OFFICIAL TERELL** – Okay, well what we would normally do is go
41 through... we’ve obviously given the Staff Report. We have the Public Hearing...
42 well actually first of all the Applicant can come forward and make their
43 presentation and then we have the Public Hearing and then at the time the
44 Applicant comes up they can put that formal request on the record and then the
45 Planning Commission can consider that after the close of the Public Hearing.

1 **SPEAKER CALVERT-HAYES** – We also have with us today Ron Brugger who is
2 also with LSA that prepared the Air Quality Greenhouse Gas Emissions and
3 Health Risk Assessment and Tony Chung who prepared the Noise Analysis and
4 Sandipan Bhattacharjee who prepared the Traffic Study, so if you have any
5 questions please feel free to bring those people to help you answer.

6
7 **CHAIR VAN NATTA** – Do we go to the Public Hearing?

8
9 **PLANNING OFFICIAL TERELL** – Well at this time it is just to see if the
10 Commission has any questions of Staff and that would extend to the
11 environmental team; if you had any particular questions in advance of hearing
12 the public testimony, otherwise you can go to the Public Hearing.

13
14 **CHAIR VAN NATTA** - Is everybody okay with going forward to the Public
15 Hearing? Does anybody have any questions prior to that?

16
17 **VICE CHAIR SALAS** – I have one. This is allowed by right; isn't this area zoned
18 for this out there?

19
20 **SENIOR PLANNER ORMSBY** – That's correct. It is consistent with the General
21 Plan, zoning, and Specific Plan.

22
23 **VICE CHAIR SALAS** – Okay, thank you.

24
25 **CHAIR VAN NATTA** – Okay at this time I am going to open up... Oh, you had a
26 question also?

27
28 **COMMISSIONER OWINGS** – I do... if I could direct it to the Staff. John would it
29 be appropriate at this point to ask the Applicant in terms of we've all seen and
30 read the Sierra Club letter dated July 11th. Would it be appropriate at this point to
31 ask questions of the IR Consultants to specific topics in that letter?

32
33 **PLANNING OFFICIAL TERELL** – Yes of the environmental team; that would be
34 appropriate. We wouldn't be asking the Applicant, but yes the...

35
36 **COMMISSIONER OWINGS** – So I think it would be appropriate for us to do
37 some questioning at this point prior to hearing the Applicant.

38
39 **CHAIR VAN NATTA** – Right, okay. If you have questions prior to the Public
40 Comment, go ahead.

41
42 **COMMISSIONER OWINGS** – Excuse me was your name Lynn?

43
44 **SPEAKER CALVERT-HAYES** – Yes

45
46 **COMMISSIONER OWINGS** – My name is Tom Owings. How are you?

1 **SPEAKER CALVERT-HAYES** – I’m great

2

3 **COMMISSIONER OWINGS** - Have you had an opportunity to review the Sierra
4 Club letter of July 11th?

5

6 **SPEAKER CALVERT-HAYES** – Yes, yes I have

7

8 **COMMISSIONER OWINGS** – Do you feel comfortable answering questions?

9

10 **SPEAKER CALVERT-HAYES** – I can try; if not we do have our technical experts
11 here if you need them to answer.

12

13 **COMMISSIONER OWINGS** – Do you have it in front of you right now?

14

15 **SPEAKER CALVERT-HAYES** – Yes I do

16

17 **COMMISSIONER OWINGS** – I intended to ask these same questions of the
18 Sierra Club if they have a representative here, so I don’t know who is going to
19 speak on their behalf, but in terms of paragraph one, I just wanted to go through
20 it in terms of paragraph by paragraph, so if we could just look at paragraph one
21 there is a comment there in terms of the EIR in terms of Spanish language
22 versions etc. Do you have a comment in response to the Sierra Club’s criticism
23 in paragraph one of the City’s failure to write everything in Spanish to allow many
24 who feel disenfranchised within our community to participate in public review
25 process, quote unquote?

26

27 **SPEAKER CALVERT-HAYES** – Well you know that is up to the City as to what
28 their policies are. It is not required by CEQA or by the State of California, but it is
29 a City by City policy.

30

31 **COMMISSIONER OWINGS** – In that same paragraph, the Sierra Club quotes a
32 New York Times article. Have you had an opportunity to review that article?

33

34 **SPEAKER CALVERT-HAYES** – No

35

36 **COMMISSIONER OWINGS** – “In paragraph two; you should require all
37 warehouses to have their roofs covered with solar or at least built to standard
38 which would support future installation of solar panels” (quoting from July 11th
39 Sierra Club letter). Do you have any idea what would add to the cost of the
40 development of this particular project?

41

42 **SPEAKER CALVERT-HAYES** – No I don’t, but I’m sure the Applicant can
43 answer that question for you.

44

45 **COMMISSIONER OWINGS** – It goes on to say that it would be in the Applicant’s
46 best interest to do that because he could sell the power to the Edison Company.

1 Could I ask you can you think of any reason that if it was in the benefit of the
2 Applicant that they wouldn't do it if it was financially in their best interest; is there
3 any reason you can think of that they would not do it?
4

5 **SPEAKER CALVERT-HAYES** – I can't answer that. Again that is a question for
6 the Applicant.
7

8 **COMMISSIONER OWINGS** – But from your experience in this realm, can you
9 think of any reason why an Applicant theoretically would not avail himself of
10 benefits that would be in his financial best interest?
11

12 **SPEAKER CALVERT-HAYES** – I would assume that if it is in his financial best
13 interest; yes, but you know when you are building a building, there are certain
14 cost parameters, so I'm sure they have their economics that they have to follow.
15

16 **COMMISSIONER OWINGS** – Moving on to paragraph three, "the Sierra Club
17 does not believe the greenhouse gas emissions and climate change have been
18 reduced to less than significant" (quoting from letter). Can you comment on that?
19

20 **SPEAKER CALVERT-HAYES** – Well the Draft EIR and also the Final in
21 responding to all the comments; there is mitigation in the EIR; the Draft as well
22 as there is revised mitigation in the Final that the City has determined that yes it
23 mitigates the impacts of the project to less than significant for greenhouse gas
24 emissions and global climate change, however cumulatively there is a significant
25 and unavoidable effect.
26

27 **COMMISSIONER OWINGS** – On paragraph four, "the City of Moreno Valley
28 needs to replace the phrase exceeding 'the 2008 California Buildings Codes,
29 Title 24 Energy Standard' with exceeding the current California Building Codes,
30 Title 24 Energy Standards 'at time of construction'" (quoting from letter). Do you
31 have any comment on that first of all and then second of all, is it the City's priority
32 on which standard to use during the course of this EIR and what are the
33 differences between the two standards; 2010 and 2008 and are they in your
34 opinion material differences?
35

36 **SPEAKER CALVERT-HAYES** – I will bring Ron Brugger forward to answer that
37 question for you. He is the greenhouse gas emissions technical expert and he
38 can explain to you what the differences are to the extent feasible.
39

40 **COMMISSIONER OWINGS** – Thank you
41

42 **SPEAKER BRUGGER** – Good evening Commissioners. My name is Ron
43 Brugger. I am not an expert on Title 24 differences but I can speak about the
44 fact... the first sentence in that paragraph talking about references to the 2008
45 building code in particular is a hold over. I mean in general, the section specifies
46 that 2010 building codes would be complied with and this reference to 2008 is an

1 error, so it should be 2010... it should be; in fact the language as suggested, not
2 even mention the year but use current, is probably a good recommendation, so
3 that part of that is probably a good recommendation to make.

4
5 **COMMISSIONER OWINGS** – So in your opinion, is this a point that needs to be
6 addressed or has it already been addressed.

7
8 **SPEAKER BRUGGER** – It's a point that needs to be addressed. As far as I
9 know it hasn't. This one reference; there are other references in the document to
10 the building code compliance. It does not say 2008, so this is just ...

11
12 **COMMISSIONER OWINGS** – It was my understanding from your testimony that
13 the 2010 edition is the standard by which you are comparing. Is that correct or
14 did I misunderstand?

15
16 **SPEAKER BRUGGER** – No 2010 is certainly the current standard and it is what
17 the project will have to comply with.

18
19 **COMMISSIONER OWINGS** – So in effect, this is a concern by the Sierra Club
20 that is not a concern.

21
22 **SPEAKER BRUGGER** – I would say that is a good way to put it; yes.

23
24 **COMMISSIONER OWINGS** – Thank you. Paragraph 5, “The Planning
25 Commission needs to read or hopefully re-read concerns and suggestions in the
26 letters submitted by Ray Johnson and George Hague to the VIP Draft EIR. Then
27 require more of their suggestions of this massive warehouse project” (quoting
28 from letter). So in that particular paragraph; paragraph 5, can you please
29 comment.

30
31 **SPEAKER CALVERT-HAYES** – I'm not exactly sure what the question is. The
32 letters that were submitted by Sierra Club and by Ray Johnson are contained in
33 the Final EIR and the response to comments that are lettered D and E and as
34 you can see in the Final EIR, the responses were quite robust and hefty.

35
36 **COMMISSIONER OWINGS** – Specifically here at the end of this paragraph, it
37 says “It is the time the City works to protect the air quality we all breathe and of
38 which we all have no choice. Smartway Carriers of 1.25 needs to be the goal of
39 90 percent for long haul trips carried by Smartway if this project is serious about
40 reducing its environmental impacts instead of the lower 1.00” (quoting from
41 letter). Could you comment on that criticism?

42
43 **SPEAKER CALVERT-HAYES** – There is a mitigation measure in the document.
44 I don't have it in front of me. There is mitigation in the document for Smart Way
45 and I'm not sure without pulling out that mitigation measure whether or not it

1 reduces or it meets the 1.25 or 1 and I'm not sure why they are asking for a
2 higher number. They don't justify why they are asking for it.

3
4 **COMMISSIONER OWINGS** – In your opinion without getting into too much
5 detail, but is it your opinion or could you offer an opinion as to when it says we
6 need to work to protect the quality of air we breathe of which we have no choice.
7 Would the standard that you are currently meeting in the EIR protect the air we
8 breathe sufficiently?

9
10 **SPEAKER CALVERT-HAYES** – Well the mitigation; the Applicant is
11 implementing mitigation that is reducing the effects of air quality and of course for
12 operational air emissions the issue is the type of fuel we use and until that is
13 changed, then you know we are going to have additional air quality emissions.

14
15 **COMMISSIONER OWINGS** – Could you briefly describe the mitigation the
16 Applicant is going to provide?

17
18 **SPEAKER CALVERT-HAYES** – Well there is mitigation in the document for
19 construction emissions especially during grading to reduce the particulate
20 emissions. There is mitigation that is in the document that not only reduces air
21 quality but also reduces greenhouse gas emissions for the actual construction
22 materials that are used in the building and the type of building that is built, as well
23 as requiring that the trucks are cleaner and they follow certain truck routes that
24 are closer to the freeways than going through residential neighborhoods and by
25 schools and so forth, so there is adequate mitigation in the document to reduce
26 air quality effects.

27
28 **COMMISSIONER OWINGS** – Again in going back to paragraph 5, would it fair to
29 say that this paragraph mainly involves the construction period of the project; this
30 comment?

31
32 **SPEAKER CALVERT-HAYES** – No I would assume they are talking about air
33 quality during construction, operation of the building and the air quality emissions
34 that are affected by the vehicles.

35
36 **COMMISSIONER OWINGS** – The only suggestion that they offer is to require
37 tier three construction equipment instead of tier 2 as the developer wishes to use.
38 Would that sentence not indicate that this paragraph is focusing on the
39 construction period?

40
41 **SPEAKER CALVERT-HAYES** – It could; yes.

42
43 **COMMISSIONER OWINGS** – And would that then; would it be fair to say that the
44 concern of the Sierra Club here is a temporary concern; that after construction it
45 would no longer be a valid concern?

1 **SPEAKER CALVERT-HAYES** – I don't know. I don't want to... well the last
2 sentence is talking about the trips that have to do with the trips the trucks are
3 taking, so that is more of an operational effect; it could be both.

4
5 **COMMISSIONER OWINGS** – It could be both...and the mitigation that you
6 described earlier addresses both.

7
8 **SPEAKER CALVERT-HAYES** – Yes

9
10 **COMMISSIONER OWINGS** - Okay moving on to paragraph six, here “The Justin
11 Adams AG report fails to analyze the impacts of losing agriculture land on raptor
12 foraging” (quoting from letter). To the best of your knowledge, were there any
13 crops being raised on this land?

14
15 **SPEAKER CALVERT-HAYES** – No, this particular parcel has been fallow since
16 August of 2005. It was used as a sod farm. They were farming sod prior to that
17 point. I don't know what the actual history is beyond that point, but no.

18
19 **COMMISSIONER OWINGS** – But to your knowledge, in recent times there have
20 been no agricultural use.

21
22 **SPEAKER CALVERT-HAYES** – No there is no agricultural since 2005

23
24 **COMMISSIONER OWINGS** – So was there any attempt to ascertain the effects
25 of raptor foraging?

26
27 **SPEAKER CALVERT-HAYES** – Well the study that was done had to do with the
28 effects of losing ag-lands and not... the loss of ag-lands for raptor foraging has to
29 do with a biological effect and not the effect of losing the production of ag-land
30 and that is what those two studies are that are in the appendices to the Final EIR.

31
32 **COMMISSIONER OWINGS** – So could you comment on the criticism that is
33 offered by the Sierra Club in paragraph 6? Is it valid or not valid?

34
35 **SPEAKER CALVERT-HAYES** – I don't think it is valid as far as that ag-report
36 having to discuss that effect; that is a biological effect.

37
38 **COMMISSIONER OWINGS** – It goes on in paragraph six to say that the report
39 fails to analyze the impacts of importing food on greenhouse gases, global
40 warming and air quality (paraphrasing from July 11 Sierra Club letter). Do you
41 think there is a significant impact to the greenhouse gas effect for the required
42 importing of food from land that was fallow from 2005?

43
44 **SPEAKER CALVERT-HAYES** – No, especially since what was being farmed on
45 that site was sod; it wasn't food... it wasn't a food product for human beings.

46

1 **COMMISSIONER OWINGS** – You know it goes on in that paragraph to say it is
2 therefore still an important area of employment? Do you have any idea how
3 many people were employed in growing sod?
4

5 **SPEAKER CALVERT-HAYES** – No I don't
6

7 **COMMISSIONER OWINGS** – Do you believe it to be a large number or small
8 number?
9

10 **SPEAKER CALVERT-HAYES** – I wouldn't think it be large
11

12 **COMMISSIONER OWINGS** – Okay, going on to paragraph seven...I believe
13 they need to insert a word in the first sentence. I think there is a typo there. "The
14 Sierra Club believes significantly more needs to be required...; more of what I'm
15 not sure for this project to make it have less of an impact on... I guess it is
16 correct grammatically on both the environment and the health of those in the
17 Moreno Valley region. The direct impact and cumulative impacts can be further
18 reduced with proper conditions of approval. Do you have any idea what those
19 proper conditions of approval would be?
20

21 **SPEAKER CALVERT-HAYES** – No they don't state what they are.
22

23 **COMMISSIONER OWINGS** – It goes on to say that in a letter that I just saw from
24 the law firm, it talks about gold LEED certification, but in this letter it talks about
25 silver LEED certification. From your experience isn't it impossible to build a silver
26 LEED certified building? Isn't it that you build a lead certified to the standards of
27 LEED certification and then one year later the building would be certified, but isn't
28 it technically impossible to build a LEED certified building?
29

30 **SPEAKER CALVERT-HAYES** – It is my understanding that building a LEED
31 certified that is greater than just the standard lead certification for warehouses is
32 difficult because of what is being asked.
33

34 **COMMISSIONER OWINGS** – But isn't it the procedure in LEED certification that
35 you build it to their building specifications and then a year later it is certified.
36

37 **SPEAKER CALVERT-HAYES** – I'm not sure to be honest with you.
38

39 **COMMISSIONER OWINGS** – It is impossible to predict whether you will get
40 certification; correct?
41

42 **SPEAKER CALVERT-HAYES** – Correct
43

44 **COMMISSIONER OWINGS** – Thank you. When is Moreno Valley going to raise
45 the needs of its residents? Last fall the City of Riverside approved a warehouse

1 with a gold LEED certified building. Isn't that an incorrect statement? It has not
2 been certified as gold has it?

3
4 **SPEAKER CALVERT-HAYES** – As far as I know that is correct.

5
6 **COMMISSIONER OWINGS** – Thank you. So, thank you very much, that
7 concludes my questions.

8
9 **SPEAKER CALVERT-HAYES** – Thank you.

10
11 **CHAIR VAN NATTA** – If I may I just have kind of a general question for the
12 greenhouse expert; if he would come back forward. Tell me your name again
13 please.

14
15 **SPEAKER CALVERT-HAYES** – It is Ron Brugger

16
17 **CHAIR VAN NATTA** – I'm not nearly as technical as some of the other
18 Commissioners on this panel, but I just have a general question that comes to
19 mind. If you have an 80 acre site and you build a single 1.6 million square foot
20 building on it or you put 6 houses per acre, so you would have 480 homes and
21 960 cars coming and going at about 2,000 people living there, which project is
22 going to have more impact on the environment?

23
24 **SPEAKER BRUGGER** – Are you asking which will have more of an impact on
25 greenhouse gases? I mean that part of the impact?

26
27 **CHAIR VAN NATTA** – Yes

28
29 **SPEAKER BRUGGER** – It is not a very straightforward... there are a lot of
30 factors that go into the greenhouse gas emissions. One of them is the energy
31 required to keep the building either heated or environmentally heated or cooled,
32 whatever is required and with a large warehouse that certainly takes a lot of
33 energy, but with a large number of homes, each one of them being a separate
34 island if you will and with the summers or whatever, a lot of air conditioning is
35 required, so probably a lot more energy will be required for keeping; what is the
36 number; 480 homes...

37
38 **CHAIR VAN NATTA** – If you are figuring at six houses per acre.

39
40 **SPEAKER BRUGGER** – Okay, then typical warehouses are typically not kept
41 that cool; maybe the office space, but not the entire warehouse and I speak of
42 energy... when you are generally talking about greenhouse gas emissions one of
43 the very direct correlations is how much energy is required by a project. Energy
44 translates very directly to greenhouse gas emissions or CO 2 emissions, so they
45 are often used interchangeably when you are talking about greenhouse gas
46 impacts.

1 **CHAIR VAN NATTA** – It might just be an urban legend, but somebody told me
2 that 80 acres of dairy farm actually creates more greenhouse gas

3
4 **SPEAKER BRUGGER** – There would be a lot of methane. Yeah, well it is not
5 zero.

6
7 **CHAIR VAN NATTA** – Anything is going to have an impact right

8
9 **SPEAKER BRUGGER** – It is one of the tricky things with a greenhouse gas
10 analysis. Almost everything emits CO₂ or it is a product of just biological and
11 energy uses biological processing, so trying to say there is and I don't know of an
12 example of something that would produce zero greenhouse gas emissions or
13 greenhouse gas...

14
15 **CHAIR VAN NATTA** – Unless we just simply don't develop it at all

16
17 **SPEAKER BRUGGER** – Yeah, but if you have plant life...

18
19 **CHAIR VAN NATTA** – Even that does

20
21 **SPEAKER BRUGGER** – Yeah I mean that just the nature of plants effects... now
22 you can argue that it is maybe absorbing CO₂ and may have a positive effect on
23 greenhouse gas emission and that it has a net reduction in an area perhaps,
24 but...

25
26 **CHAIR VAN NATTA** – But just in the comparison between 480 homes versus a
27 single warehouse, it wouldn't be very clear to say that oh absolutely the
28 warehouse is going to be a lot more damaging to the environment; create a lot
29 more greenhouse gas and is something... just a big difference between the two

30
31 **SPEAKER BRUGGER** – You know most of the time a large industrial warehouse
32 facility does wind up; when I do an analysis and total everything up, more
33 greenhouse gas emissions come from a large warehouse than an equivalent if
34 you will sized residential, but it is not 10 times or a 100 times, it is maybe 2 times
35 or 3 times or so. It is generally more but not a huge amount.

36
37 **CHAIR VAN NATTA** – And that is why we are looking for mitigation on those
38 items to keep it as low as possible.

39
40 **SPEAKER BRUGGER** – Well that is the other tricky part about greenhouse gas
41 impacts, is it is the classic cumulative effect. It is very difficult to say any one
42 individual project is going to have a significant impact on global climate, which is
43 the question. So is a large warehouse or a large residential development or a
44 large retail shopping center; any one of those, that is what everybody is wrestling
45 with; you know State, Federal, Cities or whatever, so that is the challenge is how

1 is any one project going to have a significant impact on this huge cumulative
2 global or certainly very regional situation.

3
4 **CHAIR VAN NATTA** – Okay, alright, thank you. It was just a point of curiosity
5 there. Thank you very much.

6
7 **COMMISSIONER OWINGS** – Madam Chairman, if I could just while you are in
8 this vein of questioning. Looking at the and I know you haven't had the
9 opportunity to look at it because neither have I, but the Johnson and Sedlack,
10 Attorney at Law letter; page 3, cumulative impacts as you were just discussing
11 them... Response to comment E10, acknowledges that the World Logistics
12 Project was only considered in determining which certain cumulative impacts; not
13 all cumulative impacts. Those impacts for which the World Logistics Project was
14 apparently not considered include, but are not limited to: traffic off the highway
15 main line, noise, aesthetics, biology, hydrology/water quality, among others. The
16 EIR fails as an informational document by failing to consider cumulative impacts
17 from the World Logistic Project in each of these areas of the EIR (quoting from
18 the Johnson and Sedlack letter, July 12).

19
20 I think my question to you is three-fold. Number one, could you please address
21 the criticism that was made in this paragraph; number two, is it proper to use the
22 cumulative effects of the World Logistic Project if the project has not been
23 approved and may not be approved. We have an applicant now we should be
24 fair to and they are first in line and is it proper to consider a project that hasn't
25 even been approved in those cumulative effects; and number three, could you
26 address the very last part of this sentence which says, the EIR fails as an
27 informational document by failing to consider cumulative impacts from the world
28 logistics project in each of these areas.

29
30 **SPEAKER BRUGGER** – Do you want to get that one? It is more of a general
31 EIR question.

32
33 **SPEAKER CALVERT-HAYES** – Yeah, okay, first of all when we went through
34 the Initial Study we found that some of the impacts were either less than
35 significant or were mitigated to less than significant with mitigation and those
36 were biology, cultural resources, hydrology which is drainage. The EIR did look
37 at the cumulative effects of all the projects that were listed in Section 2 of the
38 document; of the Draft EIR. There was a table and there was also a map that
39 showed all the cumulative projects and the World Logistics Center was one of
40 them. It is a foreseeable project, even though it is not approved or it hasn't gone
41 through its approval process yet, but according to CEQA you need to look at all
42 projects, including possible cumulative effects of other projects combined with
43 the particular project that you are studying, so when you have already
44 determined that the effects are less than significant, it is not going to be a
45 cumulative effect just because you have another big project in the area, because

1 what you are analyzing is the project at hand. You are not analyzing all the
2 effects of the World Logistics Center, so I believe that comment is a bit skewed.

3
4 **COMMISSIONER OWINGS** – Well let me ask further for my own information.
5 How can you ascertain what the cumulative impacts of a project such as the
6 world logistics project, when you don't know what the mitigation that will be
7 required from them to build the plant nor do you know what the conditions of
8 approval will be imposed by this body or the City Council.

9
10 **SPEAKER CALVERT-HAYES** – That is true, but one of the things that you can
11 analyze is okay; we know this big warehouse project is potentially coming in.
12 Yes it is going to affect air quality and greenhouse gas emissions and there will
13 be truck traffic on the freeways and those were all looked at in combination with
14 this particular project and you are determining whether this project has a
15 cumulative effect on the environment and not the other projects.

16
17 **COMMISSIONER OWINGS** – Isn't it true though that when the World Logistics
18 Project submits its EIR or EIS, it will have to determine what the cumulative
19 effects of your project and its project are and so therefore there will be additional
20 mitigation; potentially there would be additional mitigation passed on to the world
21 logistics project.

22
23 **SPEAKER CALVERT-HAYES** – I can't say if there would be additional
24 mitigation.

25
26 **COMMISSIONER OWINGS** – The proper question would be isn't that a potential
27 possibility?

28
29 **SPEAKER CALVERT-HAYES** – It is a possibility. One of the other things that
30 you need to take into consideration is will this project be built by the time the
31 World Logistics Center is analyzed. If it is, it becomes the baseline. It doesn't
32 become part of the cumulative because it has already been built, so if is not built
33 yet, then yes, it will be part of the cumulative discussion.

34
35 **COMMISSIONER OWINGS** – The chances are this building may be built;
36 probably be built prior to the World Logistics Center. Is that correct?

37
38 **SPEAKER CALVERT-HAYES** – Possibly

39
40 **COMMISSIONER OWINGS** – What do you think the odds are?

41
42 **SPEAKER CALVERT-HAYES** – I don't know. You'll have to ask the Applicant
43 on that one.

44
45 **COMMISSIONER OWINGS** – Okay

46

1 **SPEAKER CALVERT-HAYES** – Not a fair question

2
3 **CHAIR VAN NATTA** – Do we have any other questions here before we go to
4 public comments? Okay then I am going to open the hearing to comments from
5 the public for agenda item number one.

6
7 **ASSISTANT CITY ATTORNEY BRYANT** – You might want to call the Applicant
8 forward first.

9
10 **CHAIR VAN NATTA** – I’m sorry. I’m getting ahead of myself here.

11
12 **PLANNING OFFICIAL TERELL** – It is appropriate to open the Public Hearing
13 and then the first speaker is the Applicant.

14
15 **CHAIR VAN NATTA** – Oh okay; alright, then the Applicant

16
17 **APPLICANT RUSSELL** – Good evening. My name is Patrick Russell. I’m with
18 Sares-Regis Group, representing Vogel Engineers, the Applicant. There are a
19 couple of items I wanted to mention. First of all we are going to build a
20 sustainable designed project and it would be our intent to pursue LEED
21 certification and if possible a silver certification. At this point in time it is not clear
22 whether or not we would be able to achieve silver but we are making the
23 commitment to a certified level.

24
25 The other item that I wanted to mention is that we will be providing a
26 strengthened roof that would be able to accept future application of a solar array
27 if and when that was chosen by the tenant for the building. There is also a
28 correction I’d like make to Lynn’s errata and that was on page 10 and it is under
29 the mitigation measure 4.2.6.3a. The strikeout that Lynn was referencing is
30 nearly correct, but the word any should not have a strike through and the
31 purpose for that is that this list of items, the intent was to achieve 20 percent
32 reduction as per Title 24 requirements and it was to service a menu of choices,
33 not to be specific that the entire combination of items listed below would be
34 included in the project, it would was for the applicant’s engineers and the
35 applicant to decide how we could achieve that 20 percent, so therefore I would
36 like to make that correction and that is really all I had to say. I’m available for any
37 questions that you may have.

38
39 **PLANNING OFFICIAL TERELL** – If you might, did you want to formally request
40 a continuance or do you want to address that when you have your opportunity at
41 the end of the other comments?

42
43 **APPLICANT RUSSELL** – Yeah I would like to address that at the end. I think
44 that would be most appropriate.

45

1 **PLANNING OFFICIAL TERELL** – By the way, that particular wording change
2 would be acceptable to Staff because we've always read that to be a menu
3 because if you did everything, you probably would well exceed the 20 percent.

4
5 **CHAIR VAN NATTA** – Okay

6
7 **VICE CHAIR SALAS** – Do you have a tenant for this building?

8
9 **APPLICANT RUSSELL** – We currently do not have a tenant, although I can say
10 that we have some very strong interest in the building and they are a very
11 reputable Fortune 500 type of firms.

12
13 **VICE CHAIR SALAS** – Well do you plan on building this building without a
14 tenant?

15
16 **APPLICANT RUSSELL** – Yes

17
18 **VICE CHAIR SALAS** – So you are going to go ahead and go with construction?

19
20 **APPLICANT RUSSELL** – And there is a very good possibility that we might have
21 a tenant by the time we go to construction. At this point in time we don't have a
22 commitment from a tenant. Well pretty much all of the time you are not going to
23 get a commitment from a tenant until you have an entitled project.

24
25 **VICE CHAIR SALAS** – Okay

26
27 **CHAIR VAN NATTA** – Are there any other questions?

28
29 **COMMISSIONER OWINGS** – Hi, how are you doing?

30
31 **APPLICANT RUSSELL** – I'm doing well, thanks

32
33 **COMMISSIONER OWINGS** – Thanks for coming Patrick. Patrick, the other day I
34 was reading the Press Enterprise and I freely admit that on occasion I do read
35 the Press Enterprise and it had a small article in it that said that the type of
36 warehouses that you are proposing are in short supply and high demand. Do you
37 agree with that assessment?

38
39 **APPLICANT RUSSELL** – Yes I do

40
41 **COMMISSIONER OWINGS** – Which I find to be interesting since their headline
42 articles do not seem to suggest that, but this small article in the middle said the
43 occupancy rate was almost zero. Is that correct?

44
45 **APPLICANT RUSSELL** – That's correct

46

1 **COMMISSIONER OWINGS** – Okay, so when you say you are going to make the
2 structure of the roof able to take on solar panels, was that something that was
3 originally always planned or is that something that you did in response to the
4 Sierra Club criticism?

5
6 **APPLICANT RUSSELL** – It is in response to the letters that we received; the
7 criticisms from the Sierra Club as well as Johnson and Sedlack letters.

8
9 **COMMISSIONER OWINGS** – Just in general, wouldn't you think that would be a
10 good thing to adopt in future projects though to be able to have the option to do
11 solar panels if in the future those types of things became economically feasible?

12
13 **APPLICANT RUSSELL** – Yes I do and one thing that I should make clear is that
14 Edison at this point in time has met their requirement for renewable energy.

15
16 **COMMISSIONER OWINGS** – Well that was my second question to you, so go
17 ahead.

18
19 **APPLICANT RUSSELL** – And they have engaged in a number of power
20 purchase contracts with large users such as these types of buildings and at this
21 point in time have met their State mandated requirements for that.

22
23 **COMMISSIONER OWINGS** – Because I have heard that they are not interested
24 in purchasing the power and are doing... Is that a correct statement?

25
26 **APPLICANT RUSSELL** – That is correct; yes and at some point in the future
27 there will be probably more opportunity, but at this point in time, Edison isn't
28 interested in extending any more power purchase agreements.

29
30 **COMMISSIONER OWINGS** – Could you enlighten us along with the public as to
31 what the cost of the power that is sold to Edison is and how it affects ratepayers
32 of Edison the purchase of that power?

33
34 **APPLICANT RUSSELL** – I'm sorry, could you repeat the question.

35
36 **COMMISSIONER OWINGS** – Could enlighten us as to the cost or the price that
37 Edison pays to the solar provider; the solar panel electric producer for the
38 electricity and how it compares to what they could buy from other sources and
39 what effect does that purchase of this alternate energy have on the overall
40 ratepayers of Edison; just in general.

41
42 **APPLICANT RUSSELL** – Well it really depends. First of all, the rate they pay
43 the producers often times are base rate as far below that what the return would
44 be required.

1 **COMMISSIONER OWINGS** – So in other words, they are paying more for the
2 solar produced power than they would from a coal fired plant or a natural gas
3 plant? So, the difference between that is a loss. Where is that loss made up?
4

5 **APPLICANT RUSSELL** – Ultimately the ratepayers pay it
6

7 **COMMISSIONER OWINGS** – So the person who puts the solar on his roof,
8 might end up actually paying himself back or paying Edison for the electricity he
9 is purchasing?
10

11 **APPLICANT RUSSELL** – That’s possible.
12

13 **COMMISSIONER OWINGS** – And then the rest of the ratepayers would make up
14 the difference.
15

16 **APPLICANT RUSSELL** – Correct.
17

18 **COMMISSIONER OWINGS** – Okay, alright, so then you mentioned the LEED
19 certification. Could you please enlighten as to how LEED certification comes
20 about. It has been my understanding that you build a building to certain
21 specifications and if you’re lucky they will certify it.
22

23 **APPLICANT RUSSELL** – That’s correct. We design a building with certain
24 components that are sustainable; green; energy reducing; water saving and it is
25 a very rigorous list of items that you have to provide in order to be LEED certified
26 even at the most basic level. Furthermore, there are steps during construction
27 that are quite rigorous and need to be documented during the period of
28 construction, which on a project like this could take up to a year. Following the
29 completion of construction, there is a commissioning process as well as a
30 validation process that takes place with the US Green Building Council who
31 administrates the LEED certification and that process can take six months or
32 perhaps longer depending how diligent that your LEED Consultant is, so it would
33 be difficult to say upon occupancy a project would be LEED certified or would
34 have received an award. We may get there someday but we are not at this point
35 in time and as probably everybody knows the USGBC is inundated with
36 applications, so what we found is it is taking more time and not less time to get
37 those certifications completed.
38

39 **COMMISSIONER OWINGS** – So if I understand your testimony correctly, what
40 you said earlier is that it is your intent to build this building to LEED silver
41 certification standards. Is that correct?
42

43 **APPLICANT RUSSELL** – It is our intent and if we are looking for a shall you
44 know the shall would be that we shall build it to a certified standard.
45

1 **COMMISSIONER OWINGS** – So I’m still unclear whether you are going to build
2 it the standard or not.

3
4 **APPLICANT RUSSELL** – Okay, well we would build it to a LEED certified
5 standard.

6
7 **COMMISSIONER OWINGS** – And hope that it would be certified as a silver
8 building

9
10 **APPLICANT RUSSELL** – Correct.

11
12 **COMMISSIONER OWINGS** – So even if it were not certified, we would get the
13 effect and benefits of all the extra money that you’ve spent to build it to their
14 standard.

15
16 **APPLICANT RUSSELL** – Absolutely.

17
18 **COMMISSIONER OWINGS** – So the certification is really just kind of icing on the
19 cake. It is really a diploma on the wall.

20
21 **APPLICANT RUSSELL** – Yes and it has long term benefits you know for both
22 the user and the environment.

23
24 **COMMISSIONER OWINGS** – But in terms of its benefits to the environment, the
25 certification on the wall doesn’t do anything, it is just building it to the standard;
26 correct?

27
28 **APPLICANT RUSSELL** – That’s correct.

29
30 **COMMISSIONER OWINGS** – So while we are on the topic of Leed certification,
31 it has been rumored that the Sketchers building has not been certified because it
32 has been rumored that the reason it has not been certified... Are you familiar with
33 Sketchers laying the proper foundation?

34
35 **APPLICANT RUSSELL** – Yes.

36
37 **COMMISSIONER OWINGS** – Alright, so the reason it has not been certified is
38 that they’ve never certified a building that large, so they are not quite sure how
39 to. Have you heard anything to that nature and could you corroborate that
40 statement.

41
42 **APPLICANT RUSSELL** – I have not read that information but I would imagine it
43 would be very difficult because it is a first.

44
45 **COMMISSIONER OWINGS** – Well your building is nearly as big
46

1 **APPLICANT RUSSELL** – Correct.

2
3 **COMMISSIONER OWINGS** – So it appears that you would anticipate the same
4 difficulties in becoming certified.

5
6 **APPLICANT RUSSELL** – Yes but typically once USGBC runs through the
7 process, it becomes much smoother the next time around.

8
9 **COMMISSIONER OWINGS** – So you are saying once they do Sketchers, they'll
10 get faster

11
12 **APPLICANT RUSSELL** – Well we are not pursuing gold first of all, which is a
13 very high bar to achieve, especially for an industrial building and my hesitancy in
14 committing to silver is that USGBC continues to change their requirements over
15 time.

16
17 **COMMISSIONER OWINGS** – So it is somewhat of an elusive target.

18
19 **APPLICANT RUSSELL** – It is.

20
21 **COMMISSIONER OWINGS** – Alright and you've had an opportunity to kind of
22 glance at this original letter that was sent to us by I think George Hague,
23 representing the Sierra Club on July 11th.

24
25 **APPLICANT RUSSELL** – Yes.

26
27 **COMMISSIONER OWINGS** – Do you have any overall comments concerning
28 that letter that you would like to make the Commission aware of?

29
30 **APPLICANT RUSSELL** – Why I think that we took the letter seriously and gave
31 all of the comments a lot of consideration and we adjusted our responses and
32 mitigation to address those concerns.

33
34 **COMMISSIONER OWINGS** – Has the Sierra Club had an opportunity to discuss
35 your changes with you or is this the first time they are aware of those changes?

36
37 **APPLICANT RUSSELL** – They have had the opportunity to review our
38 responses to their letter as well as the modified mitigation monitoring program
39 and response to comments in the EIR.

40
41 **COMMISSIONER OWINGS** – In their response; have they responded to you?

42
43 **APPLICANT RUSSELL** – Just several hours ago we received a second letter.

44
45 **COMMISSIONER OWINGS** – And that would be the letter dated July 12th?

1 **APPLICANT RUSSELL** – Correct.

2
3 **COMMISSIONER OWINGS** – Some folks would say that no matter what you do
4 you are going to end up being sued by the Sierra Club. Is that a statement that
5 you would agree or disagree with, no matter what you do or say to mitigate this
6 project?
7

8 **APPLICANT RUSSELL** – Well I would consider that to be an opinion and...

9
10 **COMMISSIONER OWINGS** – Is it an opinion that you share?

11
12 **APPLICANT RUSSELL** – You know I'd prefer not to comment

13
14 **COMMISSIONER OWINGS** – I understand. Thank you.

15
16 **CHAIR VAN NATTA** – Okay Commissioner Giba you had a question?

17
18 **COMMISSIONER GIBA** – I'm going to shift just a little bit. I went out to the site;
19 the area and they are doing a lot of the construction work right now, but the traffic
20 in that area is horrendous. I mean I tried to go down Harley Knox to get back on
21 the freeway and there are trucks going every which way because there is a lot of
22 not just construction but a lot of warehouses and additional facilities out there.
23 I'm curious that is 1.6. I mean I've been out to Sketchers. I've been to that site
24 and that's a huge facility. Question number one, about how many trucks do you
25 expect to be docking and leaving and coming into that facility on a daily basis.
26

27 **APPLICANT RUSSELL** – I'm going to defer to our traffic engineer, to get the
28 correct information.
29

30 **SPEAKER BHATTACHARJEE** – Good evening. My name is Sandipan
31 Bhattacharjee. I prepared the Traffic Study for this project. The forecast trip
32 generation for the project is based on rates that are based on statistics and for
33 this current project it is forecast to generate about 2700 daily trips of which about
34 177 are during the am peak hours and about 210 are during pm peaks hour and
35 of 2731 daily trips about 1256 are passenger cars and the rest are trucks.
36

37 **COMMISSIONER GIBA** – Is that considered a pretty high volume?

38
39 **SPEAKER BHATTACHARJEE** – No

40
41 **COMMISSIONER GIBA** – Again it depends on who is going to be inside of the
42 facility and when you do...
43

44 **SPEAKER BHATTACHARJEE** – Yes, well... so the type of building, because of
45 its size and because of the way warehouses operate the trip generation is
46 significantly lower than a traditional warehouse and if you want a comparison for

1 example, the 210 peak hour trips in the pm peak hour, that is generated by about
2 the same number of single family homes, so it is about... so when earlier I was
3 hearing the testimony and it forecast the number of houses based on the roof
4 area and so in terms of traffic, this project will generate the same amount as
5 about 210 single family homes.

6
7 **COMMISSIONER GIBA** – In the current study that we have in our documentation
8 that we received, the facts and findings indicated that that can be a severe
9 problem in that area would the 1-215 ramps at Harley Knox; the ramps,
10 boulevards; Perris Boulevard and so there is a potential for good congestion over
11 a long extended period of time and as I would suspect when that goes into place
12 is there a flow pattern to this? In other words I've seen the entrance off of Perris.
13 There is an entrance off of Indian. There is an entrance off of Grove View.
14 Yeah, is there a movement pattern for that trucking like in and out so that they
15 are not just coming at all those sites and leaving at all those sites or is there
16 any...

17
18 **SPEAKER BHATTACHARJEE** – Yes there is and so on page 3 of the Planning
19 Commission Staff Report that you have access as discussed, so the northern
20 drive on Perris will be for passenger vehicles and emergency vehicles only.

21
22 **PLANNING OFFICIAL TEREEL** – I think the actual flow of the trucks will
23 obviously depend on the particular tenant of this, but the closest access to the
24 freeway is from Harley Knox exit, so it is anticipated the most trucks would go
25 that way. I don't know if Sandipan you had a particular percentage distribution of
26 truck trips included in the study.

27
28 **SPEAKER BHATTACHARJEE** – I do

29
30 **PLANNING OFFICIAL TEREEL** – There is an assumption but the reality is
31 trucks and passenger cars too are going to take the quickest or most direct route.

32
33 **SPEAKER BHATTACHARJEE** – It is about 30 percent of the project passenger
34 vehicles will be using the ramps at Harley Knox and about 60 percent of the
35 trucks will be using the ramps at Harley Knox.

36
37 **COMMISSIONER GIBA** – I guess what I'm trying to determine is that over the
38 period of time that we build this out and we have those and we are right next
39 door to Perris; the City of Perris, which we don't control what they are going to be
40 doing and as stated in the document we don't have control over certain areas of
41 the freeway changes and corrections. I'm trying to understand how much of an
42 impact these additional trucks will have; not just the cars themselves on Perris
43 Boulevard which is a major throughway for a lot of people and all the other
44 warehousing, distribution and facilities in that same region over a period of time; I
45 mean long term if this is going to end up being a real difficult situation for

1 everybody especially since we are in the middle of constructing a lot of these
2 streets now. I understand that and it should be about a year at least.

3
4 **SPEAKER BHATTACHARJEE** – The Perris Boulevard corridor is included and
5 Riverside County TUMF; the Transportation Uniform Mitigation and as
6 development comes in more funds will be generated and eventually it will be built
7 to General Plan standards. Each City has their own plan. That is what the
8 TUMF does. That is how the TUMF projects are formulated.

9
10 **PLANNING OFFICIAL TERELL** – Just by way of information, Perris Boulevard;
11 the section of Perris Boulevard in the City of Moreno Valley and I believe it also
12 extends to Perris Boulevard in the City of Perris are currently funded TUMF
13 projects and actually the contract in the Moreno Valley portion has been issued
14 already, so any widening that needs to occur in the City of Moreno Valley in this
15 area actually going all the way up to Cactus I believe, is going to be in place
16 within the next year.

17
18 **COMMISSIONER GIBA** – So we'll have that in place before this is fully occupied
19 at that point.

20
21 **PLANNING OFFICIAL TERELL** – Correct... I don't know Sandipan if also if I
22 understand Commissioner Giba's question, if 60 percent of the trucks and 30
23 percent of the cars are using the off ramps at Harley Knox, is there any estimate
24 of what percentage of the traffic at that intersection is caused by this project?

25
26 **SPEAKER BHATTACHARJEE** — I can roughly round the numbers in my head

27
28 **APPLICANT RUSSELL** – It was also noted that Harley Knox is to be widened to
29 a six lane divided arterial through the use of TUMF funds consistent with the City
30 of Perris Circulation Element.

31
32 **PLANNING OFFICIAL TERELL** – Yeah, typically for regional improvements and
33 I can defer to Michael Lloyd who may be able to add on to this, the payment of
34 fees for the regional financing system for TUMF is one of the major ways for a
35 project to address its cumulative; its share of the cumulative impacts, because
36 I'm sure you could understand that if the first project has to pay for everything,
37 the first project never gets built, so that is why we are really fortunate in Western
38 Riverside County and they have similar programs elsewhere, but to have the
39 TUMF program which really builds that funding to generally match other funds to
40 build the infrastructure so both economic development as well as traffic
41 congestion relief can occur relatively close together. Obviously, there is never a
42 perfect system.

43
44 **SPEAKER BHATTACHARJEE** – It is about 2 percent.

45
46 **COMMISSIONER GIBA** – That was my concern. Thank you very much.

1 **COMMISSIONER OWINGS** – Chairman, if we could follow up while we are on
2 the Perris Boulevard/Harley Knox truck route. If you look at page 10 of the
3 lawyer letter... page 10 of today's lawyer letter; Johnson and Sedlack... under
4 transportation, apparently the EIR response to comment E12 was unresponsive
5 in the author's opinion and he goes on to say the project fails to mandate that
6 only the primary truck route of Harley Knox Boulevard to the west be used so the
7 trucks will not pass by a school. Can you comment on that? Apparently there
8 must be a school on some other...

9
10 **SPEAKER BHATTACHARJEE** – The trip distribution or how the trucks are going
11 is based on the distances to the interchanges and I mean some trucks from this
12 project will go to other warehouses in the City and some will be regional trucks,
13 so if they are trying to go to the freeway it is likely they will try to stay off of the
14 City streets as much as they can and Harley Knox is the nearest freeway
15 interchange, so that is why they were routed there.

16
17 **COMMISSIONER OWINGS** – If you look at that page; it is page 10 under that
18 same paragraph, it says while this may be the primary truck route, the EIR does
19 not claim or show that this is the only truck route which may be used. Is it
20 possible to address this?

21
22 **PLANNING OFFICIAL TERELL** – Can I take a run at that? The City has
23 adopted truck routes. Trucks aren't allowed on roads other than designed truck
24 routes. I mean not that they don't go there, but basically they could get... there is
25 enforcement if they move off of those streets and those streets I won't say that
26 there are no schools on those streets, but I was kind of racking my brain and I
27 asked Michael Lloyd and I couldn't think of any of those streets. Perris
28 Boulevard is an example; I don't believe there are any schools on Perris
29 Boulevard south of the freeway. Generally we don't have schools on truck
30 routes. They are heavily commercial areas usually. Cactus Avenue, west of
31 Heacock is one. Heacock as you know is also a truck route. There may be and
32 that is the one place there might be a school is on Heacock, but generally those
33 are meant to be in areas where people expect to have a lot of traffic and
34 therefore commercial centers; access to the freeway; so if I understand the
35 concern, direct the trucks along a street that has no schools and therefore
36 everything is fine. Under State law, trucks have the right to use a designated
37 truck route, so that would really be...but if that were be a direction to anybody it
38 would be direction to the City Council to not have any designated truck routes
39 where there are any schools and then that would be a policy decision of the City
40 Council.

41
42 **COMMISSIONER OWINGS** – Well John if you read their comment, I think Mr.
43 Johnson's concern goes somewhat beyond that. While this may be the primary
44 truck route and I believe he is referring to Harley Knox Boulevard, the EIR does
45 not claim or show that it will be the only truck route, so is he saying are there
46 alternative truck routes.

1 **PLANNING OFFICIAL TERELL** – Yes, there are truck routes and I believe and I
2 might have Michael add on to this. There is a requirement under State law to
3 have a reasonable system of truck routes to allow access through a community;
4 not actually to a community, but through a community and there are truck routes
5 in various portions of the community. The only truck route and I don't know if that
6 would even be reasonable that only one truck route which happens to be in the
7 City of Perris for trucks to access the freeway from the City of Moreno Valley.

8
9 **COMMISSIONER OWINGS** – He goes on to say the project will enforce use of
10 only... he asks for details on how the project will enforce use of only the Harley
11 Knox Boulevard to the west truck routes in order to avoid passing by schools, so
12 this would suggest that there are no schools on Harley Knox Boulevard but that
13 other alternate routes may have schools.

14
15 **PLANNING OFFICIAL TERELL** – That is correct, they may, but they are still
16 designated truck routes and they are still not... well they are certainly not feasible
17 monitoring system, but legally trucks have the right to use a designated truck
18 route, so this project's trucks would be able to use a designated truck route just
19 like any other project's trucks. I wouldn't see that as an issue related to this
20 project, it is an issue related to the designation of truck routes.

21
22 **COMMISSIONER OWINGS** – Every project that uses trucks

23
24 **PLANNING OFFICIAL TERELL** – Right, but the designation of truck routes is
25 done by the City Council and it is done pursuant to State law, so you can't restrict
26 some projects from using some truck routes and not others.

27
28 **COMMISSIONER OWINGS** – Mr. Johnson goes on to say, furthermore condition
29 or mitigation measures must be placed on the project to require that only the
30 primary truck route be utilized as this was apparently the only route evaluated by
31 the EIR, so I guess that is a dual question to you John and to the EIR folks.

32
33 **PLANNING OFFICIAL TERELL** – No I believe that's a question of what was
34 evaluated. Obviously only 60 percent of the trucks are going on Harley Knox. I
35 would suspect that is not a correct statement.

36
37 **SPEAKER BHATTACHARJEE** – Right and so in traffic, when we evaluate... the
38 purpose of the documents to evaluate if a project is likely to have a significant
39 impact on any facility... If you are adding let us say two trucks a day to an
40 interchange, that is not a significant impact. The total peak hour trip generation
41 for the project was about 280 and 40 percent of that number let us say; the rest
42 of the 60 percent using Harley Knox the rest of them. Even if we said the trip
43 generation is 300, that is 40 percent of 300 is about 120 vehicles and those are
44 being distributed towards other warehouses and other freeways and considering
45 the directions that we have, we evaluated north on Perris. We evaluated all
46 intersections to north of Iris and the number of trips that we had at those

1 intersections in working with Transportation Staff, we evaluated every
2 intersection where the project had a significant number of trips and so I think we
3 have analyzed all the potential impacts that could be caused from traffic from this
4 project.

5
6 **COMMISSIONER OWINGS** – Could you specifically address the statement,
7 furthermore condition or mitigations measures must be placed on the project to
8 require that only the primary truck route be utilized as this was apparently the
9 only route evaluated by the EIR. Is that a correct statement?

10
11 **SPEAKER BHATTACHARJEE** – That is not a correct statement. That is the
12 primary truck route but we also have trucks going on Perris.

13
14 **COMMISSIONER OWINGS** – Thank you. You know Madam Chairman if I could
15 speak to the Applicant Patrick. I just needed a clarification. I thought your last
16 comment kind of made me unclear, so I just want to go over this again. Would
17 you have a problem if this Commission made as a condition of approval that you
18 would have the structural integrity in the roof for the solar panels and the building
19 would be built to silver LEED certification requirements?

20
21 **APPLICANT RUSSELL** – My intent was that the roof be capable of supporting
22 solar panels in future.

23
24 **COMMISSIONER OWINGS** – So you would not have a problem if this was made
25 a condition of approval?

26
27 **APPLICANT RUSSELL** – No

28
29 **COMMISSIONER OWINGS** – No problem?

30
31 **APPLICANT RUSSELL** – And the condition I would prefer because of the
32 reasons I discussed earlier is that it be a LEED certified building and we will
33 attempt to achieve silver certification.

34
35 **COMMISSIONER OWINGS** – Could we say and I understand your concerns that
36 the LEED silver certification requirements might change by the time you get
37 around to building the building, but would you be willing to agree to a stipulation
38 that says as a condition of approval that you would build the building to LEED
39 silver certification requirements as they are now.

40
41 **PLANNING OFFICIAL TEREILL** – Yeah if I can intercede a little bit... Because
42 LEED is not a government agency; it is basically a private group that... there are
43 other firms that also do certifications, but I would recommend for your
44 consideration Patrick, that if there were a condition, it would be that it be built to
45 LEED certification standards...be determined to be eligible for LEED certification
46 rather than necessarily...

1 **COMMISSIONER OWINGS** – That is exactly where I hit it. I don't care about the
2 diploma on the wall as long as the building is built to the specifications.

3
4 **PLANNING OFFICIAL TERELL** – And then I guess the idea is your familiarity
5 with consultants you have used for that, could they put that as; base that on a
6 moment in time; the 2012 LEED certification eligibility standards rather than
7 whatever LEED considers...

8
9 **COMMISSIONER OWINGS** – So if we change it from here on out, we don't really
10 care. We just want to know as of today if you were to build it today and it was
11 built to silver LEED specifications, would you object to that as a condition of
12 approval?

13
14 **APPLICANT RUSSELL** – No I would not.

15
16 **COMMISSIONER OWINGS** – So you know, when we get to discussions and
17 deliberations, I will certainly suggest to the Commission that those two items be
18 made a condition of approval.

19
20 **APPLICANT RUSSELL** – Okay

21
22 **COMMISSIONER OWINGS** – Thank you

23
24 **APPLICANT RUSSELL** – Thank you

25
26 **CHAIR VAN NATTA** – Do we have any other questions from the
27 Commissioners? Do we have any members of the public who wish to comment?
28 Is this the proper time to ask for a...

29
30 **PLANNING OFFICIAL TERELL** – Yes, I don't believe we received any slips, but
31 there may be somebody who would like to speak.

32
33 **CHAIR VAN NATTA** – I see no slips here. I would especially appreciate it if
34 there would... Is there any representative from the Sierra Club in the audience?
35 They found it important enough to write us a couple of letters. I would have liked
36 to have been able to discuss further with them. Were you part of writing this
37 letter? Alright then, any other members of the public that wish to address...

38
39 **SPEAKER CALVERT-HAYES** – Can I make a clarification before you close the
40 Public Hearing? There was a question on schools; how close the schools were.

41
42 **CHAIR VAN NATTA** – That would be great

43
44 **SPEAKER CALVERT-HAYES** – If you look in your EIR; the Draft EIR in section
45 3, which is the project description, there is a map and it is on page 3-4. It is a
46 color map and the project is shown in the yellow block between Grove and Perris

1 Boulevard. If you follow the Perris Valley Storm Drain, there is a little block
2 adjacent to Green in a housing development; that is an Elementary School and
3 there is I believe a High School further to east, so the closest schools are actually
4 to the north and east of the project and the trucks wouldn't be travelling by those
5 schools at all, they would have no reason to.

6
7 **PLANNING OFFICIAL TERELL** – Yeah I believe both... is that on Indian?

8
9 **SPEAKER CALVERT-HAYES** – Yeah, I'm not sure. It doesn't have the roads
10 on here

11
12 **PLANNING OFFICIAL TERELL** – The closest schools that I'm aware of are over
13 at Indian and Iris and neither of those streets is a truck route.

14
15 **SPEAKER CALVERT-HAYES** – Not a truck route; correct

16
17 **PLANNING OFFICIAL TERELL** – And then to the east there on Lasselle

18
19 **SPEAKER CALVERT-HAYES** – On Lasselle... the High School

20
21 **PLANNING OFFICIAL TERELL** – And I don't believe Lasselle is a truck route
22 either

23
24 **SPEAKER CALVERT-HAYES** – They are about a mile away from the project
25 and I just wanted to clarify for the public record that the trucks wouldn't be
26 passing by those schools. Thank you.

27
28 **CHAIR VAN NATTA** – Okay, we have a Speaker Slip...Sue Gilchrist

29
30 **SPEAKER GILCHRIST** – I kind of feel obligated to come up and say something,
31 but I would like it to be known that Mr. Russell did make some substantial
32 concessions when he said that the building would be... what was the term... it
33 would be eligible for silver LEED certification. I think that's a great way to head,
34 as far as the City is concerned. Unfortunately the building is only a small part of
35 the problem. It is the trucks and it is the emissions from the use of that building
36 that are substantial. Once the building is up, the building doesn't create any
37 nitrous oxide or anything else, it is the use of the building that does and that
38 depends on the type of tenant that they get on it, but I do think what he did was a
39 substantial move in the right direction and I hope that the Council, when they see
40 this understand that you are serious about improving the type of building that is
41 constructed in Moreno Valley. My neighbor has solar panels on her home and
42 she is actually getting a rebate from Edison. She hasn't had an electric bill in
43 quite a while, but there are so many little ways of getting tax deferments and all
44 sorts of little ways of getting the solar put on there at a lower cost, but I think that
45 is an excellent step in the right direction, to get the roofing and to get the building
46 built so that it will absorb the stress of the solar panels and it is kind of

1 interesting, if solar energy is more expensive for Edison to purchase, why are
2 they building the solar arrays out in the desert? Why would they want to be
3 building and I don't remember, is it Green Pace or Street Spot or something like
4 out in the desert, if that is a more expensive way of getting electricity.

5
6 **COMMISSIONER OWINGS** – Sue, I'm no expert at this...

7
8 **SPEAKER GILCHRIST** – I'm not either

9
10 **COMMISSIONER OWINGS** – But I do deal with the City of Riverside Utility
11 Department and by law, they are required to buy so much energy from alternative
12 sites, so they are very profitable to sell the electricity to the utilities like the City of
13 Riverside Utility Department. It is not purchasing it, but selling it at a high price,
14 so that is why the citizens of the City; citizens of Riverside will expect an increase
15 in their electric bill at some point in the future. The City of Riverside was very
16 foresightful and purchased a lot of alternate energy at lower prices, but right now
17 there is a bidding war for this type of energy so that all City and other utilities can
18 meet the statutory requirements.

19
20 **SPEAKER GILCHRIST** – This is way beyond what I know

21
22 **COMMISSIONER OWINGS** – So if you wouldn't mind, I appreciate your
23 comment and I would like to give you a comment of my own that maybe you can
24 pass on to the people who run the Sierra Club. When the Sierra Club litigates
25 every project, it really weakens and diminishes their impact, when they offer an
26 opinion... if you let me finish. When you read these lawyer letters, they could just
27 save 400,000 trees and just write us a single page letter that says ditto. You
28 know it diminishes their method. I find your input to be very useful, but you know,
29 you need to pick the battles that are important and you cannot take a snow grove
30 at any cost across the board approach or sooner or later people stop listening to
31 you and that are my only comment. This letter by the lawyer representing the...

32
33 **SPEAKER GILCHRIST** – I know Ray

34
35 **COMMISSIONER OWINGS** – We all know that they make... he is the one that is
36 going to make them the most money out of every suit filed and it makes it difficult
37 from a City. You know our Commission; we are here in the City to not only
38 oversee and look at Planning, but to promote business. That is what a Planning
39 Commission does; development; growth, so when you say that you can have
40 progress without growth, that is just impossible. Progress equals growth and the
41 Sierra Club seems to have this across the board against every bit of growth and
42 you know when you are negotiating in good faith; two parties negotiating in good
43 faith...

1 **CHAIR VAN NATTA** – I’m sorry to interrupt you, but I think we have a point at
2 the end where you can have comments, but right now we are looking for
3 comments from the public.

4
5 **COMMISSIONER OWINGS** – Well let me just finish Madam Chairman. When
6 you negotiate in good faith, it has to be good faith.

7
8 **SPEAKER GILCHRIST** – Okay, my comment in response to yours is that let’s
9 say the Sierra Club is on well my left hand okay and the developer is on the right
10 hand. You have to have a balance, because the developer would like to take the
11 cheapest route possible. The Sierra Club would like to have things mitigated as
12 much as possible, but somewhere in middle, you get a compromise, but without
13 the Sierra Club, the compromise would be toward the developers end. You have
14 to have both, so if you understand at all times where the Sierra Club and my left
15 hand always is, then that would be fine; they wouldn’t have to make these
16 statements, because you are going to hear from Highland Fairview and they are
17 going to be over here, so you have to come up with a middle ground, but if you
18 start in the middle, then your decisions are going to be closer to where the
19 developer is. Do you understand what I’m saying? You’ve got to have a
20 balance.

21
22 **COMMISSIONER OWINGS** – I do

23
24 **SPEAKER GILCHRIST** – And as long as you understand where the Sierra Club
25 and the environmental issues are placed and you will always consider that.

26
27 **CHAIR VAN NATTA** – I would like to limit both of you to try to get us back to
28 where we are because we have an agenda item here and we would like to speak
29 to this agenda item. Okay, other public comments? I’ll close that portion of the
30 Hearing then and I believe we had a motion coming from the Applicant.

31
32 **PLANNING OFFICIAL TERELL** – At this point in time it would be required to ask
33 the Applicant if they anything more to say or response to the comments that they
34 received.

35
36 **CHAIR VAN NATTA** – Okay

37
38 **APPLICANT RUSSELL** – I would just like to thank you for the consideration of
39 our project and I think that if you review the mitigation monitoring program for this
40 project, the mitigation is considerable. Despite the comments that were received
41 in the letters and the additional mitigations requested, many of which we have
42 adopted, including those discussed tonight, that I do feel that we are going a
43 considerable distance to offset those and I appreciate your consideration of that
44 as well as the approval tonight. Thank you.

45

1 **CHAIR VAN NATTA** – I believe at some point someone said something about
2 wanting to table this for some additional...

3
4 **PLANNING OFFICIAL TERELL** – Well I think there was some discussion at the
5 beginning that the Applicant may want time to respond specifically to the letters
6 received today, but based on the Applicant’s most recent comment, I believe they
7 think and I won’t speak for them but they are not asking for a continuance, based
8 on where we are now in the hearing.

9
10 **CHAIR VAN NATTA** – Based on where we are now, did you still want that
11 continuance or shall we go ahead with our discussion and debate?

12
13 **APPLICANT RUSSELL** – Based on the dialogue that we’ve had tonight, which
14 has been extensive, I think that we have responded to the comments within the
15 letters, so I would request that we not continue.

16
17 **CHAIR VAN NATTA** – Okay, alright, so then at this point we will go onto to our
18 Commissioner’s debate and who would like to go first.

19
20 **VICE CHAIR SALAS** – I’ll go first. I agree with Commissioner Owings. I think
21 that being able to support solar is a must; the silver/gold or to be a silver LEED is
22 also a good point for us. The project is being put in a place where we want it to
23 be and consistent with the General Plan. It is allowed by right, so I have no
24 problem with it as long as we put those two conditions on the conditions of
25 approval for him to do that.

26
27 **CHAIR VAN NATTA** - Okay

28
29 **COMMISSIONER GIBA** – After listening through everything we have, I’m glad to
30 see it will take a little while for them to build the facility because my concerns are
31 the traffic and the other mitigations are dependent upon timing as far as I’m
32 concerned. There is so much going on in that area if that begins and that goes
33 on too soon, so if this gets spread out a little bit over time, some of those street
34 problems will be taken care of; all the mitigation factors on Perris Boulevard.
35 There is an access to Ramona Expressway down Perris; there is the Harley
36 Knox and all those conditions are taken care of. I think will probably make it okay
37 in that area. It is designed for that. There is nothing much out there except the
38 warehousing type facilities. There is very little housing in those locations. It is
39 close to the freeway and we are close to Perris and Perris will be doing what they
40 want to do as well and we can’t control that, but what we can control is what we
41 do within our own City limits.

42
43 **CHAIR VAN NATTA** – Thank you Commissioner Giba. Are there any other
44 comments? Before somebody makes a motion, I do have a comment; just I’m
45 giving everybody the opportunity to go first. I think from looking at this there was
46 a very concerted effort to respond very clearly and very positively to the

1 comments that were made to the report initially. I appreciate the fact that you
2 want to build this to LEED certified standards, but I think as Mr. Terell pointed out
3 it is not a government document that we can look at and say if you do this, this,
4 this and this you are going to be certified. It is kind of a moving target. It is kind
5 of like when my dad asked me well are you going to go get an A on that test and
6 I said well I'm going to try my best and I studied hard and I'm going to do
7 everything right, but there is only so much that you can do if you are going to be
8 judged by somebody who changes the rules, so I support the idea that we can
9 condition this upon the roof and structure being built to accommodate future solar
10 panels and that we can condition it upon it being built to LEED certified
11 standards.

12
13 I don't think we can condition it upon saying it is going to be built to silver
14 standards or it is going to be built to gold standards because that can be
15 somewhat of a elusive target, but to say that it is to be built to LEED certified
16 standards, I think would be sufficient and then if they can achieve that level that
17 would be great.

18
19 **PLANNING OFFICIAL TERELL** – And just so I can... if you added a condition
20 like that, what we would expect is we would expect a report from their LEED
21 consultant that we would review and agree with that would clearly demonstrate
22 that they had met that standard. It is a point system and there are points for this
23 and points for that and that is why you have to kind of get at the end before you
24 know where your points are. Some of them are for energy efficiency; some of
25 them are for water saving; some of them are for using low emitting paint; low voc
26 emitting paint, so it is a collection of things. I've seen them before and I think we
27 would readily be able to look at that as meeting a condition and then you have to
28 decide yourself what level you want and then the Applicant can...you can have a
29 discussion with...

30
31 **COMMISSIONER OWINGS** – John, I think that is possible isn't it for the Staff
32 and the Applicant to work this condition of approval out.

33
34 **PLANNING OFFICIAL TERELL** – We can work out the wording as long as I
35 guess you are in agreement that it is the certified standard or silver standard or
36 whatever it is.

37
38 **COMMISSIONER OWINGS** – It is the silver standard but it is as a moment in
39 time of now as we speak.

40
41 **PLANNING OFFICIAL TERELL** - Okay, because I understand the Applicant
42 agreeing to the silver standard as the point system stands today.

43
44 **COMMISSIONER OWINGS** – Yes and the Applicant is willing to do it so I see no
45 reason why we shouldn't be willing to do it, so I would move Madam Chairman
46 to:

- 1 1. **APPROVE** Resolution No. 2012-16 and thereby: **CERTIFY** that the
2 Environmental Impact Report (EIR) for the VIP Moreno Valley Project has
3 been completed in compliance with the California Environmental Quality Act;
4 and,
5
6 2. **APPROVE** Resolution No. 2012-17 and thereby: **APPROVE** PA09-0004 Plot
7 Plan and PA09-0012 Tentative Parcel Map 36162, subject to the attached
8 Conditions of Approval included as Exhibits A and B and the Conditions of
9 Approval as discussed in this meeting in which Staff will prepare with the
10 Applicant.

11
12 **CHAIR VAN NATTA** – Did you want to specify in that just what was discussed in
13 the meeting, but specify in that motion about the two items.

14
15 **COMMISSIONER OWINGS** – We can add that the items were to build the
16 building structurally so that it can at a later time be solar panel equipped on the
17 roof and two, which it is built to LEED silver certification as of 2012.

18
19 **CHAIR VAN NATTA** – Okay, I have a motion.

20
21 **VICE CHAIR SALAS** – Okay I have a motion and a second. All in favor?

22
23 Opposed – 0

24
25 **Motion carries 7 – 0**

26
27 **PLANNING OFFICIAL TEREEL** – Yes this item shall become... this action shall
28 become final unless appealed to the City Council within 15 days.

29
30 **CHAIR VAN NATTA** – Okay, thank you and now we'll go to our second case
31 number.

32
33
34 **2. Case Number: PA11-0013**
35 **Modify specific sections of the Municipal**
36 **Code necessary to adopt Reach Codes**

37
38 **Case Planner: Mark Gross**

39
40 **CHAIR VAN NATTA** – Case PA11-0013 and who do we have as... okay Mark is
41 here; okay. Mark Gross is our Case Planner. Would you like to give us an
42 overview please?

43
44 **SENIOR PLANNER GROSS** – Yes good evening Chair Van Natta and members
45 of the Planning Commission. I'm Mark Gross, Senior Planner here again to
46 provide a synopsis of the report regarding Municipal Code Amendments for

1 Reach Codes necessary to carry out a portion of the Southern California Edison
2 Strategic Solicitation Grant. First, a little background on the subject... A long
3 term strategy plan was adopted back in 2008 by the California Public Utilities
4 Commission, the California Air Resources Board and the State Utilities. Various
5 public resources code sections establish a process which allows local adoption of
6 energy conservation measures that are more stringent than the statewide
7 standards.

8
9 Now as part of the plan, the statement of work calls for the development of
10 Reach Codes which must achieve a higher level of energy efficiency than would
11 otherwise result from complying with current Title 24 standards. Various efforts
12 of achieving Reach beyond the California Green Building Code Standards could
13 include a percentage, reduction of energy uses beyond what is currently required
14 by Title 24 and/or individual local mandatory measures identified primarily as
15 California Green Building Code Tier 1 and Tier 2 measures. Now Reach Codes
16 will ultimately include modified language for both Municipal Codes and other
17 building related codes such as energy, electrical, plumbing codes including
18 conduit for a PV system limiting kitchen faucet flow, providing space and
19 penetrations on the roof for future solar and installation of a radiant roof barrier
20 and cool roofing materials.

21
22 Now at this time, the City is only presenting Title 9 or Municipal Code items to the
23 Planning Commission in which a recommendation to City Council will be
24 provided this evening and like I indicated, there are other codes that the City
25 Council would be tackling if this goes forward. Now the Municipal Code
26 amendments to address Reach Codes include some residential and some non-
27 residential requirements. The residential measures and I'll kind of list them and
28 go through them real quickly. First we have the new single family residential
29 tracts containing five or more lots shall require 50 percent of the structures to
30 orient buildings to optimize the use of solar energy with the long side of the
31 house oriented within 30 degrees south, which would be providing some of the
32 maximum afternoon sunlight.

33
34 A second item that is being proposed under the residential measures is
35 landscape design to include turf limit of 25 percent, utilizing 75 percent native
36 California or drought tolerant species. Now what this is doing is pretty much
37 taking what is in our Landscape Ordinance one step further and requiring the
38 remaining 75 percent of the non-sodded areas to include either drought tolerant
39 or California native vegetation and at the same time this would be reducing the
40 need for water consumption.

41
42 A third item under residential that is being proposed is construction waste
43 generated at the site, shall be diverted to recycle or salvage in compliance with at
44 least a 75 percent reduction and under AB341, a bill passed last year that
45 created a policy goal to divert 75 percent of construction waste by the year 2020.
46 This particular item is consistent with that policy goal under AB341.

1 Another item under residential would be appliances provided by the builder to
2 meet energy star requirements if a energy star designation is applicable for the
3 appliance and this would only include kitchen related appliances that would be
4 required to meet energy star standards. So if you had let's say a washing
5 machine or an air conditioning unit, that would not be included with this particular
6 item.

7
8 A last item under the residential standards would be or what is being proposed
9 would be space on the roof surface and penetrations through the roof surface
10 provided for future solar installations. Now I do want to get into some of the non-
11 residential standards, and there are two of the items for a total of the non-
12 residential and two of those items are actually mirroring the residential measures
13 including the landscape design to include a turf limit of 25 percent, utilizing 75
14 percent native California or drought tolerant landscape and also the construction
15 waste generated at the site is diverted to recycle or salvage in compliance with at
16 least a 75 percent reduction. Those are the two mirroring items that we are
17 looking at under both residential and non-residential. But we do have a third and
18 a fourth; the third actually is a Reach Code item and it is not a requirement under
19 our current Green Building Code requirements; but it is a requirement and let me
20 just kind of mention the item. It is providing solar or an alternative energy source
21 equal to the energy use of the designated office space for industrial uses over
22 300,000 square feet of floor area.

23
24 What we have done here in the City with a lot of the larger industrial projects is
25 that this particular item has been included as mitigation measures, so it has been
26 utilized again with some of the very large industrial projects, thus we have the
27 limit of the 300,000 square foot floor area of that or above. And then there is one
28 item that we did include because it is a non-residential item although it is not
29 really a Reach Code item, it is an item that is currently under our 2000 California
30 Green Building Code and that is 8 percent of all required parking shall be
31 designated for any combination of low emitting fuel efficient and car pool, van
32 pool vehicles. Now as I mentioned this is not included in the 2011 California
33 Green Building Code Standards... I mean excuse me; is a mandatory
34 requirement, but within the current 2011 Building Code Standards if the Planning
35 Commission modifies other items or does not recommend Reach Codes to the
36 City Council this evening, this is an item that must be recommended to provide
37 consistency with current regulations. Again, it is not included in our Municipal
38 Code but it is included currently right now within the 2011 California Green
39 Building Code Standards, so it would be a consistency item.

40
41 The proposed items are included in the Climate Zone 10 Energy Cost
42 Effectiveness Study and are basically we feel the most effective; cost effective
43 measures available from the list that is provided under the 2011 California Green
44 Building Code. Now I do want to mention that with these particular items that we
45 are proposing this evening, there are incentives that would be available for some
46 of the measures. Now an updated solar rebate program through Moreno Valley

1 Utilities was recently approved by City Council and will include rebates for
2 residential and small commercial and performance standards for larger
3 commercial solar.

4
5 Plans are also under way to start an appliance rebate program which will allow
6 rebates for energy star appliances and also incentives for cool roofing materials
7 and possible building fee incentives for solar will also be available. Now Staff did
8 conduct outreach efforts with the non-residential building industry and the local
9 building industry association representing the residential building community
10 back on May 10th of this year. Staff did provide a presentation to those in
11 attendance at the Economic Development Sub-Committee Developer Workshop
12 which included developers from the industrial, commercial and residential
13 communities. In addition, the Joint City Council and Planning Commission Study
14 Session meeting on April 3rd and in addition to that of course the Planning
15 Commission was in attendance at that meeting. There was also outreach
16 conducted to the Environmental and Cultural Preservation Board and that was
17 back on May 14th at a public forum meeting on June 7th and an additional
18 Planning Commission just briefly I believe on the 28th of June. Staff has also
19 corresponded with the building community via telephone and email and with all of
20 the conversations based on the meetings that we had and some of these other
21 discussions that we've had, we have basically modified the direction of the
22 Reach Codes effort due to residential and industrial community concerns and the
23 continued fragile state of the economy, of course.

24
25 Staff has reduced intensities of Reach Codes to include only a reduced set of
26 local mandatory measures for consideration. All references to performance
27 standards and specific percentages of energy efficiency above current Title 24
28 standards which we had in this originally, have been dropped and are no longer
29 being considered. That would include the elimination of performance standards
30 related to new residential and non-developments as well as additions and
31 retrofits to residential and non-residential buildings.

32
33 Noticing was provided for this citywide amendment as 1/8th page display ad in
34 the local newspaper. A copy of the notice was also mailed to members of the
35 business community including those members who attended the Economic
36 Development Sub-Committee Developer Workshop and the Sierra Club was also
37 notified. Besides various comments directed to Staff from the business
38 community, one written comment; a letter to the Planning Commission was
39 received last evening from the Sierra Club and I believe we have not only
40 provided through email, but also as a hard copy of that letter itself. That
41 concludes Staff's report. Before turning to questions, I did want to mention that
42 we have Anne Schneider from the Building and Safety Division and Michele
43 Pierce from Moreno Valley Utility also here with us tonight that would possibly
44 take questions that you may have on the SCE Grant as it pertains to Reach
45 Codes. Thank you.

1 **CHAIR VAN NATTA** – Commissioner Crothers you have a question... go ahead.

2
3 **COMMISSIONER CROTHERS** – I do Mark... I have just one I guess basic
4 question. In the review process, it says each appliance provided by the builder
5 meets energy star requirements if an energy star designation is applicable for the
6 appliance. Why does that not include the A/C unit?

7
8 **SENIOR PLANNER ORMSBY** – Yeah I actually spoke with a gentleman from
9 Edison today but there are some issues in terms of potential legal concerns with
10 requiring it for certain types of appliances, but based on our understanding
11 kitchen appliances are okay. Other cities have adopted that, but there are
12 becoming issues with other types of appliances and I'm not familiar with all the
13 background on that, but that is my understanding.

14
15 **COMMISSIONER CROTHERS** – Do water heaters fall under that same possible
16 law suit category?

17
18 **SENIOR PLANNER ORMSBY** – Well right, apparently there is some federal
19 jurisdiction of those types of appliances; perhaps John you might have some
20 other ideas.

21
22 **PLANNING OFFICIAL TERELL** – There isn't widely accepted energy star
23 standards for most appliances. I suspect washer and dryer probably are but I'm
24 not quite sure, but the limitation is a standard that has been accepted by the
25 State and others so I guess it is safe and certainly to the extent you wanted us to
26 look at others; we could look at that in future, but at this point in time we wanted
27 to go with tried and true items rather than try to venture a little bit further, which
28 would require special certifications be provided to the State CPUC before we
29 could actually implement them.

30
31 **COMMISSIONER CROTHERS** – Okay, I just thought it was kind of interesting
32 that you know that kitchen appliances were included but not the major kind of
33 appliances that I think would benefit being included at the very beginning as an
34 energy star appliance such as an air conditioner or a water heater which in this
35 area are running most of the time. You know where kitchens kind of sit dormant
36 and you know you may have somebody who has their air conditioner on all day
37 or you know you may have somebody who is home all day that takes showers or
38 washes dishes or does clothes that would require the water heater to be running,
39 so I just thought that that was weird that that was designated for the kitchen and
40 not for anything else when there are bigger you know more energy sucking
41 appliances out there that could benefit from this.

42
43 **PLANNING OFFICIAL TERELL** – There are energy efficiency standards for air
44 conditioners and certainly Anne Schneider could probably answer the specifics
45 on that. New houses have much more efficient air conditioners than our own,
46 so...

1 **CHAIR VAN NATTA** – The Sears certification came out for air conditioners
2 several years ago and if somebody is replacing theirs they have to go with that.
3 It is more efficient and it doesn't have the label energy star because it is a
4 different type of appliance and I think the washer and dryers are somewhat of a
5 mute point. Generally a builder does not include a washer and a dryer in the sale
6 of a home.

7
8 **COMMISSIONER CROTHERS** – Okay thank you

9
10 **COMMISSIONER BAKER** – You know to that point on the commercial side, the
11 way I used to look at that, was if and from the way I understood it is if you could
12 plug it in it was energy star typically and if wasn't a plug in appliance at least we
13 weren't able to get rebates or energy star type things. That is the way I looked
14 at it. So if you can plug it in like a washer or dryer or a refrigerator or a
15 dishwasher you were okay, but something that goes on the roof or like a water
16 heater, which is hard wired or hard plugged in, it doesn't typically come under the
17 energy star appliance type thing. If that helps any, I don't know; maybe not.

18
19 **COMMISSIONER GIBA** – You know you had a whole list of what do you call it;
20 your study was done from cities and towns around the area. I'm just curious how
21 many of those have established Reach Codes? I think we asked that question
22 once before and you had a whole list of them in our area. I'm just curious how
23 many of them have established any form of Reach Codes at this time?

24
25 **SENIOR PLANNER GROSS** – I believe it was about 41 individual cities that
26 have adopted to some degree Reach Codes and some of them have looked at
27 more percentage related items and then some included some of the individual
28 items as well.

29
30 **COMMISSIONER GIBA** – The Reach Codes that you are asking for the
31 residential; you did a study on the cost analysis over time; the incremental cost
32 estimates and were these incremental cost estimates including some of the
33 Reach Codes from the residential, because I was going through them and trying
34 to figure out where those came into play.

35
36 **PLANNING OFFICIAL TERELL** – Yeah there was an attachment which I believe
37 are the Climate Zone 10 studies that estimate the cost effectiveness, which is
38 both the initial cost as well as the long term savings; the pay back, so I guess the
39 question is specifically are energy star appliances included in there. Obviously
40 the orientation of the house... because of the cost, but it is a design standard and
41 the other one would be... and the landscaping is not necessarily a cost issues, it
42 is a standard issue that could cost more or less depending on the specific
43 landscaping, but the other one is the radiant roof barrier, which is there and the
44 other is solar readiness.

1 **COMMISSIONER GIBA** – Generally these lists of the incremental cost estimates
2 for the family homes and stuff including a lot more than what you wish to include
3 in your current Reach Codes. Is that correct?
4

5 **PLANNING OFFICIAL TERELL** – Yes we only included a few items from the
6 menu... a la carte...
7

8 **COMMISSIONER GIBA** – To try to pare that out and to see where those
9 estimates would go up and these costs would only be incurred by the new home
10 builders and it will not to people who are already in their homes.
11

12 **PLANNING OFFICIAL TERELL** – On the items that we've included; yes.
13

14 **COMMISSIONER GIBA** - So those items really won't have a tremendous cost
15 impact on anybody buying those new homes is what I'm trying to say, because
16 when I looking at some of these incremental cost estimates, the payback is
17 somewhere over 20 years sometimes and it is like is that really worth it you know
18 and so that is why I need to clarify that for those Reach Codes. Thank you.
19

20 **PLANNING OFFICIAL TERELL** – Yeah the ethic on those that we used was are
21 there items that caught... some of these items cost money and we're not going to
22 say it is free and I think you'll hear that it is not free, but items that hopefully cost
23 a little up front but benefit the homeowner in that case or the tenant of a building
24 later; being solar ready and installing a solar package later is going to be easier
25 than having to make your house solar ready later. So that is just open for your
26 debate, but that was kind of the rationale for including some of these. Are there
27 items that have a benefit to the future homeowner or tenant that may cost them a
28 little up front, but would yield benefits later on? The one item that Mark
29 mentioned which is the solar or alternative energy on warehouses that are over
30 300,000 square feet, I just wanted to point that was in the mitigation for the
31 project that you just approved and has been on every large industrial project
32 since the Sketchers project, so there have been several and there are more that
33 you will see and we have always included that as a mitigation measure because
34 it is a very effective one, especially for greenhouse gases because as you heard
35 the energy use is a major contributor to cumulative impacts for greenhouse
36 gases and it wouldn't necessarily have a direct impact on greenhouse gases in
37 Moreno Valley because that energy might actually be created in four corners, but
38 by going to something other and we wanted to provide flexibility because solar is
39 very expensive. There are other types of alternative energy that are more
40 feasible. There is equivalency. There are gas turbines that on an equivalent
41 nature can substantially reduce greenhouse gases and emissions, so we want to
42 provide as much flexibility for the market to determine the most effective way to
43 meet that standard.
44

45 **COMMISSIONER GIBA** – And these will also kind of address the energy
46 efficiency climate action strategy that we were working on too?

1 **PLANNING OFFICIAL TERELL** – Yes it is in there.

2
3 **COMMISSIONER GIBA** – It’s kind of what I thought. Is this an appropriate time
4 John to mention a couple of errors in the paperwork so we can get that adjusted.

5
6 **PLANNING OFFICIAL TERELL** – I did mention the two code sections that you
7 discussed earlier. If you have others okay...

8
9 **COMMISSIONER GIBA** – There are three of them, so on page 1363 you are
10 referencing in the Resolution 9.80.030, when that is really 8.80.030.

11
12 **PLANNING OFFICIAL TERELL** – Right, I marked up a copy for Mark and so we
13 already have that information and I mean I think in one case the numbers are
14 correct, but we have verified that they are correct.

15
16 **COMMISSIONER GIBA** – Good I just wanted to mention that.

17
18 **COMMISSIONER OWINGS** – Mark, when you say there are 41 cities that have
19 adopted these standards, 41 out of how many?

20
21 **PLANNING OFFICIAL TERELL** – 435 in the State of California, so the majority
22 have not and we did as you can see in the information, we focused on ones that
23 at least from a climate zone were similar to us which is Chula Vista, West
24 Sacramento and Simi Valley. Those actually included much more substantial
25 percentage increases over Title 24 and as Mark noted, through our public
26 outreach we decided that you know there was a significant issue with that with
27 the building community, so that is why we didn’t bring those forward. As you
28 know from the letter from the Sierra Club they are not very happy with that, but
29 everyone has a role to play, so based on our outreach and the cost associated
30 with those in the current environment, we chose to not bring those forward to you
31 for your consideration.

32
33 **COMMISSIONER GIBA** – Can I assume that only 41 out of 400 are probably due
34 to cost impacts on builders or individuals homes?

35
36 **PLANNING OFFICIAL TERELL** – I would suspect it is a variety of issues. I
37 mean there a variety of issues. A majority of those cities are in areas in Northern
38 California which have a different environment than most of the cities in Southern
39 California. There is a lot of consideration; actually Western Riverside Council of
40 Governments received a grant and they are working with a variety of cities to do
41 greenhouse gas analysis and provide them a framework to do climate action
42 plans and the result of climate action plans as you know from what you have
43 seen, generally lead to implementing higher standards. When that will happen I
44 don’t know, but obviously we would be a little ahead of the curve and you know
45 that is for your determination whether we want to be ahead of the curve or not.

1 **COMMISSIONER GIBA** – And that was going to be my final question to you is
2 why are we moving so quickly on this now. What is the urgency to implement
3 these at this point in time?
4

5 **PLANNING OFFICIAL TERELL** - We were successful in receiving a grant from
6 Southern California Edison under a trial program in the State of California and
7 there other cities in our area that also... Beaumont is one of them I know that
8 also received these grants and are working on similar efforts, so that is why is
9 being... we have the resources to bring it to you. This is really a small
10 percentage of that effort. The Climate Action Strategy and the Greenhouse Gas
11 Analysis is the much bigger part of that and a variety of other things that are
12 revolving that Chris is working on, so it is a component of the receipt of the grant,
13 so that is why we are bringing it forward for your consideration.
14

15 **COMMISSIONER GIBA** – Thank you John.
16

17 **CHAIR VAN NATTA** – Okay, I have a question regarding the May 10th meeting
18 with the building industry. How many people actually attended from the building
19 industry? How much representation was there?
20

21 **SENIOR PLANNER GROSS** – Well to try to answer that question, I think first of
22 all there were a number of participants. What we tried to do is work with the
23 Economic Development Staff to try to get the word out; that this was going to be
24 on the agenda and they went ahead and contacted a number of individuals. I'm
25 not certain exactly the number. As far as the attendance at the meeting, I think
26 there could have been about 10 or 15 I believe or 15 to 20 maybe.
27

28 **CHAIR VAN NATTA** – Okay, well, that's a good turnout for busy people.
29

30 **SENIOR PLANNER GROSS** – Yeah and then we've had some other dialogue
31 after that meeting through email and some other means but that was the primary
32 mechanism that kind of started the process of trying to get the word out to
33 everyone.
34

35 **CHAIR VAN NATTA** – Well my question; I mean I can see the whole thing about
36 being set up for solar and energy star appliances and everything like that, but
37 you kind of lost me a little bit on the 30 degrees of the facing south on residential
38 developments. I mean how do you achieve that in a tract and get good efficient
39 use of the land and have every house facing a certain way. I mean you get into
40 things where there are people who won't buy a house unless it is faced a certain
41 way because of feng shui and everything else like that and then you start moving
42 them a certain way that they are getting the sunlight on the south side. Explain
43 that to me a little bit more clearly please. What is that supposed to do?
44

1 **SENIOR PLANNER GROSS** – It is more of a design standard and actually... the
2 requirement is for 50 percent of the lots; it is not the entire subdivision that we
3 would be looking at, but I think John could probably elude a little bit more to that.
4

5 **PLANNING OFFICIAL TERELL** – Yeah, solar oriented placement of homes and
6 lots and tracts for solar orientation has been in the California codes since the
7 70's and actually our current design standards encourages subdivision designs
8 that does this. We were suggesting for consideration that we place a specific
9 number on it because then we can kind of track how successful you are.
10 Basically it has been a qualitative analysis until this time and the intent is to have
11 the roof structure; meaning the roof that the solar panel is going on be oriented to
12 maximize solar efficiency, which means it has to be within 30 percent is what the
13 State has identified and to do that on 100 percent, I think there are places where
14 they probably do that but that didn't seem to be too constraining on the design of
15 homes for individual purchasers and everybody doesn't want a home where he
16 roof faces south, so that is why...
17

18 **CHAIR VAN NATTA** – Exactly, so you are saying 50 percent?
19

20 **PLANNING OFFICIAL TERELL** – Yes
21

22 **CHAIR VAN NATTA** – Does that not present a challenge for a builder who has;
23 you know he wants to get as many houses per acre as he is allotted and then
24 having to move these houses to where they face a certain direction or maybe be
25 limited in his choice of floor plans and design by the need to have 50 percent of
26 the houses having that southerly orientation of their roof.
27

28 **PLANNING OFFICIAL TERELL** – There may be some constraint, but really what
29 we are talking about is allocating a 300 square foot area on the roof that faces
30 south. So it really more how you build the roof structure and we also have a
31 design standard that requires a variation in roof types on subdivisions and this
32 would only apply to subdivisions. It doesn't apply to custom homes or lot by lot
33 development. I think is it four or more or five or more... Typically it is
34 subdivisions of five or more and when you get to five you could pretty easily get
35 to 50 because there are not very many small tracts, but...
36

37 **CHAIR VAN NATTA** – But the variation of roofs?
38

39 **PLANNING OFFICIAL TERELL** – Roof types
40

41 **CHAIR VAN NATTA** – The roof types
42

43 **PLANNING OFFICIAL TERELL** – Yeah, so the idea is so every house you have
44 some gable roofs as well as some hipped roofs and other kinds of roofs and
45 roofs face forward and sideways. That is what we have tried to do on the more
46 recent tracts and that is the whole element of four-sided architecture is really to

1 look at the roof structure, so you don't go down the street and every single house
2 has the same roof. I would suspect it might actually be more accommodating to
3 potential homeowners because there would be more variety, but the key is to
4 orient the roof so that 300 feet of the roof is facing south.

5
6 **CHAIR VAN NATTA** – So 300 square feet of the roof would be facing south.

7
8 **PLANNING OFFICIAL TERELL** – Correct

9
10 **CHAIR VAN NATTA** – Okay

11
12 **COMMISSIONER GIBA** – So is that kind of an arbitrary number 50 percent John
13 or is there some basis for 50 percent?

14
15 **PLANNING OFFICIAL TERELL** – It was not zero and it wasn't 100 percent. It is
16 somewhat arbitrary. It is a starting point. Most subdivisions when you look at the
17 streets, you can easily pretty much count the percent of the lots that easily
18 comply with this and then it gets into the next level, which is the design of the
19 roof structure.

20
21 **CHAIR VAN NATTA** – Yeah I'm just thinking okay, this type of roof and that type
22 of a roof... if you are building a subdivision and your style for that subdivision is
23 Mediterranean, then you certainly wouldn't have a hip roof and a gabled roof in a
24 Mediterranean subdivision you know.

25
26 **PLANNING OFFICIAL TERELL** – Well you could have a flat roof too I guess,
27 because a flat roof would easily accommodate solar, but...

28
29 **VICE CHAIR SALAS** – How many flat roofs do you see?

30
31 **CHAIR VAN NATTA** – Not too many

32
33 **PLANNING OFFICIAL TERELL** – Not too many anymore. We've got a few
34 subdivisions here in town that has them and 20 years later you find out why.

35
36 **CHAIR VAN NATTA** – Yeah exactly

37
38 **PLANNING OFFICIAL TERELL** – But the idea is most types of architecture has
39 a sloping roof and the 300 square feet is from the green building code. Didn't we
40 specify square footage there?

41
42 **CHAIR VAN NATTA** – But that would be sufficient square footage to provide
43 solar for the house?

44
45 **PLANNING OFFICIAL TERELL** – Correct

1 **CHAIR VAN NATTA** – Yeah, okay. Alright, if we don't any other questions, we
2 do have a member of the public that wants to speak. So I guess I was supposed
3 to open Public Comment.... Tommy Thompson

4
5 **SPEAKER THOMPSON** – Honorable Commissioners, it is great to be with you
6 tonight. I've been dying to get up here all night long and here we are together.
7 I'm Tommy Thompson, Director, Governor Affairs with the Building Industry
8 Association. We are a local chapter here in Riverside County. We have nearly
9 400 companies that are members of the BIA; roofers, framers, dry-wallers,
10 concrete workers and anyone that goes into a building and constructing a home,
11 they are welcome to join the BIA and it is hard time right now. I will tell that and it
12 is even harder when we are considering things like Reach Codes. I just want to
13 give you a perspective from our industry. We are down over 80 percent in our
14 workforce and in the height of the housing market in 2005, we built nearly 30,000
15 homes in this wonderful County; the County which I live in.

16
17 Last year was our worst year since the Great Depression, we didn't even hit
18 3,000. It was about 2,800 homes County wide, so you can see where that 80
19 percent workforce went. We are absolutely just trying to survive and things like
20 Reach Codes definitely prohibit that and I'll just touch on a few things here. One;
21 in the State of California, they do this for us; the Building Code updates that
22 happen all the time periodically and the next one is in 2013. We are far beyond
23 the United States; the State of California is far beyond in Title 24 and other
24 energy efficiency standards and the Reach Code wants to reach beyond what
25 the State of California is already at and again to remind you, this is the absolute
26 actual worst time that you can possibly be doing this is now.

27
28 What the State has done just recently in adding the cost of building a home; in
29 2011 we had our energy efficiency standards that were adopted in 2011 and we
30 also had our green building code standards. These are all State wide standards
31 and then in 2011 we also had our fire sprinklers standards were updated. Within
32 the last 24 months, the State of California has added nearly 10,000 dollars per
33 home in building a home. Now one of the Commissioners mentioned cost.
34 Yeah, the builder up fronts that cost and that cost is passed on to the consumer
35 and I just wanted to touch on these 41 cities. Not one of these cities is anywhere
36 near here and there is a reason for that. It is because you can't absorb the cost;
37 you just cannot absorb the cost the Reach Codes propose. You mentioned cities
38 like Malibu and Santa Monica and of course you can do Reach Codes in those
39 cities. You can't do them in Moreno Valley. I live just south of here in Nuevo. I
40 just bought a home myself. You know the median home price here is so low,
41 how can you absorb these new costs. I mean I think some of these things are
42 great; warm and fuzzy great ideas but this is just not the time to add costs
43 especially here in Moreno Valley.

44
45 I wanted to address each of these five items for residential. We are officially
46 opposed to Reach Codes no matter what format they come in. It is just not the

1 time to do it, but if I can just tell you some of our objections to the five. When we
2 talked about the roofing for solar...one thing and I enjoyed that dialogue, but one
3 thing that also needed mentioning and I'll just read it here, requiring 50 percent
4 within a 38 degree is very restrictive and only gives you about 60 degrees out
5 360 to work with. More importantly, this promotes lengthy stretches of east/west
6 streets, which in turn inadvertently could lead to higher speed limits or actually
7 higher speeds in residential districts. I think you are just changing the whole
8 concept of designing a community. The next proposal was on landscape and I
9 actually have more questions than answers on that one, so I'll go to number 3
10 and I can pose those to Staff later.

11
12 The construction waste aversion; you know that is probably one of the lesser of
13 the five to be honest. State Code already requires us to do 50 percent. You
14 know when I first looked at these I thought why are doing a lot of this stuff. You
15 know the State is already requiring this, so why are you taking that extra step;
16 you know let's just do what the State is requiring. Our people are up there
17 lobbying everyday trying to get better codes in the State of California. And then
18 the next one is energy star requirements... again one of the lesser ones. I think
19 a lot of our builders are already providing those energy star appliances and then
20 the last one is the space on a roof surface and the penetrations. Solar ready
21 roofs are a requirement of the 2013 standards, so we are already coming up on
22 that. It is already going to be adopted and as long as roofs are not shaded by
23 other near buildings, this should be acceptable, however including penetrations is
24 not. The roof penetrations will be dependent upon the PV system installed. This
25 is too big a variable to install prior to knowing what PV system may be installed
26 and I'm quoting our Engineer in Sacramento who I sent these up to. His
27 response back to me was no, we are working on the 2013 codes now and you
28 guys are trying to reach over these. You know let's just let the people in
29 Sacramento work this stuff out.

30
31 Our builders build in every community statewide and they need a standard
32 Statewide. They don't need to have a new standard in every city they are
33 building in. Again it is the economy. I mean that is really my point to you tonight
34 and we're just not ready to have new burdens; new costs associated with home
35 building. Statistics speak for themselves. You see it in the papers. You see it in
36 the news. We're just not ready to...The Great Recession isn't over yet for
37 homebuilding especially in Riverside County. This is ground zero. I appreciate
38 your time; thank you and it has been a great conversation. I hope you can
39 continue it. Thank you.

40
41 **COMMISSIONER GIBA** – Mr. Thompson, may I ask you a question?

42
43 **SPEAKER THOMPSON** – Sure

44
45 **COMMISSIONER GIBA** – Of these five, you said a couple of them weren't
46 affecting you too much, but if it was up to you and you were sitting up here with

1 me would you not want any one of those or are there a couple that you say hey
2 that is okay, they can be modified and say we could approve two of those, one of
3 those or none of those if it was up to you.

4
5 **SPEAKER THOMPSON** – From an industry perspective that is a great question.
6 Obviously there are some that are less burdensome than others. But from an
7 industry perspective I represent the entire Building Industry Association, my
8 problem is as you heard tonight, Beaumont is already looking at it, so when
9 somebody sees Moreno Valley adopting Reach Codes, they don't look at the
10 specifics the newspaper throws out. Well we got a city that has adopted Reach
11 Codes. You know are more stringent than others. We aren't opposed to Reach
12 Codes, just stay in line with the State of California and the building codes. To
13 answer your question, of course the energy star is probably one of the most
14 minor ones, but why would you mandate that when it is already happening. You
15 know I guess it is a question of why would you propose a new mandate when the
16 market is already bearing that anyway already. Why does government need to
17 step in to mandate that when the market already is dictating it? The other light
18 one was I guess is construction waste diversion. I think 75 percent is too high. I
19 think there is another number that can be worked. We are already doing 50
20 percent. You know some of these admittedly really are minor but it is the idea of
21 reaching beyond the State of California which is way beyond the United States
22 on energy efficiency and other green building standards and especially right here
23 at ground zero in a construction recession.

24
25 You know I'm looking at the overall picture and I'm not trying to nitpick one or the
26 other and I know that is the intention of your question, but our pleading to you is
27 just don't do any of it, just stay as is. Let's just get through this economic
28 recession and see what comes out at the end. There is very little building, so
29 even if you had this code, who is building to do it. You know if you had it on the
30 books, who is going to be to move forward. How much is this burden of potential
31 project that could... and nobody is going to be moving dirt here. You know they
32 are just finishing lots to finish lots. We are not going to see '05 where they are
33 moving dirt all over the place. You drive around and you see the vacant
34 unfinished lots out there and that is being finished right now in most communities.
35 I don't know specifically here, but I think there are one or maybe two active
36 builders in this City right now and how would this impact their projects. You know
37 it won't be positive. I can tell you that. It won't be positive. They are surviving.
38 We are just surviving. I know I'm going on and on. I hope that answered your
39 question.

40
41 **COMMISSIONER GIBA** – Well thank you. I mean that is what I want to hear. I
42 want to hear your perspective. You are very passionate and you stayed late here
43 with us. I mean you stayed here as late as we and you came out just to say what
44 you had to say and I very rarely get people to come out. I think we can all attest
45 to that we are usually empty and I love that feedback otherwise I'm making a
46 decision for somebody that I may not have all the pieces for.

1 **SPEAKER THOMPSON** – I appreciate that. We've been corresponding with
2 Staff; great Staff. You I've been corresponding with Council on this because I
3 wasn't sure what the steps were going to be for this. I should have assumed it
4 would have gone through you as a Commission, but I've got to tell you, the most
5 bothersome thing is that Edison gives you grants so therefore you have to do it.
6 You that's a little bit... I've got a little issue with that, but you somebody offers
7 you a grant but does it mean you have to do it. It does if you want the grant,
8 so...

9
10 **COMMISSIONER GIBA** – Thank you Mr. Thompson

11
12 **CHAIR VAN NATTA** – Okay, I don't have any other Speaker Slips here. Is
13 somebody coming forward...? Oh, I see a green piece of paper coming up, so...

14
15 **SPEAKER TINA PRATER** – Hello, my name is Tina. I work for the Fritz Duda
16 Company. I guess it is a good balance to Mr. Thompson just because we are
17 more on the retail commercial development side, so it is good to see that both
18 sides are represented tonight. I'm really happy about the progression from our
19 last meeting of how you guys tailored things down a little bit and for the most part
20 I don't have too huge of concerns with how that is going to affect commercial
21 retail, but overall in general in bringing these types of Reach Programs in right
22 now, I'm going to piggyback a little bit on what Mr. Thompson said in the way that
23 the consumer is the person that ultimately ends up paying for it. I mean the
24 landlord only has so much money to do site improvements when they are
25 maintaining a property and the way the tenants pay for the maintenance of the
26 property is through their cam charges, which is on top of their minimum rent, so
27 for an example, last year our project at Town Gate Center where the new TJ
28 Maxx and Home Goods is going in, we had to do 140 thousand dollars ADA
29 improvements. That is money that we have to budget that comes out of their
30 cam budget that we don't spend on improving the site; making it look nicer;
31 getting new plants; getting new signage and new signage believe it or not
32 besides rent is one of the biggest things that these tenants want. Other than
33 signage, it is also you know a lower cam cost. I can't give them a lower cam cost
34 if I'm always trying to keep up with the next improvement, so one of my major
35 concerns is that I want to get clarity on is the parking situation; the 8 percent. Is
36 that preferred parking?

37
38 **PLANNING OFFICIAL TERELL** – It is a code requirement, but it is preferred. It
39 doesn't say where it has to be located, so the 8 percent... it is very unusual. The
40 8 percent has to be set aside, but it doesn't have to be... unlike handicap
41 parking, it doesn't have to be the 8 percent closest to the entryway, it is just 8
42 percent in the parking lot somehow set aside and that is a mandatory item. How
43 it actually works I don't know. I don't know if we have had anybody come in and
44 had to do this yet. The only time we've seen it... Fresh N Easy was a great
45 example. They had parking for pregnant women and other things... they do and
46 that is where they voluntarily set aside parking for special groups. They had

1 alternative energy vehicle parking and they had all kinds of parking and I think it
2 was the same kind of thinking; not our thinking, but the State Code writers put
3 this in as a mandatory item and we thought since it is a mandatory item, we
4 should be it in the code, so we all know about it at the beginning of the process
5 rather than when you get to the building counter. So that is the only reason that
6 we put it in there because we wanted to make sure people were aware of it when
7 they started... it wouldn't affect an existing project say like... it would only be for
8 a new parking lots.

9
10 **SPEAKER TINA PRATER** – That is helpful to know. That is pretty much all I
11 had. I mean those are the things that the tenants want and they are looking for
12 low rent; low cam charges; good parking and they want to be in a center that
13 looks nice, but I feel like we are constantly spending money on keeping up with
14 the next newest law. It would be nice to give these tenants what they want. I'm
15 sure you aware of the projects that we are working on and that is how we've
16 been able to get them there; the TJ Maxx; the Home Goods; Chipotle that is
17 coming in. You know we've got to be able to offer basically rents that people can
18 afford, but also a center that looks good. The 75 percent you know natural
19 landscaping; I love the idea but you know how, do you get there. Are you stating
20 that is only going to be new development as well?

21
22 **PLANNING OFFICIAL TEREILL** – You would only...It should only be new
23 development because landscaping is expensive to change out with irrigation and
24 everything else.

25
26 **SPEAKER TINA PRATER**– That's right.

27
28 **PLANNING OFFICIAL TEREILL** – So it is from day one and it is what they
29 usually refer to this as California friendly landscaping. It is not desert
30 landscaping, but it is plants that just use less water.

31
32 **VICE CHAIR SALAS** – Drought tolerant, right?

33
34 **PLANNING OFFICIAL TEREILL** – Drought tolerant and right now we don't... let's
35 use residential because that is a little cleaner... 25 percent of the front yard is
36 already limited. That is an existing restriction and we just looked at the other 75
37 percent and this is one of the items that came up at the Economic Development
38 meeting was what if you want to put rose bushes in. Well rose bushes aren't a
39 drought tolerant species; actually they are pretty good, but they aren't designated
40 as one, so basically you would put that in the 25 percent that is turf, because you
41 can use turf or any other kind of... you could put azaleas in if you are really a
42 glutton for punishment, but the 25 percent could be your higher water uses and
43 the 75 percent is your drought tolerant.

44
45 Our current conditions of approval always require for commercial and industrial
46 that they have drought tolerant landscaping and sodded only in gathering areas,

1 so our existing regulations kind of dance around it. This is just being more
2 straightforward on what the restriction is and then when you get down to EMWD
3 and have to do a water budget, you kind of get placed back in the same areas by
4 default. So again, it is another thing. Rather than waiting until you get your
5 water budget or your landscape plan to us, we want to advise you at the
6 beginning of the process that something has got to happen at the end of the
7 process and water is actually... I believe it is the highest; it is either the first or
8 second major user of utility of energy in the State of California, so it is a big deal
9 because we move our water from miles away. So that is why we put it in here. It
10 is still more of a development standard. It is not really a Reach Code, but it was
11 affecting the same ethic of trying to reduce energy use and that is why we
12 included it. But yeah, it wouldn't affect any existing project, it would only affect
13 newly installed landscaping which is when you have to pay for the landscaping
14 anyways and irrigation, so let's do it in a way that saves water for the long term
15 future and we certainly are not talking about people going in and ripping out their
16 yards or their landscaping to retrofit. That is not our proposal.

17
18 **CHAIR VAN NATTA** – Until you can get Homeowner's Associations that don't
19 require 90 percent of your front yard to be green, you are going to have a hard
20 time doing that anyway.

21
22 **PLANNING OFFICIAL TERELL** – Yeah it would only apply for residential. It
23 would only apply to new construction and we haven't had any arguments yet on
24 the 25 percent limit, which has affected some Homeowner's Associations, but no
25 one has disputed it.

26
27 **CHAIR VAN NATTA** – Well if there hasn't been much construction since then

28
29 **PLANNING OFFICIAL TERELL** – That standard has been in place for about five
30 years.

31
32 **CHAIR VAN NATTA** – There hasn't been much construction in the last five
33 years.

34
35 **PLANNING OFFICIAL TERELL** – But there has been some and the requirement
36 for drought tolerant in commercial is even older than that. What is actually
37 affecting it more now is the water budgets that are required and the water rates
38 and I think that is what we don't want to happen is you know people's water gets
39 expensive, so they change; they basically turn off the water and that is not a very
40 effective way to save water.

41
42 **CHAIR VAN NATTA** – No, not really. Okay, we have no other Speaker Slips.
43 I'm going to close the public portion of this Hearing and open it for
44 Commissioner's Debate and who would like to go first?

45
46 **COMMISSIONER OWINGS** – If you wouldn't mind I would like to go first.

1 **CHAIR VAN NATTA** – Go ahead Commissioner Owings

2
3 **COMMISSIONER OWINGS** – In general, Californians and especially Moreno
4 Valley residents are over regulated and over taxed. When regulation escalates,
5 the result is an increase in regulators. In other words, bigger government is
6 required to enforce a greater degree of regulation. Bigger government means
7 bigger budgets and higher taxes. More simply does not mean better. I applaud
8 the Staff for trying to scale this down, but at this time in the economy and with the
9 testimony we've heard tonight, I will be voting no on this measure.

10
11 **VICE CHAIR SALAS** – I have one. You are saying that the 25 percent is already
12 in. It is already something that we are following for the turf. In other words if you
13 are going to build a house or build a tract, 25 percent of it is all that can be turf?
14 That is most water usage material you put in your yard. Is that correct? But we
15 are already enforcing that so why are we enforcing it again. I don't understand
16 what this does or am I confused?

17
18 **PLANNING OFFICIAL TERELL** – It is looking at the other 75 percent of the
19 landscaping and the reality of it is probably not a big change. We have a
20 standard and actually I'm to think... these are homes I know were subject to this
21 in their subdivision off of Ironwood and the 25 percent limit on turf was not an
22 issue. The 75 percent is looking at that and making it more water efficient. It is
23 just providing greater clarity, so I don't see it as this big huge... it is certainly not
24 an increase... it is an increase in regulation potentially, but it is not increasing
25 cost because we still have to review the landscape plans for the subdivision
26 regardless of what type of landscaping is provided. So it is looking at the 75
27 percent and saying look at doing drought tolerant rather than azaleas.

28
29 **VICE CHAIR SALAS** – I understand what you are doing. Coming from the
30 housing industry I understand. I think people need to understand that the cost is
31 going to come down to the consumer. We can ask them for double door
32 refrigerators or whatever and guess who is going to pay for it; it is whoever buys
33 the house. On the roof penetrations, the roof penetrations can hurt you more
34 than they can help you because you could have them in the wrong place and
35 then what happens is that you could have the usual penetrations or have to use
36 more wire; you have to use more stuff and this just doesn't make any sense
37 because I understand the concept of wanting the roof penetrations because they
38 don't want you poking around after the house is built because there is the
39 potential for leaks. Get a good roofer okay, but I agree with Tom. I don't think
40 that you really need any more. I think we've got things pretty much covered
41 already with the UVC and I just don't agree on putting more cost on
42 homeowners, so I'll also be voting against this.

43
44 **COMMISSIONER CROTHERS** – I just first off want to thank our speakers for
45 coming and speaking and staying so late and being so passionate about what
46 you are talking about. It really does make a difference when we have the public's

1 view on our agenda items. Often like Mr. Giba said, there is nobody here to talk
2 about them and when we do get the information from the public, we really do
3 take it to heart and we really do take it into consideration when we are making
4 our decisions, so thank you very much for coming out, we appreciate it.

5
6 You know, the State has so many standards set in place that you know that are
7 good, especially for California. I mean we are always on the cutting edge of
8 everything that is going on. I don't think the residents of California would let it
9 happen any other way. I mean we are always on the lead and we always want to
10 do the best for California knowing that it is a very populated State, knowing that
11 our traffic is horrible; knowing that all these things that come along with living and
12 being a resident of the State of California. I think the State has done well to
13 provide those requirements that we need to ensure that we have a good State
14 and well run State. I don't think the builders should have to worry about each
15 City imposing additional requirements other what the State is requiring. If the
16 State is already requiring you know a gold standard, I don't think the City should
17 need to go in and require a platinum standard. You know it should be easy for
18 businesses to come here. It should be easy for builders to come here and if they
19 have to worry about what the City of Perris is doing compared to the City of
20 Moreno Valley is doing, compared to what the City of Banning is doing, then I
21 then I think we kind of shooting ourselves in the foot and I think we are limiting
22 ourselves to the potential of builders and tenants coming here you know based
23 on the higher rents they have to pay so that they can keep up on all these
24 different codes the City is requiring.

25
26 You know the State of California pretty much takes care of a lot of this for us and
27 you know in practice we already have a bunch of these things. I mean on every
28 project that we get, we always see drought tolerant plants and we always have
29 you know the ability to have the solar paned windows and you know usually the
30 builders kind of take care that themselves because they know it is important, but I
31 don't think that adding extra Reach Codes to you know the builders and the
32 potential builders is a good idea especially in this economy, so I also will be
33 voting no.

34
35 **CHAIR VAN NATTA** – Is there any other debate?

36
37 **COMMISSIONER RAMIREZ** – I share the same sentiments as Commissioner
38 Owings, Commissioner Crothers and Commissioner Salas. The State is doing a
39 great job regulating this issue and I will also be voting no.

40
41 **PLANNING OFFICIAL TEREILL** – If I can interject at this time since we already
42 have a majority opinion, what we would recommend that you do is approve the
43 single mandatory item so that we can get that into the code because that is
44 mandatory; it is not a choice and I think the record is very clear and as I said we
45 went into this; we wanted it be considered and that is our obligation and we
46 understand the parameters of this but we did want to bring it forward for

1 consideration and so that is what I would recommend that you approve a
2 modified resolution that limits it to that one item.

3
4 **VICE CHAIR SALAS** – The parking?

5
6 **PLANNING OFFICIAL TERELL** – The parking; yes

7
8 **VICE CHAIR SALAS** – The parking... that is the only requirement

9
10 **PLANNING OFFICIAL TERELL** – That's correct and then we can move that
11 forward to the City Council and get that adopted and really not consider the other
12 items based on your recommendation.

13
14 **CHAIR VAN NATTA** – And maybe next year they can approve special parking
15 for women bringing two or more small children into the grocery store or maybe
16 people that show up with high heels and a special parking spot for them and...

17
18 **PLANNING OFFICIAL TERELL** – Unfortunately we're not responsible for what
19 the State building code is, we are just responsible to implement it.

20
21 **VICE CHAIR SALAS** – The funny thing is you can put that down but you can't
22 regulate it. They can't give you a ticket for parking there if you don't have two
23 kids or if you are not pregnant.

24
25 **CHAIR VAN NATTA** – Well I actually think the one parking regulation that really
26 gets me is where they have all of these spaces that say compact cars only and
27 yet the compact cars park in the big spots and then the big cars don't...

28
29 **PLANNING OFFICIAL TERELL** – Yeah that's the reason why we don't have
30 compact spaces in Moreno Valley any more.

31
32 **CHAIR VAN NATTA** – They do in Riverside though

33
34 **COMMISSIONER OWINGS** – Madam Chairman, just for the record could we poll
35 the remaining Commissioners before we take the vote?

36
37 **CHAIR VAN NATTA** – Yeah, I didn't get a chance to say my bit

38
39 **COMMISSIONER OWINGS** – Well I think we are all interested in your
40 comments.

41
42 **CHAIR VAN NATTA** – Well my comment was you know you don't want to throw
43 the baby out with the bath water type of thing here, but we kind of got focused on
44 the residential, but it is true for everything that we're talking about here. We're
45 not in the economy for it. You can't have builders having to respond to so many
46 different regulations in so many different areas but everything I was going to say

1 they already said so eloquently. Did you want to say something further? Does
2 anybody else want to chime in?

3
4 **COMMISSIONER BAKER** – Well I agree with the rest of you. If we have to
5 mandate the parking that is what I recommend we do in the motion here and let
6 the rest of it stand on its own.

7
8 **VICE CHAIR SALAS** – How do we do that?

9
10 **PLANNING OFFICIAL TERELL** – What we would suggest is that you make that
11 motion if that meets with your approval and then we can bring back a revised
12 resolution for ratification because obviously it will look different than what...

13
14 **VICE CHAIR SALAS** – So we could say we want to approve only what we have
15 to...

16
17 **PLANNING OFFICIAL TERELL** – In essence

18
19 **CHAIR VAN NATTA** – Well basically we could just vote this one down and then
20 you'll bring one back that says what it is supposed to say for the one item or are
21 do you want us to just...

22
23 **PLANNING OFFICIAL TERELL** – I prefer that you just approve a modified...
24 You approve the decision and then when we bring back the other one, it is just
25 two seconds at the end of the meeting ratifying a new resolution.

26
27 **COMMISSIONER OWINGS** – Let me see if can make an attempt at this. Madam
28 Chairman I'd like to make a motion that we:

- 29
30 1. **RECOGNIZE** that the proposed Municipal Code Amendments are exempt
31 From the California Environmental Quality Act (CEQA) Guidelines pursuant
32 To Section 15061 of the CEQA Guidelines; and,
33
34 2. **APPROVE** PA11-0013 as amended to delete all measures with the
35 Exception of parking requirements for alternate vehicles and to amend the
36 Municipal Code to include various Municipal code modifications and
37 Additions to allow for the adoption of that single Reach Code.

38
39 **CHAIR VAN NATTA** – Does that cover it?

40
41 **PLANNING OFFICIAL TERELL** – Yeah, that's exactly what I was suggesting. I
42 didn't want to bring back the item separately, which means we would have to do
43 a new Public Hearing and things like that.

44
45 **VICE CHAIR SALAS** – I'll second that
46

1 **CHAIR VAN NATTA** – Then we have a motion and we have a second. All in
2 favor?

3
4 Opposed – 0

5
6 **Motion carries 7 – 0**

7
8 **PLANNING OFFICIAL TERELL** – Okay this item; this last little item will be
9 forwarded to the City Council for final review and action.

10
11 **COMMISSIONER GIBA** – Mr. Thompson don't ever think that not coming is the
12 right way to go because we do like to listen to what you have to say. Thank you
13 very much and the same with you Miss Tina. I appreciate that.

14
15 **COMMISSIONER OWINGS** – Public input is very important.

16
17 **COMMISSIONER GIBA** – That is probably the most important part. I'm almost
18 begging you folks to come out and talk to us.

19
20
21 **OTHER BUSINESS**

22
23 **CHAIR VAN NATTA** – Okay do we have any other business this evening?

24
25 **COMMISSIONER OWINGS** – Motion to adjourn

26
27
28 **STAFF COMMENTS**

29
30 **CHAIR VAN NATTA** – Are there any more Staff Comments?

31
32 **PLANNING OFFICIAL TERELL** – No, your next meeting is I think it is in August.
33 We don't have any items scheduled yet but we are working on a few, so you will
34 have a meeting in August and I think in August you wanted to talk about your top
35 10 and some issues on the Climate Action Strategy so that we could... and by
36 that time I think Gabriel will have a revised version for your consideration also.
37 So we'll put that on the Agenda and assuming you have a meeting and I think
38 you'll have a meeting because there are items that come and go and I'm hoping
39 that some of them actually come so they can go to you in August, but we are
40 working on some.

41
42
43 **PLANNING COMMISSINER COMMENTS**

44
45 **CHAIR VAN NATTA** – Okay any other Planning Commissioner Comments? Is
46 there anything that anybody wants to say before we close this up?

1 **ADJOURNMENT**

2

3 **VICE CHAIR SALAS** – I have one. I'd like to move for adjournment.

4

5 **COMMISSIONER CROTHERS** – Second

6

7 **CHAIR VAN NATTA** – Moved and seconded. All in favor say aye and let's go
8 home.

9

10

11

12

13

14

15 _____
16 John C. Terell
17 Planning Official
18 Approved

Date

18

19

20

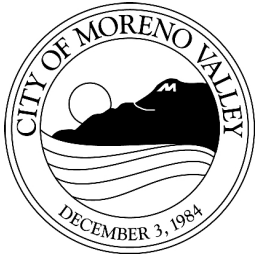
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22

23 _____
24 Meli Van Natta
25 Chair

Date

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PLANNING COMMISSION STAFF REPORT

Case: PA12-0027 Energy Efficiency and
Climate Action Strategy

Date: September 13, 2012

Applicant: City of Moreno Valley

Representative: Planning Division

Location: City-wide

Proposal: To adopt an Energy Efficiency and Climate Action
Strategy Document. The proposal includes potential
programs and policies to reduce overall energy use,
increase the use of renewable energy, and identify the
life cycle costs of future City projects.

Recommendation: Approval

SUMMARY

This is a proposal to adopt an Energy Efficiency and Climate Action Strategy Document. The intent is to reduce overall energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects and to assist with the City's compliance with Assembly Bill 32 and Senate Bill 375, both State initiatives aimed at reducing greenhouse gas emissions in California.

**Planning Commission Staff Report
Energy Efficiency and Climate Action Strategy
PA12-0027**

PROJECT DESCRIPTION

The City received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce the City organization's energy use and consequently its greenhouse gas emissions. The funding covered the cost to prepare the Energy Efficiency and Climate Action Strategy, including a Greenhouse Gas Analysis for the City.

The Strategy is intended to assist with the City's compliance with Assembly Bill 32 and Senate Bill 375, both State initiatives aimed at reducing greenhouse gas emissions in California. SB 375 calls for the preparation of a Sustainable Communities Plan (SCS) by each Council of Governments. Moreno Valley is part of the SCS prepared by the Southern California Council of Governments (SCAG). The SCS assesses current development and future plans, as represented in the adopted general plans of communities to ensure a certain level of greenhouse gas emissions on an area-wide basis. AB 32 establishes a statewide greenhouse gas emissions cap which requires emissions to be reduced to 1990 levels by the year 2020. The bill includes mandatory reporting rules, adoption of a plan and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, including provisions for using both market mechanisms and alternative compliance mechanisms.

The Energy Efficiency and Climate Action Strategy includes potential programs and policies to reduce overall energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects. Life cycle cost looks at the full cost of projects including initial construction and long term maintenance to assess the feasibility of energy efficiency upgrades balancing higher upfront costs with lower operational costs. The Strategy prioritizes implementation of programs, policies, and projects based upon energy efficiency, cost efficiency and potential resources. The Greenhouse Gas Analysis provides more of a scientific approach and recommends a target to reduce community-wide GHG emissions by 15% from 2007 levels by 2020, consistent with the State reduction goals in AB 32. The recommendations of the Analysis have been incorporated as programs in the Strategy.

The City direction with the Strategy is to lead by example in the implementation of best practices for energy efficiency. The Strategy is broken up into two main parts: Section I Energy Efficiency (City Facilities) and Section II Climate Action Strategy (Community-wide). Within the Energy Efficiency section, the first category is called out as Current Energy Efficient Practices. These practices are categorized into Electricity, Water, Recycling and Diversion, Alternative Fuels, and Education. The current practices list includes what the City is currently doing to be more energy efficient. Next the Proposed Energy Efficiency Policies section provides a comprehensive table of energy reduction measures. The energy measures are categorized into Energy use, Water use, Recycling and Diversion, Alternative Transportation, Renewable Energy, and Greenhouse Gas Emissions. The anticipated level of Cost Effectiveness and the Lead City Division on the policy is also listed.

In Section II Climate Action Strategy, there is also a comprehensive table of energy reduction measures that apply on a community-wide basis. The energy measures are categorized into the same order as Section I.

The City has been proactive in leading by example in a number of ways. A couple of examples of this are: the City has retrofitted all of the fluorescent bulbs in Internally Illuminated Street Name Signs with LED light engines that enhance visibility, street safety, and last longer.

**Planning Commission Staff Report
Energy Efficiency and Climate Action Strategy
PA12-0027**

Annual cost savings of about 50% will be realized with the retrofit due to less use of electricity and less maintenance due to longer life expectancy of the LED. Capital Projects has used rubberized asphalt concrete on City street projects when cost is comparable to regular asphalt concrete. Recycled tires are used. Advantages include reduced road noise, reduced braking distance, and slightly longer life to road surface. There are some limitations on where it may be installed. Another way the City is being proactive is maintaining its Community Partnership program with Southern California Edison, the Gas Company, and Moreno Valley Electric Utility through the Energy Coalition. The City also provides energy efficiency outreach by placing poster boards in the Parks and Recreation and City Library buildings that promote potential energy rebates, and energy reducing tips. In addition to the partnership with the Energy Coalition the City has created a G.R.E.E.N. (Getting Residents Energy Efficient Now) website that encourages residents to become more energy efficient in their homes, and has web links to other energy websites.

In the development of the Strategy staff started with an Energy Efficiency and Climate Action Strategy Task Force, and also researched other cities and agencies that had development any type green energy efficiency policies and/or climate action plans. The Task Force was formed with members from Planning, Capital Projects, Transportation, Special Districts, Maintenance and Operations, City Managers, Electric Utilities and Facilities Divisions. The Task Force identified various past, current and potential policies and practices, that further energy efficiency and the reduction in greenhouse gases responsible for climate change.

In addition of the input from City Staff there was a public outreach effort that occurred with direction from the City Council and Planning Commission. At the Joint Study Session on April 3, 2012 the direction was given to involve the public. Our public outreach efforts consisted of using the resources that the City has available such as the City website, MVT3, Environmental Historical Preservation Board (EHPB), local high schools, and the City's partnership with the Energy Coalition and interaction with WRCOG. Some of the public input included the possibility of having harvestable landscape on bigger projects such as large industrial projects, having street signs that direct the public to alternative fueling stations, having the City encourage the use of green building materials, and recognizing businesses that are energy efficient and the products that they produce. The Energy Efficiency and Climate Action Strategy and the Greenhouse Gas Analysis was put on the City's main website and on the G.R.E.E.N. website available for public review. In addition Staff also made flyers to promote future public meetings on the Strategy and had the flyer advertised on MVT3. The Public Outreach meeting was held on June 7th and one person from the public was present. Staff presented a PowerPoint to the public and explained the work that has gone into the Strategy. In addition, staff from the Energy Coalition, WRCOG and Moreno Valley Utility attended and spoke on their Energy Efficient programs and efforts.

The above-referenced activities are an overview of the efforts of the Energy Efficiency and Climate Action Strategy. The Strategy has evolved from a document with many energy efficient and green policies with the fine tuning of the City Council, Planning Commission, and public input. A great deal of the document has been revised, by deleting a great deal of the repetitiveness since the August 28th Planning Commission. Other revisions occurred to make the policies fit our city.

**Planning Commission Staff Report
Energy Efficiency and Climate Action Strategy
PA12-0027**

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 Energy Efficiency and Climate Action Strategy does not have the potential to cause a significant adverse effect on the environment.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper and a public notice was sent to interested parties.

STAFF RECOMMENDATION

APPROVE Resolution No. 2012-23 and thereby, **RECOMMEND** that the City Council:

1. **RECOGNIZE** that PA12-0027 (The Energy Efficiency and Climate Action Strategy) qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378; and,
2. **APPROVE** PA12-0027 (The Energy Efficiency and Climate Action Strategy).

Prepared by:

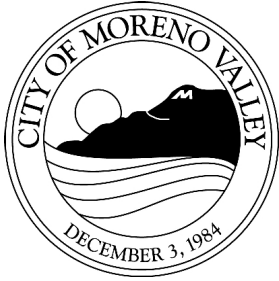
Gabriel Diaz
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-23
3. Draft Energy Efficiency and Climate Action Strategy
4. Greenhouse Gas Analysis



NOTICE OF PLANNING COMMISSION PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER THE ENERGY EFFICIENCY AND CLIMATE ACTION STRATEGY (PA12-0027) WHICH IS INTENDED TO ASSIST WITH THE CITY'S COMPLIANCE WITH ASSEMBLY BILL 32 AND SENATE BILL 375, BOTH STATE INITIATIVES AIMED AT REDUCING GREENHOUSE GAS EMISSIONS IN CALIFORNIA.

The proposed Energy Efficiency and Climate Action Strategy (PA12-0027) includes potential programs and policies to reduce overall City energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects. The City direction with the Strategy is to lead by example in the implementation of best practices for energy efficiency.

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

The Planning Commission may consider any appropriate modifications or alternatives to the Energy Efficiency and Climate Action Strategy 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, September 13, 2012
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805**

ATTACHMENT 1

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PLANNING COMMISSION RESOLUTION NO. 2012-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA12-0027 (THE ENERGY EFFICIENCY AND CLIMATE ACTION STRATEGY) TO THE CITY COUNCIL, WHICH IS INTENDED TO ASSIST WITH THE CITY'S COMPLIANCE WITH ASSEMBLY BILL 32 AND SENATE BILL 375, BOTH STATE INITIATIVES AIMED AT REDUCING GREENHOUSE GAS EMISSIONS IN CALIFORNIA.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA12-0027 (The Energy Efficiency and Climate Action Strategy), as described in the title of this Resolution.

WHEREAS, on September 13, 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 Energy Efficiency and Climate Action Strategy is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: The proposed Energy Efficiency and Climate Action Strategy is consistent with, and does not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The proposed Energy Efficiency and Climate Action Strategy includes potential programs and policies to reduce overall energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects. The City direction with the Strategy is to lead by example in the implementation of best practices for energy efficiency.

2. **Health, Safety and Welfare** – The Energy Efficiency and Climate Action Strategy will not be detrimental to the public health, safety or general welfare.

ATTACHMENT 2

FACT: The proposed Energy Efficiency and Climate Action Strategy does 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 Energy Efficiency and Climate Action Strategy with administrative goals, objectives, policies, and programs would not cause a physical effect on the environment. The proposed energy efficient policies will only improve the Health, Safety and Welfare.

- 3. **Conformance with Zoning Regulations** – The proposed Energy Efficiency and Climate Action Strategy is consistent with the purpose and intent of Title 9.

FACT: The Energy Efficiency and Climate Action Strategy provides for a consistent set of goals, objectives, policies, and programs that are compatible with the purpose and intent of Title 9. The proposed Energy Efficiency and Climate Action Strategy enhances 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. 2012-23, recommending that the City Council approve PA12-0027 (The Energy Efficiency and Climate Action Strategy), as described in the title of this resolution.

APPROVED this 13th day of September, 2012.

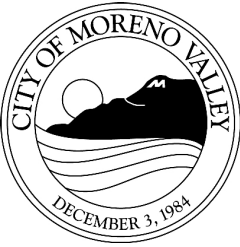
Meli Van Natta
Chair, Planning Commission

ATTEST:

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

APPROVED AS TO FORM:

City Attorney



City of Moreno Valley Energy Efficiency and Climate Action Strategy



Prepared by the City of Moreno Valley Planning Division and the Energy Efficiency and Conservation Task Force

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Summary

The City of Moreno Valley recognizes the impact of global climate change from carbon dioxide emissions arising from the activities of the City organization as well as the community's residents, businesses and visitors. Furthermore, the City recognizes the benefits achieved through energy and resource efficiency measures in reducing the community's carbon dioxide emissions as well as improving air quality, energy reliability and economic well-being in the City and region. The City recognizes the need to reduce our energy use and greenhouse gas emissions and become a more sustainable community. The City of Moreno Valley Energy Efficiency and Climate Action Strategy (hereafter referred to as "Strategy") is a policy document which identifies ways that the City of Moreno Valley can reduce energy and water consumption and greenhouse gas emissions as an organization (its employees and the operation of its facilities) and outlines the actions that the City can encourage and community members can employ to reduce their own energy and water consumption and greenhouse gas emissions.

Introduction

The City of Moreno Valley's Energy Efficiency and Climate Action Strategy main objectives are to reduce the environmental impact and fiscal impact of energy usage and greenhouse gas emissions in municipal facilities and within the community. The genesis of the Strategy is the Federal Energy Efficiency and Conservation Block Grant awarded to the City to implement energy efficiency projects and strategies for the City as an organization. At the request of the City Council, the scope of the grant was expanded to include the preparation of a climate action strategy. With City Council support, City staff has applied for energy efficiency grants. In June 2010 the City was awarded a \$375,000 (SCE) Southern California Edison Strategic Solicitation for the purpose of expanding the scope of the Strategy and its implementation, including the preparation of a greenhouse gas inventory for the community.

The Strategy is intended to be a comprehensive living policy document for the City organization and the community to address energy and water conservation and effects of climate change. The Strategy is organized into two main sections: Energy Efficiency (City as an organization) and Climate Action (City as a community). The Strategy also contains a Greenhouse Gas Analysis component. The Greenhouse Gas Analysis is also separated into two parts, the City as an organization and the City as a community.

The City realizes the challenges the community may face due to climate change and excess energy and water consumption. With the implementation of energy and water conservation and greenhouse gas reduction measures, training and public awareness, the expected results are the reduction of greenhouse gas emissions and energy and water consumption. In implementing the Strategy, the City's General Plan may need to be updated to reference the Strategy for guidance on energy efficiency and greenhouse gas reduction.

In recent years, the State of California adopted several bills to address energy and climate issues, Assembly Bill 32 and Senate Bill 375.

Assembly Bill 32 establishes a statewide greenhouse gas emissions cap which requires emissions to be reduced to 1990 levels by the year 2020. The bill includes mandatory

reporting rules, adoption of a plan and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, including provisions for using both market mechanisms and alternative compliance mechanisms. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The Air Resources Board (ARB) is the State agency charged with monitoring and regulating emissions of greenhouse gases. Under the current “business as usual” scenario, statewide emissions are increasing at a rate of approximately 1% per year as noted below.

California Senate Bill 375 provides emission-reducing goals so regions can plan to integrate disjointed planning and provide incentives for local governments and developers to follow new conscientiously-planned growth patterns. SB 375 enhances the Air Resources Board's (ARB) ability to reach AB 32 goals. For California to reach its greenhouse gas reduction goals, communities must address how they grow. This law directs the ARB to set greenhouse gas reduction targets for regions of the state and work with California's 18 metropolitan planning organizations (MPOs) to align their transportation, housing, and regional land-use plans with greenhouse gas reductions in mind. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce greenhouse gas emissions (GHG); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process to reduce vehicle miles traveled. SB 375 will be responsible for reshaping the face of California's communities into more sustainable, walkable communities with alternative transportation options and increased quality of life.

Overview of Energy Efficiency

The Energy Efficiency section's primary focus is to identify potential energy efficiency measures for the City as an organization, both those that have been implemented and those that could be implemented in the future. In addition, the document provides direction and policies to ensure the most effective, practical, and affordable, energy use practices are implemented.

Overview of Climate Action

The focus of the Climate Action section is to promote measures similar to those identified in the Energy Efficiency section and additional measures that can be implemented by the community's residents and businesses to reduce greenhouse gas emissions on a community-wide basis. The Climate Action Strategy includes an analysis of existing and future greenhouse gas emissions community wide and provides a set of policies to guide efforts to reduce greenhouse gas emissions to meet or exceed State requirements without unduly compromising other community goals.

Overview of the Greenhouse Gas Analysis

The analysis was completed under the premise that the City and the community it represents are uniquely capable of addressing emissions associated with sources under the City's jurisdiction. The City's emission reduction efforts should coordinate with the

state strategies in order to accomplish emission reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Create a GHG baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol; and
- Guide the development, enhancement, and implementation of actions that reduce GHG emissions.

This report establishes 2010 as the year on which to base the existing inventory; this is the most recent year for which reliable data concerning the City’s residential, commercial, and government operations are available. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. The 2007 inventory represents conditions prior to the economic recession and will be used to set the target for reducing emissions by the year 2020. The 2010 inventory was calculated using the most recent data available. The 2010 inventory serves as a reference against which to measure the City’s progress towards reducing GHG emissions since 2007 and into the future, and also serves as documentation for potential emission trading opportunities.

Moreno Valley’s 2010 municipal operations inventory includes sources and quantities of GHG emissions from government owned or rented buildings, facilities, vehicles, and equipment. The community-wide emissions inventory identifies and categorizes the major sources and quantities of GHG emissions being produced by residents, businesses, and municipal operations taking place in the City of Moreno Valley using the best available data. By having the municipal emissions separated from the community as a whole, the local government can implement reduction strategies where it has direct control, closely monitor the changes in emissions over time, and set an example for the rest of the City.

2010 Municipal Emissions Inventory

Table 3-1 2010 Municipal Data Inputs		
Category	Data Input	Data Source
Electricity (kWh)	9,937,015	SCE
	3,847,738	MVU
Natural Gas (therms)	90,651	SCG
Vehicle Fleet		
<i>Gasoline(gallons)</i>	77,325	Fleet Manager
<i>Diesel (gallons)</i>	28,544	Special Districts
Equipment		
<i>Gasoline(gallons)</i>	2,118	Parks Division
<i>Diesel (gallons)</i>	2,208	Special Districts
Employee Commute (responses)	141	Employee Survey

The community-wide inventory represents all emissions from sources located with the jurisdictional boundaries of the City of Moreno Valley. Therefore, the municipal emissions described in the previous section are a subset of the community-wide inventories presented here. In 2010, the City of Moreno Valley emitted a total of 920,657 MT CO₂e from the community as a whole. The following sections describe the data inputs, emissions by source, and emissions by land use in 2010.

2010 Community-Wide Emissions Inventory

Table 3-5 2010 Community-Wide Data Inputs		
Category	Data Input	Data Source
Electricity (kWh)	633,215,207	SCE
	62,138,000	MVU
Natural Gas (therms)	26,266,326	SCG
Transportation		
<i>Annual Vehicle Miles Traveled</i>	1,077,909,543	City Traffic Engineer
<i>Annual Trips</i>	110,098,975	
Area Source (based on land use)		
<i>SFR (units)</i>	42,642	City Planning
<i>MFR (units)</i>	9,387	
<i>Commercial (ksf)</i>	8,325	
<i>Industrial (ksf)</i>	12,695	
Solid Waste (tons)	144,824	CIWMB
Water (AF)	26,183	EMWD
	87	Box Springs Mutual

With the implementation of GHG reduction measures, Moreno Valley is projected to reduce its community-wide emissions to a total of 798,137 MT CO₂e, which is 556 MT CO₂e below the 2020 reduction target. This is a decrease of 38.5 percent from the City’s 2020 BAU emissions inventory and 13 percent from the 2010 emissions. The reduction measures reduce GHG emissions from all sources of community-wide GHG emissions including transportation, energy, area sources, water, and solid waste. The following sections describe the emissions by source and land use category for the year 2020.

This report sets a baseline for the City’s GHG emissions, projects how these emissions will grow, and includes strategies to reduce emissions to a level consistent with California’s emissions reduction target. These strategies complement the City’s General Plan policies and are consistent with Moreno Valley’s vision for a more sustainable community.

Greenhouse Gas Analysis Reduction Policies

The purpose and intent of these policies is to achieve compliance with AB 32 and reduce GHG by 15% by 2020. In 2020, the City of Moreno Valley is projected to emit a total of 1,298,543 MT CO₂e without the incorporation of GHG reduction policies. The statewide reduction measures would reduce the bulk of Moreno Valley’s emissions and make a substantial contribution toward reaching the 2020 reduction target. However, the City would still need to supplement the statewide measures with the implementation of local reduction policies, in order to achieve 15% reduction in GHG by 2020. Future local policy

measures will require decision-maker approval. These reduction measures include the following:

- R2-T1: Land Use Based Trips and VMT Reduction Policies. Encourage the development of Transit Priority Projects along High Quality Transit Corridors identified in the SCAG Sustainable Communities Plan, to allow a reduction in vehicle miles traveled.
- R2-T3: Employment-Based Trip Reductions. Require a Transportation Demand Management (TDM) program for new development to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.
- R2-E1: New Construction Residential Energy Efficiency Requirements. Require energy efficient design for all new residential buildings to be 10% beyond the current Title 24 standards. (Reach Code)
- R2-E2: New Construction Residential Renewable Energy. Facilitate the use of renewable energy (such as solar (photovoltaic) panels or small wind turbines) for new residential developments. Alternative approach would be the purchase of renewable energy resources offsite.
- R2-E5: New Construction Commercial Energy Efficiency Requirements. Require energy efficient design for all new commercial buildings to be 10% beyond the current Title 24 standards. (Reach Code)
- R3-E1: Energy Efficient Development, and Renewable Energy Deployment Facilitation and Streamlining. Updating of codes and zoning requirements and guidelines to further implement green building practices. This could include incentives for energy efficient projects.
- R3-L2: Heat Island Plan. Develop measures that address “heat islands.” Potential measures include using strategically placed shade trees, using paving materials with a Solar Reflective Index of at least 29, an open grid pavement system, or covered parking.
- R2-W1: Water Use Reduction Initiative. Consider adopting a per capita water use reduction goal which mandates the reduction of water use of 20 percent per capita with requirements applicable to new development and with cooperative support of the water agencies.
- R3-W1: Water Efficiency Training and Education. Work with EMWD and local water companies to implement a public information and education program that promotes water conservation.
- R2-S1: City Diversion Program. For Solid Waste, consider a target of increasing the waste diverted from the landfill to a total of 75% by 2020.

Examples of current statewide and regional planning efforts to reduce GHG emissions are identified in the GHG analysis. Current City efforts include working with RTA to continue to provide timely and effective transit services, and promoting existing incentive

programs for residents that promote residential and commercial energy efficient retro-fits, such as WRCOG’s low interest loan programs. These current City efforts wouldn’t involve any changes in current City policy or ordinances.

City’s Current Goals and Objectives

The City’s General Plan includes goals and objectives to achieve energy conservation through land use planning, building design, site planning, compliance with State Title 24 energy savings requirements, and rehabilitation of existing structures. The General Plan also includes measures to reduce traffic congestion and provide more opportunities for walking and bicycling. Other areas of conservation include the use of water efficient irrigation and landscape and coordinated efforts with local water districts to use reclaimed water; recycling; and exterior lighting standards. See Section III Appendix _ for specific General Plan goals and objectives.

SECTION I – ENERGY EFFICIENCY

Current Energy Efficiency Practices

The City currently employs a variety of measures in municipal operations that reduce consumption of energy and water and reduce the amount of solid and green waste sent to a landfill. The City has also purchased alternative fuel vehicles that reduce the consumption of gasoline. The following is an outline of completed energy savings projects and current energy saving practices. Many of these activities have been made possible with grant funding.

Reduced Energy Consumption

	Energy Reduction Measures	Cost Effectiveness	Practice	Policy	Lead Division
A1.	New buildings constructed in City parks use solar tubes for day time lighting.	High	✓		Parks & Community Services
A2.	Photo cells are used for lighting park grounds and buildings along with automatic shutoff timers.	High	✓		Parks & Community Services
A3.	Park lighting is shut down at 10 p.m. except where needed to address safety issues.	High	✓		Parks & Community Services
A4.	Sport field lights at parks have been replaced with more efficient fixtures with an average energy savings of at least 30%.	High	✓		Parks & Community Services

A5.	Applied window tint/film to City Hall windows to make facility more energy efficient, comfortable, and reduce energy cost. (Completed January 2011)	High	✓		Planning
A6.	Routine maintenance is performed on all City heating, ventilation, and air conditioning (HVAC) units to keep them running efficiently.	High	✓		Purchasing & Facilities
A7.	Replacement of HVAC system at City Hall (completed September 2011) resulting in substantial reduction in energy use and cost, and improved comfort and reliability.	High	✓		Purchasing & Facilities
A8.	Conference and Recreation Center and Public Safety Building have computer systems that allow continuous control of the HVAC systems that can be adjusted offsite and scheduled to go on and off depending on the use of a particular room.	High	✓		Purchasing & Facilities
A9.	T12 florescent light fixtures have been converted to T8 fixtures which use less energy. Retrofit sites are the Senior Center, Library, City Hall, and Fire Stations 6, 48 and 65.	High	✓		Purchasing & Facilities
A10.	Light sensors have been installed in some rooms at City Hall which turn off the lights when the room is not in use.	High	✓		Purchasing & Facilities
A11.	Traffic signals synchronized to improve traffic flow and reduce air pollution and gas consumption.	High	✓		Transportation Engineering
A12.	Traffic signal lights retrofitted in 2006 with LED light fixtures, with a reduction of 60% power usage. Newer traffic signal lights installed with LED fixtures.	High	✓		Transportation Engineering
A13.	City replaced all fluorescent bulbs in Internally Illuminated Street Name Signs with LED lights that enhance visibility, street safety, and last longer. Annual cost savings of about 50% realized due to less use of electricity and less maintenance due to longer life expectancy of LED.	Medium	✓		Transportation Engineering

A14.	MV Utility analyzed alternative technologies for street lighting. A pilot program for LED street lights is scheduled to begin June 2013, one for induction lighting was completed September 2010, and testing of a device that controls the energy use of the ballast in High Pressure Sodium lighting was completed July 2012.	Medium	✓		Special Districts
A15.	City Hall fans run while the building is occupied to maintain a comfortable temperature and a humidity level of 60%, and reduce carbon dioxide levels, per Title 24.	Low	✓		Purchasing & Facilities

Reduced Water Consumption

	Water Reduction Measures	Cost Effectiveness	Practice	Policy	Lead Division
A16.	Park restrooms and other buildings are installed with automatically shut off faucets.	High	✓		Parks & Community Services
A17.	Reclaimed water for irrigation is used on about 40 acres of City park land.	High	✓		Parks and Community Services
A18.	Newer irrigation systems at City parks utilize smart controllers which are self-regulating and utilize a central weather station or have their own weather stations.	High	✓		Parks and Community Services
A19.	City adopted new landscape standards which require the use of drought tolerant landscape and water efficient irrigation in new installations and most retrofit projects.	High		✓	Planning
A20.	Purchasing & Facilities Division tested 0.5 gallon per minute aerators for restroom faucets. Currently, 2.0 and 2.2 per minute gallon aerators are used. The 0.5 gallon aerators were not installed as faucet ran too long for hot water to flow out.	High	✓		Purchasing & Facilities
A21.	Synthetic turf was installed at Community Park soccer fields to conserve water and increase use time.	Medium	✓		Parks and Community Services
A22.	Facilities staff researched use of waterless urinals. Maintenance requirements and costs were too high to justify use in public restrooms.	Low	✓		Purchasing & Facilities

Recycling and Diversion

	Recycling and Diversion Measures	Cost Effectiveness	Practice	Policy	Lead Division
A23.	Maintenance & Operations has a program to recycle asphalt concrete. Existing pavement is ground up and used as base for repaving. Unused material is stored for future use.	High	✓		Maintenance & Operations
A24.	All City facilities have recycling programs.	High	✓	✓	Maintenance & Operations
A25.	City recycling programs include: Procurement Policy, City Facilities Recycling Program, Animal Shelter Lonely Hearts Adoption Program, School Recycling Program, Residential Recycling, Curbside & Buy-back, Voluntary Commercial Recycling, C&D Recycling, CIP Program, Community Outreach, Grasscycling, Mulch, and Composting Workshops.	High	✓	✓	Maintenance & Operations
A26.	City staff works with the community, the Chamber of Commerce and City employees on promoting and presenting recycling programs.	High	✓		Maintenance & Operations
A27.	Rubberized asphalt concrete has been used on City street projects when cost is comparable to regular asphalt concrete. Recycled tires are used. Advantages include reduced road noise, reduced braking distance, and longer life to road surface.	Medium	✓		Capital Projects
A28.	Cold in Place Recycling is used as appropriate for street rehabilitation projects. The process removes old pavement, combines it with emulsion, and places it back down as part of the new pavement.	Medium	✓		Capital Projects
A29.	In central plant recycling, reclaimed asphalt pavement is screened, crushed, sized, and mixed with an asphalt rejuvenator. The recycled mix is transported immediately to a job site, or stockpiled for later use.	Medium	✓		Capital Projects
A30.	City uses green recycled janitorial products at City Hall and the Facilities Annex.	Low	✓	✓	Purchasing & Facilities

Alternative Fuel Vehicles

	Alternative Fuel Vehicle Measures	Cost Effectiveness	Practice	Policy	Lead Division
A31.	Retrofit completed of diesel engines vehicles to comply with laws to make diesel engines cleaner burning. Phase I completed December 2009, Phase II completed December 2011.	High	✓		Maintenance & Operations
A32.	City has one electric vehicle and four natural gas vehicles (two street sweepers, one pick up truck, and one storm drain cleaning truck).	Medium	✓		Maintenance & Operations

Education

The City of Moreno Valley currently promotes education related to energy efficiency by participating in partnerships and organizations that promote energy efficiency and by attending seminars, workshops and trade shows related to green building, water conservation, and facility maintenance.

The City of Moreno Valley participates in the following organizations:

- Community Energy Partnership – this partnership identifies incentives and rebates for City and developer projects.
- Energy Coalition - Facilities Maintenance Division has completed energy audits for five buildings with the Energy Coalition.
- WRCOG Clean Cities – public-private partnership dedicated to achieving improved air quality, energy security, economic development, and transportation goals.
- WRCOG Air Quality Task Force – the task force brings together cities and local resources to share information on efforts and funding opportunities to improve air quality in the region.
- WRCOG Solid Waste Technical Committee – the task force comprised of staff from each of WRCOG’s member agencies and meets to discuss solid waste and recycling issues and makes recommendations to the WRCOG’s Technical Advisory Committee on matters directly relating to Western Riverside County.
- Riverside County Solid Waste Management Advisory Council (Countywide Local Task Force) – this group provides advisory to the County’s Planning Commission and Board on all substantive waste management issues and solid waste facility land use matters, and also assists the County and its cities in meeting AB939 requirements, from the preparation and revision of the Countywide Integrated Waste Management Plan (CIWMP) to reviewing and commenting on solid waste facilities and their expansions for consistency and recycling goals to the Department of Resources, Recycling and Recovery.

Proposed Energy Efficiency Policies

The following energy efficiency measures are suggested as policies and programs for municipal operations. The suggested measures include current practices of the City of Moreno Valley along with recommendations from the City’s Energy Efficiency Task Force and the practices and policies of other jurisdictions. Many of the policies and programs will require additional study and formal adoption by the City Council prior to becoming effective.

Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B1.	Use reclaimed water for City buildings, facilities, parks and parkways where connection to reclaimed water lines is feasible.		✓					High	Capital Projects or Contracting Division / Department
B2.	Participate in Savings by Design or similar program to identify ways to improve the energy efficiency for all new City buildings and facilities.	✓						High	Capital Projects or Contracting Division / Department
B3.	Establish policy to meet a green building rating system standard or standard beyond Title 24 for all new buildings and retrofits over 5,000 square feet.	✓						High	Capital Projects
B4.	Coordinate with Southern California Edison or Moreno Valley Utility, Eastern Municipal Water District, and The Gas Company to maximize rebates for all building projects.	✓						High	Capital Projects or Contracting Division / Department
B5.	Require life cycle cost for all new facilities and retrofits over 5,000 square feet that compare initial and long-term costs for projects. Include analysis in City Council reports, to inform decision makers of total costs of projects.	✓						High	Capital Projects

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Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B6.	Benchmark all City facilities in the Energy Star web site, to monitor energy use at City facilities.	✓						High	Electric Utility
B7.	Include all City facilities in recycling programs. Establish a 75% diversion rate goal.			✓				High	Maintenance & Operations
B8.	Recycle existing asphalt concrete for used as base for streets whenever feasible. Store recycled material not used immediately.			✓				High	Maintenance & Operations
B9.	Seek funding for alternative fuel and fuel efficient vehicles and diesel retrofits.				✓			High	Maintenance & Operations
B10.	Establish minimum fleet mileage standard for fleet vehicles.				✓			High	Maintenance & Operations
311.	Promote rideshare program for employees to decrease vehicles miles traveled.				✓			High	Maintenance & Operations
B12.	Restrict use of turf at City buildings and facilities to gathering areas and useable open space. Replace low use turf areas with drought tolerant plants.		✓					High	Parks & Community Services
B13.	Use smart controllers for all City projects consistent with City Landscape Standards. Retrofit existing controllers as funding is available.		✓					High	Parks & Community Services

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Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B14.	Require new buildings constructed in City parks use solar tubes or equal design for daytime lighting.	✓						High	Parks & Community Services
B15.	Install energy efficient fixtures for all new sport field lights. Retrofit existing lights as funding is available.	✓						High	Parks & Community Services
B16.	Establish an energy efficiency revolving fund to deposit energy savings, rebates and incentives. The policy should consider the following funding sources: 100% of rebate and incentive money and 50% of energy bill savings from energy efficiency projects.	✓						High	Planning
317.	Host annual Energy Efficiency Day for employees with demonstrations and literature on energy saving products and practices for work and at home. This activity helps maintain Gold level status with Energy Coalition.	✓					✓	High	Planning
B18.	Encourage employees to submit energy efficiency recommendations for City operations and assess them.	✓						High	Planning
B19.	Install light sensors, which turn off the lights when a room is not in use, wherever practical.	✓						High	Purchasing & Facilities

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Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B20.	Allow for safety concerns for City facilities and reduce or turn off exterior and interior lights when facilities are not in use.	✓						High	Purchasing & Facilities
B21.	Include in all City leases permission to do energy retrofits (e.g. replace light bulbs).	✓						High	Purchasing & Facilities
B22.	Set City building thermostats at Federal and State recommendations, currently 68 degrees (winter) and 78 degrees (summer), wherever possible.	✓						High	Purchasing & Facilities
B23.	Utilize an energy monitoring system to track electricity use and identify areas/facilities that can be operated more efficiently.	✓						High	Purchasing & Facilities
B24.	Provide routine maintenance of the heating and air conditioning (HVAC) systems at City facilities.	✓						High	Purchasing & Facilities
B25.	Complete periodic energy audits of all City facilities to identify energy efficiency opportunities and implement all cost effective recommendations.	✓						High	Purchasing & Facilities
B26.	Replace interior and exterior lighting fixtures with more energy efficient fixtures as they become available and cost effective, as funding is available.	✓						High	Purchasing & Facilities

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Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B27.	Base purchasing decisions on environmental information and life cycle costs.	✓						High	Purchasing & Facilities
B28.	Install computer monitoring systems in new City facilities to allow continuous control of HVAC systems. Retrofit existing facilities as funding becomes available.	✓						High	Purchasing & Facilities
B29.	Install automatic shutoff faucets and 0.5 gallon per minute aerators in new City buildings and facilities wherever practical. Replace existing faucets and aerators as funding is available.		✓					High	Purchasing & Facilities
233- 330.	Review median landscape standards to increase water efficiency, with efficient irrigation, grading that retains water run off and a drought tolerant plant palette.		✓					High	Special Districts
B31.	Seek grants to renovate Alessandro Boulevard medians to reduce or eliminate turf, which would reduce water, electricity and gasoline (maintenance equipment) use, and reduce maintenance cost and green waste.		✓					High	Special Districts

Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B32.	Establish guideline that identifies criteria for using 'green concrete' or concrete made with recycled aggregate. Use reduces CO ₂ emissions and solid waste sent to landfills.			✓				Medium	Capital Projects
B33.	Document municipal green building efforts and post-occupancy building performance metrics on the City website for use as a resource for the development community.	✓						Medium	Capital Projects
B34.	Establish guideline that identifies criteria for using rubberized asphalt concrete for City projects.			✓				Medium	Capital Projects
B34. B35.	Consider moving City electric load off-peak to reduce peak demand and take advantage of lower rates.	✓						Medium	Electric Utility
B36.	Identify opportunities for on-site renewable energy generation on City-owned and private property.	✓						Medium	Electric Utility
B37.	Establish a zero waste policy to require everything to be recycled, with minimal disposables allowed and encourage composting.			✓				Medium	Maintenance & Operations
B38.	Require use of photo cells and automatic shutoff timers in park buildings wherever practical.	✓						Medium	Parks & Community Services

Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B39.	Coordinate with near by jurisdictions to implement regional energy efficiency programs.	✓						Medium	Planning
B40.	Use green/recycled janitorial products at City facilities whenever cost effective.			✓				Medium	Purchasing & Facilities
B41.	Provide bicycle parking at City facilities.				✓			Medium	Purchasing & Facilities
B42.	Research potential savings of synthetic turf and/or low water use plantings in medians, assessing installation, maintenance and water costs.		✓					Medium	Special Districts
B43.	Consider use of timers on street lights to shut off during late evening and early morning hours when traffic volumes are low, pursuant to adoption of a policy regarding hours of operation for streetlights.	✓						Medium	Special Districts
B44.	Provide incentives for City staff to develop expertise and certification in green building strategies.	✓	✓	✓	✓	✓	✓	Low	Building
B45.	Consider adding charge stations and other alternative fuel facilities at City facilities.				✓			Low	Maintenance & Operations
B46.	Assess use of low flow toilets and waterless urinals as performance improves and maintenance costs drop.		✓					Low	Purchasing & Facilities

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Reduction Measures Section I		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
B47.	Require operation of ventilation fans at all City facilities when occupied to maintain a comfortable temperature, humidity level of 60%, and reduce carbon dioxide levels.	✓						Low	Purchasing & Facilities
B48.	Replace paper towel dispensers with air dryers in City facilities where practical and cost effective.			✓				Low	Purchasing & Facilities
B49.	Establish LED standard (fixture and spacing) for streetlights for new installations and retrofit existing lights as funding permits.	✓						Low	Transportation Engineering

SECTION II – CLIMATE ACTION STRATEGY

Proposed Climate Action Policies

The following energy efficiency measures are suggested as policies for the City of Moreno Valley as a community. The suggested measures include recommendations from the City's Energy Efficiency Task Force and the practices and policies of other jurisdictions.

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
C1.	Install light colored "cool" roofs and cool pavements. (Cool roofs are a requirement per State Title 24/CalGreen Building Standards).	✓						High	Building
C2.	Require Energy Star equipment and appliances in new construction & renovations.	✓					✓	High	Building
C3.	Specify no- or low-VOC (Volatile Organic Compound) materials.						✓	High	Building
C4.	Install photovoltaic or other solar technology for city owned facilities wherever feasible.					✓		High	Capital Projects or Contracting Division / Department
C5.	Partner with the largest consumers of energy to encourage and promote their energy efficiency activities.	✓						High	Electric Utility
238- C6.	Promote and implement programs to encourage load shifting to off-peak house and explore demand response solutions.	✓						High	Electric Utility
C7.	Provide education on energy efficiency to residents, customers and/or tenants.	✓						High	Electric Utility
C8.	Create new Partnership brand to integrate City and Utility marketing campaigns to customers. Develop Marketing Team to coordinate City and Utility marketing.	✓						High	Electric Utility
C9.	Increase marketing efforts by organizing the following community activities: <ul style="list-style-type: none"> • City sponsored ideas expo and stakeholder meetings; • City presenting program 	✓						High	Electric Utility

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	<p>at Chamber of Commerce meetings;</p> <ul style="list-style-type: none"> • City working with community organizations, local service clubs, HOA's to educate and sign-up participants; • Contractors marketing to residential and business customers; <p>City Council recognizing "energy champions" at televised meetings.</p>								
C10.	Implement low impact development practices that maintain existing site hydrology to manage storm water and protect the environment. (Use of low impact development practices is required by the new regional water quality permit.)		✓					High	Land Development
-239-									
C11.	Require that developers recycle existing street material for use as base for new streets.			✓				High	Land Development
C12.	Work with Waste Management to utilize billing statements or MVTV-3 to encourage businesses and residents to enroll in recycling programs.			✓				High	Maintenance & Operations
C13.	Explore grants to pay for recycling collection devices and their maintenance to be placed with public trash bins.			✓				High	Maintenance & Operations
C14.	Increase recycling at public events.			✓				High	Maintenance & Operations

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
C15.	Install water-efficient irrigation systems and devices and use water-efficient irrigation methods.		✓					High	Parks & Community Services
C16.	Promote use of City's multi-use trail system.				✓			High	Parks & Community Services
C17.	Establish Energy Efficiency and Conservation baselines. Set municipal and community wide energy demand and usage reduction goals and implement them by leveraging program resources and incentives already committed or potentially available.	✓						High	Planning
C18.	Maintain City's Community Partnership program with Southern California Edison, The Gas Company, and Moreno Valley Electric Utility through the Energy Coalition. This partnership allows for funding the City can use for energy conservation marketing, education, and outreach efforts.	✓						High	Planning & Electric Utility
-240-									
C19.	City act as a model of energy conservation stewardship. Build upon historical and current energy conservation efforts as the foundation for continued efforts and education of the community on energy efficiency and conservation cost savings and environmental benefits.	✓						High	Planning
C20.	Require new large developments (projects of regional significance) participate in the Savings by Design or similar programs to identify ways to improve energy	✓						High	Planning

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	efficiency of proposed construction.								
C21.	Encourage community use of Southern California Edison, Moreno Valley Utility, Eastern Municipal Water District, and The Gas Company financial incentives and rebate opportunities.	✓						High	Planning
C22.	Adopt a dark sky ordinance and reduce unnecessary outdoor lighting.	✓						High	Planning
C23.	Encourage passive solar design, to maximize passive solar heating during cool seasons, minimize solar heat gain during hot seasons, and enhance natural ventilation. (Existing design guideline).	✓						High	Planning
C24. C241-	Promote customer financing programs that assist with purchasing energy efficiency improvements. WRCOG has established a financing program through property taxes based on the guidelines in Assembly Bill 811. City is a partner in this program.	✓						High	Planning
C25.	Encourage Point-of-Sale Rebates, the simplest methods for customers to qualify for incentives. Pursue adding more retailer participants within community.	✓						High	Planning
C26.	Review and update the landscape ordinance to continue lowering use of potable water for landscape irrigation. (City		✓					High	Planning

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	updated landscape standards in 2009 to further encourage water conservation.)								
C27.	Provide education about water conservation and available programs and incentives.		✓					High	Planning
C28.	Protect existing trees and encourage the planting of new drought tolerant trees. Adopt a tree protection and replacement ordinance.		✓					High	Planning
C29.	Work with developers to increase housing near transit through recently adopted mixed use zones. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			High	Planning
C30. -242-	Designate Transit-Oriented Development district(s). (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			High	Planning
C31.	Explore building footprint, setbacks, height, scale, hardscape requirements to create compact building design techniques.	✓					✓	High	Planning
C32.	Explore reduced parking minimum requirements for mixed-use developments to encourage transit and non-motorized transportation.				✓			High	Planning
C33.	Apply urban planning principles that encourage high density, mixed-use, walkable/bikeable neighborhoods, and coordinate land-use and transportation with open space systems and promote	✓			✓			High	Planning

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	the efficient delivery of services and goods. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)								
C34.	Promote “Energy Efficiency” at City events or events that the City participates in such as 4 th of July and the March Air Show.	✓						High	Planning
C35.	Develop original programming on MVTV-3 that promotes energy efficiency, e.g. a program that follows a residential energy audit, to demonstrate how residents can make their homes more energy efficient.	✓						High	Purchasing & Facilities, & Planning
C36.	Work with RTA to expand access to public transit by adding routes and shelters and benches within 1/4 mile of high density residential, commercial, employment areas, schools, and parks.				✓			High	Transportation Engineering
-243-									
C37.	Promote rideshare and trip reduction ride programs such as carpools/vanpools and preferential parking areas at City facilities and other large employers.				✓			High	Transportation Engineering
C38.	Promote school rideshare programs to assist parents/students forming carpools.				✓			High	Transportation Engineering
C39.	Adopt a Non-Motorized Transportation Plan. With focuses on pedestrian and bicycle routes and Master Sidewalk Plan. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction				✓			High	Transportation Engineering

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	Policies)								
C40.	Work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles.				✓			High	Transportation Engineering
C41.	Set goals consistent with State's Long Term Strategic Plan: All new residential construction in California will be zero net energy by 2020. All new commercial construction in California will be zero net energy by 2030.	✓						Medium	Building
C42.	Encourage installation of solar and wind power systems and solar hot water heaters.					✓		Medium	Building & Planning
C43.	Establish City guideline that identifies criteria for using rubberized asphalt concrete for public streets.			✓				Medium	Capital Projects
-244- 4.	Establish City guideline that identifies criteria for using 'green concrete' that has been made with recycled aggregate for public improvements. Results in reduced CO ₂ emissions and reduces solid waste sent to landfills.			✓			✓	Medium	Capital Projects
C45.	Prepare a Master Sidewalk Plan that identifies "missing links" where sidewalks are necessary and identifies streets for which no sidewalk is required.				✓			Medium	Capital Projects
C46.	Adopt and implement a policy to increase the use of renewable energy.	✓						Medium	Electric Utility
C47.	Promote residential surveys to educate residents on energy	✓						Medium	Electric Utility

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	saving behaviors, and direct leads and data to appropriate marketing channels to encourage more extensive energy upgrades.								
C48.	Encourage installation of solar panels on unused roof and ground space and over carports and parking areas.					✓		Medium	Electric Utility & Planning
C49.	Include energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.					✓		Medium	Electric Utility
C50.	Conduct gray water, rainfall runoff, and other system research and pilot study.		✓					Medium	Land Development
C51.	Actively explore new items to add to the list of accepted recycled materials with the City's franchised waste hauler.			✓				Medium	Maintenance & Operations
-245- 2.	Implement programs to encourage and increase participation of diverted waste from landfills to meet or exceed state regulation requirements.			✓				Medium	Maintenance & Operations
C53.	Provide easy and convenient recycling opportunities for residents, the public, and businesses.			✓				Medium	Maintenance & Operations
C54.	Provide education and publicity about reducing waste and available recycling services.			✓				Medium	Maintenance & Operations
C55.	Require shaded and accessible pedestrian paths of travel between building entrances and parking lots, sidewalks, adjacent properties, and public transportation stops.	✓			✓			Medium	Planning

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
C56.	Increase housing density near transit. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Planning
C57.	Steer development towards infill rather than greenfield areas. Consider differential impact fee system with lower fees for areas with infrastructure.						✓	Medium	Planning
C58.	Revise municipal code to ensure solar access is maintained for future solar electric and solar hot water installations.	✓				✓	✓	Medium	Planning
C59.	Consider a shade tree ordinance and utility incentives for shading south and west faces of dwelling units.	✓					✓	Medium	Planning & Electric Utility
C60.	Designate city staff person responsible for coordinating climate action by city departments.	✓						Medium	Planning
C61.	Promote local demonstration gardens at Western Municipal Water District and the planned garden at the southeast corner of Cactus and Heacock, around the EMWD pump station.		✓					Medium	Parks & Community Services
C62.	Promote free shuttle service connecting to Metrolink station.				✓			Medium	Transportation Engineering
C63.	Create travel routes that ensure destinations may be reached conveniently by public transit, bicycling and walking. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C64.	Work with WRCOG to develop a				✓			Medium	Transportation

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	master plan to encourage use of neighborhood electric vehicles, which are energy efficient street legal vehicles.								Engineering
C65.	Coordinate with school districts to adopt the League of America Bicyclists' Cycling curriculum so students learn safest way to bike.				✓			Medium	Transportation Engineering
C66.	Implement "Smart Bus" technology - GPS with electronic displays at stops to provide actual time data to passengers.				✓			Medium	Transportation Engineering
C67.	Develop renewable fuel locations and electric plug-in stations including a map for drivers to find refueling locations.				✓			Medium	Transportation Engineering
C68.	Implement a regional transit program between educational facilities. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
-247- C69.	Incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C70.	Explore developing a Smart Growth Development Impact Fee matrix. Fee based on trips generated by project. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)	✓			✓			Medium	Transportation Engineering
C71.	Evaluate and update existing General Plan street cross-sections to accommodate "complete streets" design				✓			Medium	Transportation Engineering

Reduction Measures Section II		Energy Use Reduction	Water Use Reduction	Recycling and Diversion	Alternative Transportation	Renewable Energy	Greenhouse Gas Emission	Cost Effectiveness	Lead Division
	standards.								
C72.	Incorporate public transit into the project's design. (GHG Policy R2-T1 Land Use Based Trips and VMT Reduction Policies)				✓			Medium	Transportation Engineering
C73.	Accelerate implementation of solar energy-based technology through permitting process (e.g., reduced permit fees, streamlined permit approval process).					✓		Low	Building
C74.	Where solar systems cannot feasibly be incorporated into the project at the outset, build "solar ready" structures.					✓		Low	Building
C75.	Consider changing existing and future illuminated streetlights to LED. The retrofit cost for LED lighting is not feasible at this point. SCE and MVU do not currently have a separate rate structure for LED.	✓						Low	Special Districts

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SECTION III – APPENDICES

General Plan Goals and Objectives

- Chapter 7. Energy conservation is a way to control energy costs, reduce reliance on foreign energy supplies and minimize air pollution. Energy efficiency can be derived in the arrangement of land uses, in the design of developments and the architecture of individual buildings. (GP Issues and Opportunities 7.6.2.)
- Chapter 7. Issues and Opportunities 7.6.2. The amount of energy consumed in automobile travel can be reduced if commercial and recreational opportunities are located near residential uses. Commuter travel can be minimized if there is a reasonable balance between jobs and housing within the area. Placing high intensity uses along transit corridors can also reduce automobile travel.

Reducing residential street width can affect microclimates and reduce the summer cooling needs of adjacent homes. The orientation of buildings can be arranged to affect the amount of heat gain. Shade trees can also cool microclimates and aid in energy conservation.

Building construction options are available to reduce energy consumption. Building construction methods include, but are not limited to, insulation of walls and ceilings, insulated windows and solar water heating systems. Many building energy conservation measures have been incorporated into Title 24 of the California Administrative Code and are required of all residential structures. (GP)

- Orient 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, landscaping and convenient pedestrian access to the public sidewalk. (GP)
- Chapter 8. **Energy Conservation 8.4.11** The City of Moreno Valley, through its housing rehabilitation programs provides grants or loan funds that include work for energy conservation repairs or replacements. The City of Moreno Valley, through its Neighborhood Preservation division, participates in utility energy conservation programs sponsored by private sector utility companies. When households participating in the City's housing rehabilitation programs require additional assistance in the area of energy conservation, utility discounts or replacement of inefficient appliances, staff provides information on programs available through utility companies. Depending on the availability of funds, utility companies make available weatherization services, replacement of inefficient air conditioners with evaporative coolers, replacement of refrigerators that are over 10 years old, repair or replacement of inefficient furnaces as well as free energy efficient compact fluorescent light bulbs. (GP)

- **Objective 4.3** Develop a hierarchical system of trails which contribute to environmental quality and energy conservation by providing alternatives to motorized vehicular travel and opportunities for recreational equestrian riding, bicycle riding, and hiking, and that connects with major regional trail systems. (GP)
- 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours. (GP)
- 7.5.2 Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles. (GP)
- 7.5.3 Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access. (GP)
- Chapter 5. Transportation Demand Management 5.3.5 Transportation Demand Management (TDM) strategies reduce dependence on the single-occupant vehicle, and increase the ability of the existing transportation system to carry more people. The goal of TDM is to reduce single occupant vehicle trips during peak hours and modify the vehicular demand for travel.

A reduction in peak hour trips and a decrease in non-attainment pollutants can be achieved through the implementation of TDM strategies. Examples of the strategies include: carpooling, telecommuting, flexible work hours, and electronic commerce that enables people to work and shop from home.

- 7.5.1 Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand. (GP)
 - 7.8.1 Encourage recycling projects by individuals, non-profit organizations, corporations and local businesses, as well as programs sponsored through government agencies. (GP)
 - Chapter 7. Solid Waste 7.3. The City Council adopted a “Source Reduction and Recycling Element” in 1992, describing how Moreno Valley plans to meet the goals mandated by AB939. The element includes strategies to address various components of the solid waste challenge, including the character of the waste stream, source reduction, recycling, composting, special waste (e.g. construction debris, auto bodies, medical waste, tires and appliances), education and public information, disposal facility capacity, funding and integration of the various components.

Moreno Valley works in concert with the local waste hauling company to meet its waste diversion requirements. Residential customers place recyclable materials at the curb for collection by the waste hauler, Waste Management of the Inland Empire. The waste hauler separates and markets the recyclable materials, including cardboard, paper, tin/metal, aluminum cans, plastics

and glass. In 2004, fifty-one percent of the solid waste generated in Moreno Valley was diverted from landfills. (GP)

- 7.3.1 Require water conserving landscape and irrigation systems through development review. Minimize the use of lawn within private developments, and within parkway areas. The use of mulch and native and drought tolerant landscaping shall be encouraged. (GP)
- 7.3.2 Encourage the use of reclaimed wastewater, stored rainwater, or other legally acceptable non-potable water supply for irrigation. (GP)
- 7-2 Advocate for natural drainage channels to the Riverside County Flood Control District, in order to assure the maximum recovery of local water, and to protect riparian habitats and wildlife. (GP)
- 7-4 Provide guidelines for preferred planting schemes and specific species to encourage aesthetically pleasing landscape statements that minimize water use. (GP)
- Maintenance of systems for water supply and distribution; wastewater collection, treatment, and disposal; solid waste collection and disposal; and energy distribution which are capable of meeting the present and future needs of all residential, commercial, and industrial customers within the City of Moreno Valley. (GP)
- 7-3 Maintain a close working relationship with EMWD to ensure that EMWD plans for and is aware of opportunities to use reclaimed water in the City. (GP)
- Provide landscaping in automobile parking areas to reduce solar heat and glare. (GP)
- 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code. (GP)
- 7.5.4 Encourage efficient energy usage in all city public buildings. (GP)
- 7.5.5 Encourage the use of solar power and other renewable energy systems. (GP)
- A dark sky policy
- Chapter 9. 2.10.7 On-site lighting should not cause nuisance levels of light or glare on adjacent properties. (GP)
- Chapter 9. 2.10.8 Lighting should improve the visual identification of structures. Within commercial areas, lighting should also help create a festive atmosphere by outlining buildings and encouraging nighttime use of areas by pedestrians.(GP)

Resources

- ICLIE - Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development.
- The Energy Coalition
- Community Energy Partnership
- Southern California Edison
- The Gas Company
- Eastern Municipal Water District
- Energy Star
- WRCOG
- Waste Management
- Moreno Valley Utilities
- Moreno Valley Unified School District
- Val Verde Unified School District

Final

CITY OF MORENO VALLEY

Greenhouse Gas Analysis

February 2012

Prepared for:



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ATTACHMENT 4

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ACRONYMS

ACRONYMS

AB 32	Assembly Bill 32, The California Climate Change Solutions Act of 2006
ATMS	Advanced Transportation Management Systems
ADWF	Average Daily Wastewater Flow
BAU	Business-As-Usual scenario
BTU	British thermal unit
CARB	California Air Resources Board
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
Cal EPA	California Environmental Protection Agency
CAS	California Climate Adaption Strategy
CAT	Climate Action Team
CCAT	California Climate Action Team
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CCTP	Climate Change Technology Program
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	Chlorofluorocarbons
C ₂ F ₆	Hexafluoroethane
CF ₄	Carbon Tetrafluoride
CH ₄	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO ₂ e	Carbon dioxide Equivalent
DPM	Diesel Particulate Matter
EMFAC2007	On-Road Emission Factors published by the CARB in 2007
EMWD	Eastern Metropolitan Water District
GCC	Global Climate Change
GHG	Greenhouse Gas
GWh	Gigawatt Hours
GWP	Global Warming Potential
HFC	Hydrofluorocarbons

ACRONYMS

HFC-23	Trifluoromethane
HFC-134	Hydrofluorocarbon 134
HFC-152a	Difluoroethane
IPCC	Intergovernmental Panel on Climate Change
Lbs/year	Pounds per Year
LEED	Leadership in Energy and Environmental Design
MMBTU	Million BTUs
MMT	Million Metric Tons
MMT CO ₂ e	Million Metric Tons Carbon Dioxide Equivalent
MVU	Moreno Valley Utility
MWD	Metropolitan Water District of Southern California
MWh/year	Megawatt hours per year
MWh	Megawatt hours
N ₂ O	Nitrous Oxide
O ₃	Ozone
OPR	California Office of Planning and Research
PSD	Prevention of Significant Deterioration
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCG	Southern California Gas Company
SIP	State Implementation Plan
SF ₆	Sulfur Hexafluoride
SRI	Solar Reflective Index
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS 2007	Urban Emissions Model, version 9.2 published in June 2007
USEPA	United States Environmental Protection Agency
VMT	Vehicle miles traveled

EXECUTIVE SUMMARY

The City of Moreno Valley is committed to providing a more livable, equitable, and economically vibrant community through the incorporation of sustainability features and reduction of greenhouse gas (GHG) emissions. By using energy more efficiently, harnessing renewable energy to power our buildings, recycling our waste, conserving water, and enhancing access to sustainable transportation modes, Moreno Valley will keep dollars in our local economy, create new green jobs and improve community quality of life. These efforts toward reducing GHG emissions described in this report must be done in coordination with the City's land use decisions. The foundation of planning land use decisions is found in the General Plan policies and programs.

Through this GHG Analysis, Moreno Valley has established goals and policies that incorporate environmental responsibility into its daily management of residential, commercial and industrial growth, education, energy and water use, air quality, transportation, waste reduction, economic development, and open space and natural habitats to further their commitment.

The first step in completing the Moreno Valley GHG Analysis was to inventory the City's GHG emissions. Moreno Valley's community-wide emissions were calculated for the year 2007 and 2010. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. The 2007 inventory represents conditions prior to the economic recession and will be used to set the target for reducing emissions by the year 2020. The 2010 inventory was calculated using the most recent data available; this inventory serves as a baseline to demonstrate Moreno Valley's progress toward reducing emissions. The City's GHG emissions amounted to 939,639 metric tons (MT) of CO₂e community-wide in 2007 and 920,712 MT CO₂e in 2010.

Following the state's adopted GHG reduction target, Moreno Valley has set a goal to reduce emissions back to 1990 levels by the year 2020. This target was calculated as a 15 percent decrease from 2007 levels. The AB 32 Scoping Plan suggests a 15 percent decrease from existing levels; however, the Scoping Plan was based on 2005 emissions. For Moreno Valley, 2007 was the year closest to 2005 with the best data available. The projected business-as-usual emissions for the year 2020, based on population and housing growth estimates, are 1,298,546 metric tons of CO₂e. In order to reach the reduction target, Moreno Valley must offset this growth in emissions and reduce community-wide emissions to 798,693 metric tons CO₂e by the year 2020.

The City of Moreno Valley has already demonstrated its commitment to sustainability through a variety of programs and policies. These programs include EECBG-funded energy upgrade projects, participation in the Community Energy Partnership, tracking of building energy use through the Energy Star Portfolio Manager, and the Solar Incentive Program for Moreno Valley Utility customers.

Various state policies have enacted programs that will also contribute to reduced GHG emission in Moreno Valley by the year 2020. Some of these policies are: Renewable Portfolio Standard, Pavley Vehicle Emissions Standards, Low Carbon Fuel Standards, and updated Title 24 building standards. By

supporting the state in the implementation of these measures, Moreno Valley will experience substantial emissions reductions.

In order to reach the reduction target laid out in this GHG Analysis, Moreno Valley needs to implement the additional reduction measures described in this report. These measures encourage energy efficient retrofits, transportation oriented planning, water conservation, and increase recycling and reduced landfill waste. Table ES-1, below, summarizes the community wide emissions for 2007, 2010, 2020 business-as-usual (BAU), and the reduced 2020 inventory with the inclusion of the reduction measures.

Table ES-1 Projected GHG Emissions Comparison					
Source Category	Metric tons of CO₂e				% Reduced from BAU
	2007	2010	BAU 2020	Reduced 2020	
Transportation	517,098	513,581	788,267	421,561	46.5
Energy	287,261	277,230	356,192	251,372	29.4
Area Sources	69,390	69,437	84,665	73,046	13.7
Water and Wastewater	21,595	16,831	20,216	14,158	30.0
Solid Waste	44,294	43,633	49,203	38,000	22.8
Total	939,639	920,712	1,298,543	798,137	38.5
2020 Emission Reduction Target			798,693	798,693	
Note: Mass emissions of CO ₂ e shown in the table are rounded to the nearest whole number. Totals shown may not add up due to rounding.					

This report sets a baseline for the City’s GHG emissions, projects how these emissions will grow, and includes strategies to reduce emissions to a level consistent with California’s emissions reduction target. These strategies complement the City’s General Plan policies and are consistent with Moreno Valley’s vision for a more sustainable community.

Chapter 1 Introduction

CHAPTER 1 INTRODUCTION

The City of Moreno Valley is committed to providing a more livable, equitable and economically vibrant community through the reduction of greenhouse gas (GHG) emissions. By using energy more efficiently, harnessing renewable energy to power our buildings, recycling our waste, and enhancing access to sustainable transportation modes, we can keep dollars in our local economy, create new green jobs and improve community quality of life.

This section describes the purpose and goals of this report; describes the relationship of the report to the current City General Plan; provides background information on GHG emissions; and summarizes the regulatory framework surrounding GHG emissions and climate change.

1.1 Purpose

The analysis was completed under the premise that the City and the community it represents are uniquely capable of addressing emissions associated with sources under the City's jurisdiction. The City's emission reduction efforts should coordinate with the state strategies in order to accomplish emission reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- Create a GHG baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol; and
- Guide the development, enhancement, and implementation of actions that reduce GHG emissions.

1.2 Goals

With regards to reducing GHG emissions, the City identified the following achievement goals:

- Provide a list of specific measures that will reduce GHG emissions from community sources and municipal operations.
- Reduce emissions attributable to Moreno Valley to levels at or below 1990 GHG emissions by year 2020 consistent with the target reductions of AB 32.

1.3 Relationship to the City's General Plan

The current Moreno Valley General Plan discusses the City's vision and the realization of this vision the following areas: Community Development; Economic Development; Parks, Recreation, and Open Spaces; Circulation; Safety; Conservation; and Housing. Many of the policies of the General Plan indirectly reduce GHG emissions by conserving energy, promoting the use of alternative transportation,

and reducing waste sent to landfills. These policies that are related to reducing GHG emissions are summarized in Section 4.1.

1.4 Background

This report achieves the purpose and goals described above by providing: an analysis of GHG emissions and sources attributable to the City of Moreno Valley; estimates on how those emissions are expected to increase to 2020; and recommended policies and actions that can reduce GHG emissions to meet State, Federal and International targets.

The following discussion includes a brief overview regarding the nature of GHG emissions, the climate change impacts anticipated within the City of Moreno Valley, and the international, federal, state, and local regulatory framework designed to address climate change. Additional details about these topics are included in Appendix __ of this document.

1.5 Greenhouse Gases

Parts of the Earth's atmosphere act as an insulating blanket, trapping sufficient solar energy to keep the global average temperature within a suitable range. The 'blanket' is a collection of atmospheric gases called 'greenhouse gases' or GHGs based on the idea that these gases also trap heat like the glass walls of a greenhouse. These gases, mainly water vapor, carbon dioxide, methane, nitrous oxide, ozone, and chlorofluorocarbons (CFCs) all act as effective global insulators, reflecting back to earth infrared radiation. Human activities, such as producing electricity and driving internal combustion vehicles, emit these gases in the atmosphere.

Due to the successful global bans on chlorofluorocarbons (primarily used as refrigerants, aerosol propellants and cleaning solvents), Moreno Valley does not generate significant emissions of these GHGs and therefore, they are not considered any further in this analysis. This also includes other synthesized gases such as HFCs and CF₄ which have been banned and are no longer available on the market. Because of the ban, Moreno Valley will not generate emissions of these GHGs and therefore, they are not considered any further in this analysis.

Another GHG with a high global warming potential is sulfur hexafluoride, which is mainly used as a gaseous dielectric medium in electric switchgear of high voltage electric transmission lines and medical use in retinal detachment surgery and ultrasound imaging. In both uses, sulfur hexafluoride is not released to the atmosphere and therefore, it is not considered further in this analysis.

Because GHGs have variable potencies, a common unit of measurement, the carbon dioxide equivalent (CO₂e) is used to report the combined potency from all of the GHGs. The potency each GHG has in the atmosphere is measured as a combination of the volume of its emissions and its global warming

potential¹, and is expressed as a function of the potency with respect to the same mass of carbon dioxide. Thus, by multiplying the individual gas by its global warming potential, the emissions of each individual gas can be measured in terms of metric tons of CO₂e (MT CO₂e).

1.6 Regulatory Setting

In an effort to stabilize GHG emissions and reduce impacts associated with climate change, international agreements, as well as federal and State actions were implemented beginning as early as 1988. The international, federal, State, regional, and local government agencies discussed below work jointly, as well as individually, to address GHG emissions through legislation, regulations, planning, policy-making, education, and a variety of programs.

International and Federal

KYOTO PROTOCOL

The United States participated in the United Nations Framework Convention on Climate Change (UNFCCC) signed on March 21, 1994. The Kyoto Protocol is a treaty made under the UNFCCC and was the first international agreement to regulate GHG emissions. It has been estimated that if the commitments outlined in the Kyoto Protocol are met, global GHG emissions could be reduced by an estimated 5 percent from 1990 levels during the first commitment period of 2008–2012 (UNFCCC 1997). It should be noted that although the United States is a signatory to the Kyoto Protocol, Congress has not ratified the Protocol and the United States is not bound by the Protocol's commitments.

In anticipation of providing an updated international treaty for the reduction of GHG emissions, representatives from 170 countries met in Copenhagen in December 2009 to ratify an updated UNFCCC agreement (Copenhagen Accord). The Copenhagen Accord, a voluntary agreement between the United States, China, India, and Brazil, recognizes the need to keep global temperature rise to below 2 °C and obliges signatories to establish measures to reduce GHG emissions and prepare to help poorer countries in adapting to climate change. The countries met again in Cancun in December 2010 and adopted the Cancun Agreements, which reinforces and builds upon the Copenhagen Accord. The nations agreed to recognize country targets, develop low-carbon development plans and strategies, and report inventories annually. In addition, agreements were made regarding financing for developing countries and technology support and coordination among all nations. The next conference of the parties is scheduled for December 2011 in South Africa.

CLIMATE CHANGE TECHNOLOGY PROGRAM

The United States has opted for a voluntary and incentive-based approach toward emissions reductions in lieu of the Kyoto Protocol's mandatory framework. The Climate Change Technology Program (CCTP) is

¹ The potential of a gas or aerosol to trap heat in the atmosphere.

a multi-agency research and development coordination effort (led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

The United States Environmental Protection Agency (USEPA) is responsible for implementing federal policy to address global climate change. The Federal government administers a wide array of public-private partnerships to reduce GHG intensity generated by the United States. These programs focus on energy efficiency, renewable energy, methane and other non-carbon dioxide gases, agricultural practices, and implementation of technologies to achieve GHG reductions. The USEPA implements several voluntary programs that substantially contribute to the reduction of GHG emissions.

In *Massachusetts v. Environmental Protection Agency* (Docket No. 05–1120), argued November 29, 2006 and decided April 2, 2007, the U.S. Supreme Court held that the USEPA has authority to regulate GHG, and the USEPA's reasons for not regulating this area did not fit the statutory requirements. As such, the U.S. Supreme Court ruled that the USEPA should be required to regulate carbon dioxide and other GHGs as pollutants under Section 202(a)(1) of the federal Clean Air Act (CAA).

EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufactures of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. The Final Rule was effective December 29, 2009, with data collection to begin on January 1, 2010, and the first annual reports due in September 2011. This rule does not regulate the emission of GHGs—it only requires monitoring and reporting of GHG emissions for those sources above certain thresholds (EPA 2009). EPA adopted a Final Endangerment Finding for the six defined GHGs on December 7, 2009. The Endangerment Finding is required before EPA can regulate GHG emissions under Section 202(a)(1) of the CAA in fulfillment of the U.S. Supreme Court decision.

On May 13, 2010, the USEPA issued a final rule that establishes a common sense approach to addressing GHG emissions from stationary sources under the CAA permitting programs. This final rule sets a threshold of 75,000 tons per year for GHG emissions. New and existing industrial facilities that meet or exceed that threshold will require a permit under the New Source Review Prevention of Significant Deterioration (PSD) and title V Operating Permit programs. This rule took effect on January 2, 2011.

State

CALIFORNIA AIR RESOURCES BOARD

The California Air Resources Board, a part of the California EPA (CalEPA) is responsible for the coordination and administration of both federal and state air pollution control programs within



CHAPTER 1 INTRODUCTION

California. In this capacity, CARB conducts research, sets state ambient air quality standards (California Ambient Air Quality Standards (CAAQS)), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

EXECUTIVE ORDER S-3-05

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets:

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

The first California Climate Action Team (CCAT) Report to the Governor in 2006 contained recommendations and strategies to help meet the targets in Executive Order S-3-05. In April 2010, the Draft California Action Team (CAT) Biennial Report expanded on the policy oriented 2006 assessment. The new information detailed in the CAT Assessment Report includes development of revised climate and sea-level projections using new information and tools that have become available in the last two years; and an evaluation of climate change within the context of broader social changes, such as land-use changes and demographic shifts ². The action items in the report focus on the preparation of the Climate Change Adaptation Strategy, required by Executive Order S-13-08, described below.

ASSEMBLY BILL 1493, CLEAN CAR STANDARDS

AB 1493 (also known as the Pavley Bill, in reference to its author Fran Pavley) was enacted in 2002 and requires the "maximum feasible and cost effective reduction" of GHGs from automobiles and light-duty trucks. Subsequently, in 2004, CARB approved the "Pavley I" regulations limiting the amount of GHGs that may be released from new passenger automobiles beginning with model year 2009 through 2016; these regulations would reduce emissions by 30% from 2002 levels by 2016. The second set of regulations ("Pavley II") is currently in development and will cover model years 2017 through 2025 in order to reduce emissions by 45% by the year 2020. The automotive industry legally challenged the bill claiming that the federal gas mileage standards preempted these state regulations. In 2005, California filed a waiver request to the U.S. EPA in order to implement the GHG standards and in March of 2008, the U.S. EPA denied the request. However, in June 2009, the decision was reversed and the U.S. EPA

² California Environmental Protection Agency, Climate Action Team Report to Governor Schwarzenegger and the Legislature, March 2006.

granted California the authority to implement the GHG reduction standards for passenger cars, pickup trucks, and sport utility vehicles.

In September 2009, CARB adopted amendments to the “Pavley I” regulations that cemented California’s enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also allowed California to coordinate its rules with the federal rules for passenger vehicles.

ASSEMBLY BILL 32, THE CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006

In 2006, the California State Legislature adopted AB 32, the California *Global Warming Solutions Act of 2006*. AB 32 focuses on reducing GHG in California. GHGs as defined under AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 required CARB to adopt rules and regulations



that would achieve GHG emissions equivalent to 1990 statewide levels by 2020. On or before June 30, 2007, CARB was required to publish a list of discrete early action GHG emission reduction measures that would be implemented by 2010. The law further required that such measures achieve the maximum technologically feasible and cost effective reductions in GHGs from sources or categories of sources to achieve the statewide GHG emissions limit for 2020.

CARB published its final report for Proposed Early Actions to Mitigate Climate Change in California in October 2007. This report described recommendations for discrete early action measures to reduce GHG emissions. The measures included are part of California’s strategy for achieving GHG reductions under AB 32. Three new regulations are proposed to meet the definition of “discrete early action GHG reduction measures,” which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture³. CARB estimates that by 2020, the reductions from those three measures would be approximately 13-26 million metric tons (MMT) CO₂e.

Under AB 32, CARB has the primary responsibility for reducing GHG emissions. CARB has published a staff report titled California 1990 GHG Emissions Level and 2020 Emissions Limit⁴ that determined the statewide levels of GHG emissions in 1990 to be 427 million MT CO₂e. Additionally, in December 2008, CARB adopted the Climate Change Scoping Plan, which outlines the state’s strategy to achieve the 2020 GHG limit. This Scoping Plan proposes a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce dependence on oil, diversify energy sources, save energy, create new jobs, and enhance public health. The plan emphasizes a cap-and-trade program, but also includes the discrete early actions.

³ California EPA- California Air Resources Board, Proposed Early Actions to Mitigate Climate Change in California, October 2007.

⁴ California EPA- California Air Resources Board, California 1990 GHG Emissions Level and 2020 Emissions Limit, November 2007.

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SENATE BILL 97 (SB 97)

SB 97, enacted in 2007, amends the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. It directed the California Office of Planning and Research (OPR) to develop draft CEQA Guidelines “for the mitigation of GHG emissions or the effects of GHG emissions” and directed the Resources Agency to certify and adopt the State CEQA Guidelines.

On April 13, 2009, OPR submitted the proposed amendments to the Secretary for Natural Resources. The Natural Resources Agency conducted formal rulemaking in 2009, certified, and adopted the amendments in December 2009. The California Office of Administrative Law codified into law the amendments in March 2010. The amendments became effective in June 2010 and provide regulatory guidance with respect to the analysis and mitigation of the potential effects of GHG emissions.

CEQA Guidelines § 15183.5, Tiering and Streamlining the Analysis of GHG Emissions, was added as part of the CEQA Guideline amendments and describes the criteria needed in a Climate Action Plan that would allow for the tiering and streamlining of CEQA analysis for subsequent development projects. The following quote is from the CEQA Guideline amendments:

“§15183.5. Tiering and Streamlining the Analysis of Greenhouse Gas Emissions.

- (a) Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).*
- (b) Plans for the Reduction of Greenhouse Gas Emissions. Public agencies may choose to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.*
 - (1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:*
 - (A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;*
 - (B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;*

- (C) *Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;*
 - (D) *Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;*
 - (E) *Establish a mechanism to monitor the plan’s progress toward achieving the level and to require amendment if the plan is not achieving specified levels;*
 - (F) *Be adopted in a public process following environmental review.*
- (2) *Use with Later Activities. A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project’s compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project.”*

EXECUTIVE ORDER S-13-08

On November 14, 2008, Governor Schwarzenegger issued Executive Order S-13-08, the Climate Adaptation and Sea Level Rise Planning Directive, which provides clear direction for how the State should plan for future climate impacts. Executive Order S-13-08 calls for the implementation of four key actions to reduce the vulnerability of California to climate change:

- Initiate California's first statewide Climate Change Adaptation Strategy (CAS) that will assess the State's expected climate change impacts, identify where California is most vulnerable, and recommend climate adaptation policies;
- Request that the National Academy of Sciences establish an expert panel to report on sea level rise impacts in California in order to inform State planning and development efforts;
- Issue interim guidance to State agencies for how to plan for sea level rise in designated coastal and floodplain areas for new and existing projects; and
- Initiate studies on critical infrastructure and land-use policies vulnerable to sea level rise.

The 2009 CAS report summarizes the best known science on climate change impacts in the state to assess vulnerability, and outlines possible solutions that can be implemented within and across state

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agencies to promote resiliency. This is the first step in an ongoing, evolving process to reduce California's vulnerability to climate impacts⁵.

CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24, PART 6

CCR Title 24, Part 6: *California's Energy Efficiency Standards for Residential and Nonresidential Buildings* (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Although it was not originally intended to reduce GHG emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

The Energy Commission adopted 2008 Standards on April 23, 2008 and the Building Standards Commission approved them for publication on September 11, 2008. These updates became effective on August 1, 2009. The Energy Commission adopted the 2008 changes to the Building Energy Efficiency Standards for several reasons:

- To provide California with an adequate, reasonably priced, and environmentally sound supply of energy;
- To respond to AB 32, the Global Warming Solutions Act of 2006, which mandates that California must reduce its GHG emissions to 1990 levels by 2020;
- To pursue California energy policy, which states that energy efficiency is the resource of first choice for meeting California's energy needs;
- To act on the findings of California's Integrated Energy Policy Report (IEPR) that concludes that the Standards are the most cost effective means to achieve energy efficiency, expects the Building Energy Efficiency Standards to continue to be upgraded over time to reduce electricity and peak demand, and recognizes the role of the Standards in reducing energy related to meeting California's water needs and in reducing GHG emissions;
- To meet the West Coast Governors' Global Warming Initiative commitment to include aggressive energy efficiency measures into updates of state building codes; and
- To meet the Executive Order in the Green Building Initiative to improve the energy efficiency of nonresidential buildings through aggressive standards.

⁵ California Natural Resources Agency, 2009 California Climate Adaption Strategy- A Report to the Governor in Response to Executive Order S-13-2008, WWW.Climatechange.Ca.Gov/Adaptation, September 2009

SENATE BILL 375

Senate Bill 375 (SB 375), which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions, was adopted by the State on September 30, 2008. On September 23, 2010, CARB adopted the vehicular GHG emissions reduction targets that had been developed in consultation with the metropolitan planning organizations (MPOs); the targets require a 7 to 8 percent reduction by 2020 and between 13 to 16 percent reduction by 2035 for each MPO. SB 375 recognizes the importance of achieving significant GHG reductions by working with cities and counties to change land use patterns and improve transportation alternatives. Through the SB 375 process, MPOs will work with local jurisdictions in the development of sustainable communities strategies (SCS) designed to integrate development patterns and the transportation network in a way that reduces GHG emissions while meeting housing needs and other regional planning objectives. MPOs will prepare their first SCS according to their respective regional transportation plan (RTP) update schedule; to date, no region has adopted an SCS. The first of the RTP updates with SCS strategies are expected in 2012.

The Southern California Association of Governments (SCAG) is the MPO serving the area including Moreno Valley. SCAG is currently in the process of developing the 2012 RTP and SCS for their jurisdiction aimed at attaining the reduction targets of an 8% per capita reduction in GHG emissions from passenger vehicles by the year 2020 and a 13% reduction by 2035. SCAG is currently developing the SCS and expecting to adopt the SCS, RTP, and the associated programmatic EIR in April 2012. Many of the transportation-related reduction measures included in this analysis will coordinate with efforts in SCAG's SCS.

CALIFORNIA GREEN BUILDING CODE 2010

The California Green Building Standards Code referred to as CALGreen went into effect on January 1, 2011. The code sets new mandatory measures with sensible minimum standards for all new structures in the State. Each local jurisdiction can additionally exceed the new standards by adopting CALGreen voluntary measures as mandatory in their jurisdiction. The measures aim to reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

CALGreen has approximately 52 nonresidential mandatory measures and an additional 130 provisions that have been placed in the appendix for optional use. Some key mandatory measures for commercial occupancies include specified parking for clean air vehicles, a 20% reduction of potable water use within buildings, a 50% construction waste diversion from landfills, use of building finish materials that emit low levels of volatile organic compounds (VOCs), and commissioning for new, nonresidential buildings over 10,000 square feet. For residential buildings, some key measures include a 20% reduction in water use, required irrigation controllers for outdoor water use, 50% construction waste diversion from landfills, and required use of low-VOC paints and building materials (CBSC 2010).

Regional

The City of Moreno Valley is located in the South Coast Air Basin, and the South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the Basin. In order to provide GHG emission guidance to the local jurisdictions within the South Coast Air Basin, the SCAQMD has organized a Working Group to develop GHG emission analysis guidance and thresholds.



SCAQMD released a draft guidance document regarding interim CEQA GHG significance thresholds in October 2008, and issued revised interim CEQA GHG significance threshold in January 2009. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is lead agency. SCAQMD proposed a tiered approach, whereby the level of detail and refinement needed to determine significance increases with a project's total GHG emissions. The tiered approach defines projects that are exempt under CEQA and projects that are within a GHG Reduction Plan as less than significant.

SCAQMD has also begun work on an energy policy that integrates criteria and toxic air contaminants, GHGs, and energy issues to ensure clean air and a healthy economy. The policy includes energy facts and statistics related to the South Coast region, policies for the SCAQMD staff to promote zero emissions and clean energy, and actions for staff to take to develop plans to reduce energy use and air emissions and participate in state regulatory proceedings. The draft policy will be presented to the board on July 8, 2011. (SCAQMD 2011)

Chapter 2 Methodology

2.1 Overview

GHG inventories include all major sources of emissions attributable directly or indirectly to the City's municipal operations or activities within the community the City serves. GHG inventories are divided into two broad categories, Municipal GHG inventories and Community-wide GHG inventories. Municipal GHG Inventories are emissions resulting from City municipal operations. Community-wide GHG inventories are a broader measure of emissions associated with both the activities within the community the City serves and the municipal operations. As such, the Municipal GHG inventory is a subset of the larger Community-wide GHG inventory. The methodology for preparing GHG inventories incorporates the protocols, methods, and emission factors found in the California Climate Action Registry (CCAR) *General Reporting Protocol* (version 3.1, January 2009), the *Local Government Operations Protocol* (LGOP) (version 1.1, May 2010), and the *Draft Community-wide GHG Emissions Protocol* under development by the Association of Environmental Professionals (AEP) and the International Council for Local Environmental Initiatives (ICLEI). The LGOP provides the guidance and protocols in the development of the Municipal GHG inventory. Currently, there is not an adopted protocol for the development of Community-wide GHG inventories. However, the AEP/ICLEI Draft Community-wide GHG Emissions Protocols provide draft guidance in the development of the Community-wide inventory.

The LGOP and the draft AEP/ICLEI Draft Community-wide GHG Emissions Protocols categorize GHG emissions into three distinct "scopes" as a way of organizing GHG emissions, as follows:

- **Scope 1 Emissions** – All "direct" sources of community-wide GHG emissions from sources within the jurisdictional boundaries of the City. This includes fuel burned onsite in buildings and equipment such as natural gas or diesel fuel; transportation fuels burned in motor vehicles; and wood-burning emissions from household hearths. For inventories of only municipal operations, these emissions are limited to activities under the operational control of the local government.
- **Scope 2 Emissions** – Encompasses "indirect" sources of GHG emissions resulting from the consumption of purchased electricity, which is electricity used by the residents, businesses, and City's facilities. An "indirect" source is one where the action that generates GHGs is separated from where the GHGs are actually emitted. For example, when a building uses electricity, it necessitates the burning of fossil fuels, such as coal or natural gas (and resultant release of GHGs) to generate electricity by a utility facility located elsewhere. Thus they are distinguished from *direct* emissions (i.e., Scope 1 emissions) from electricity production, which are reported by the utility itself, in order to avoid double counting.
- **Scope 3 Emissions** is an optional reporting category that encompasses all other "indirect emissions" that are a consequence of activities of the City's residents and businesses, but occur from sources out of the jurisdictional control of the local government. The key to this category of emissions is that they must be "indirect or embodied emissions over which the local government exerts significant control or influence." (CCAR 2010) For example, when

considering GHG emissions from trucks hauling waste under a City contract, the City does not own the waste hauling trucks, but does have significant control over how many pickups the trucks make.

Scope 1 emissions are characterized in this report as “direct emissions” While Scope 2 emissions are characterized as “indirect source emissions.”

The analysis herein is tailored to include all existing and projected emission sources within the City to provide, to the fullest extent feasible, a comprehensive analysis of GHG impacts. The Global Warming Solutions Act of 2006 (AB 32) established a comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of GHG emissions. The law mandates the reduction of GHG emissions in California to 1990 levels by 2020.

2.2 Calculation of GHGs

This report establishes 2010 as the year on which to base the existing inventory; this is the most recent year for which reliable data concerning the City’s residential, commercial, and government operations are available. This inventory provides a framework on which to design programs and actions that specifically target reductions by emissions sources. Programs and actions already in place within the City are described in Section 4. The 2010 inventory serves as a reference against which to measure the City’s progress towards reducing GHG emissions since 2007 and into the future, and also serves as documentation for potential emission trading opportunities.

The methodology used for the calculation GHG emissions differs depending on the emission source, as described below. The emissions calculations follow the CCAR General Reporting Protocol, version 3.1; LGOP, version 1.1; and CARB’s Mandatory GHG Reporting Regulations (Title 17, California Code of Regulations, Sections 95100 et seq.). These protocols are consistent with the methodology and emission factors endorsed by CARB and USEPA. In cases where these protocols do not contain specific source emission factors, current industry standards or the USEPA’s AP 42 Compilation of Air Pollution Emission Factors were used.

In estimating Moreno Valley’s total GHG emissions, data sources from the City, regional, and state agencies were used. Southern California Edison (SCE) and Southern California Gas Company (SCG) provided both municipal and community wide electricity and natural gas data, respectively. Solid waste data was taken from the California Integrated Waste Management Board’s (CIWMB) database. Transportation emissions were calculated based on vehicle miles traveled (VMT) modeled by the City’s traffic engineer using the TRANSIMS traffic model. Total water use in the City was provided by EMWD. The data used in the calculations for each inventory are summarized in Chapter 3. All of the contributors to GHG emissions (kilowatt-hours of electricity generated by fossil fuel combustion in power plants, natural gas in therms, vehicle travel in VMT, and solid waste in tons) are expressed in the common unit of MT of CO₂e released into the atmosphere in a given year.

In addition, the costs associated with the GHG emissions were calculated for each sector (based on availability of data). The costs were based on the consumer fees for each fuel type included in the

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inventory. By including the costs, the City can assess where consumers are spending the most money and utilize the information in making decisions on reduction measures.

Coefficients, modeling inputs, and other assumptions, used in the calculations of GHGs are included in Appendix ___ of this report.

GHG emissions are typically segregated into direct and indirect sources as discussed previously. However, direct and indirect sources are not completely independent of each other and are often combined into other more encompassing categories. For example, although natural gas combustion is a direct source and electricity generation is an indirect source, they both are typically discussed under a heading of “Energy” when policies are put in place to reduce emissions. Therefore, this report discusses emissions with respect to the general source categories of Transportation, Energy, Area Source, Water, Wastewater, and Solid Waste.

Transportation

ON-ROAD VEHICLES

Carbon dioxide emissions from vehicles were calculated utilizing EMFAC2007 emission factors for the existing and 2020 inventories. The Emission Factors (EMFAC) model was developed by CARB and used to calculate emission rates from on-road motor vehicles from light-duty passenger vehicles to heavy-duty trucks that operate on highways, freeways, and local roads in California. Motor vehicle emissions of CH₄, and N₂O were also calculated using USEPA emission factors for on-road vehicles based on the total annual mileage driven multiplied by their respective emission factors by year.

Vehicle miles traveled (VMT) and total number of trips were determined by the City’s Transportation Analysis and Simulation System (TRANSIMS) model. TRANSIMS is a transportation model developed by the Federal Highway Administration (FHWA) and tracks individual vehicles second-by-second through the road network. This model is based on the Riverside County Traffic Analysis Model (RivTAM) and the SCAG Regional Transportation Model. TRANSIMS estimates 2007 VMT for all trips that begin and/or end within the City limits. This accounts for traffic entering or exiting Moreno Valley and traffic within the City, but excludes pass-through traffic. Moreno Valley’s VMT includes miles from all trips within Moreno Valley and half of the miles from trips that begin or end in Moreno Valley; Moreno Valley is held accountable for all trips within the city limits while the City shares accountability with other jurisdictions for trips that have only one end point in Moreno Valley.

The estimates do not account for electrical, biodiesel (a blend of diesel and vegetable oil), or hydrogen powered systems. Any electrically powered vehicle which draws power from a residence, commercial or industrial land use will be accounted for in the electrical usage for the City. Predicted 2020 (business as usual) BAU vehicle trips were estimated by using predicted land use changes and growth. Costs associated with transportation were based on the diesel and gasoline fuel use and their associated per gallon costs in 2007.

Energy

ELECTRICITY

The City emits carbon dioxide, methane, and nitrous oxide indirectly through the use of electricity provided by Southern California Edison (SCE); SCE provided annual energy usage for 2007. 2020 BAU electricity use was estimated based on anticipated growth in the residential and commercial/industrial areas.



SCE provides electricity from a variety of sources including natural gas, nuclear energy, and large hydroelectric systems. Each of these sources of electricity emits different levels of GHGs. The annual usage in megawatt hours per year (MWh/year) was multiplied by the emission factors appropriate to the inventory year for carbon dioxide, methane, and nitrous oxide to determine emissions from these sources.

Costs of electricity calculations were based on the annual kWh use and price per kWh for each rate class. Electricity rates fluctuate throughout the year, so average values were used.

NATURAL GAS COMBUSTION

The City emits GHGs from the combustion of natural gas. The annual natural gas usage for the City in thousand cubic feet (Mcf) was converted to million British Thermal Units (MMBTUs) and multiplied by the respective emissions factors for carbon dioxide, methane, and nitrous oxide to determine the emissions from natural gas combustion, typically used for heating. Natural gas usage for 2007 was obtained from The Southern California Gas Company. Anticipated 2020 natural gas data was based on per unit usage in 2007 and the anticipated unit growth by 2020. The costs associated with natural gas use were calculated using California 2007 average rates obtained from the U.S. Energy Information Administration (EIA). The rates align with the use breakdowns of residential, industrial, and commercial use.

Area Source

LANDSCAPING

Emissions of carbon dioxide, methane, and nitrous oxide are generated by the use of landscape equipment through the combustion of gasoline. Carbon dioxide emissions were determined directly through URBEMIS2007 for the existing and 2020 inventories. URBEMIS2007 is a computer software package that is used for modeling projected emissions of air quality pollutants including carbon dioxide. From the carbon dioxide emissions, the approximate number of gallons of gasoline consumed through landscape equipment use was calculated. This number was then multiplied by emission factors presented in the General Reporting Protocol, version 3.1 to determine both methane and nitrous oxide emissions.

WOOD BURNING

Direct carbon dioxide emissions are produced from the burning of wood in wood stoves, fireplaces, and natural gas fired stoves. The emissions from natural gas fired stoves are included in the Energy source category. Carbon dioxide, methane, and nitrous oxide emissions from wood stoves and fireplaces are calculated based on the percentage of residential units using each type of hearth and the estimated annual amount of wood burned. The emission coefficients used are taken from the USEPA's AP-42 document. Cost estimates were made for wood burning using the average cost of wood.

Water

POTABLE WATER

Electricity is needed to move and treat water. Moreno Valley residents and businesses currently use approximately 9 billion gallons of potable water. The water for Moreno Valley is provided by the Eastern Municipal Water District (EMWD) and Box Springs Mutual Water Company. A portion of EMWD's water comes from local sources while the remaining water is from the Colorado River and the State Project water originating in Northern California, which is delivered to Southern California via the California aqueduct. Box Springs' water comes primarily from local sources; however, the company does purchase a small amount of water from Western Municipal Water District (WMWD). WMWD water comes from similar sources as those described for EMWD. The emissions associated with the energy used to pump the local water are included in the Electricity section described above. There are additional emissions associated with this purchased water from the Colorado River and the State Water Project due to the electricity used to transport the water over a long distance. Costs associated with water were based on the average rates for residential, commercial, and industrial customers.



WASTEWATER TREATMENT

EMWD is also the main provider of wastewater and sewer treatment for the City of Moreno Valley. Wastewater-related GHG emissions arise from the electricity used to pump and treat the water, the transportation fuel used to truck the biosolids to an off-site disposal area, and the direct methane emissions from the anaerobic digesters used in the treatment process. The electricity and transportation emissions are included in their respective categories. This category of emissions only represents the direct methane emissions.

Waste Management

SOLID WASTE

Emissions from solid waste are determined as the sum of emissions generated by transportation from its source to the landfill, the equipment used in its disposal at the landfill, fugitive emissions from decomposition in landfills, and the anthropogenic carbon sink generated by the incomplete decomposition of materials in the landfill.



Emissions from the transportation of solid waste is determined based on the annual lbs/year (pounds per year) of total waste disposed in landfills including biosolids waste from wastewater treatment plants, the density of the waste, the capacity of the hauling trucks, the average number of miles traveled by each truck; and the carbon dioxide, methane, and nitrous oxide emissions generated per mile traveled.

Landfill equipment emissions are only included in the inventory if the landfill is under the direct control of the City or County of interest. As the Badlands landfill used for the disposal of waste for Moreno Valley, is not under the City's direct control, emissions from onsite equipment are not included in this inventory.

Fugitive emissions of methane from the decomposition of solid waste are calculated based on the annual waste generation multiplied by the USEPA emission factor for waste production for methane. The emission factor to determine methane generation varies if the landfill operations are known to operate a methane flare or to generate electricity from methane capture. Carbon dioxide generated by decomposition of waste in landfills is not considered anthropogenic because it would be produced through the natural decomposition process regardless of its disposition in the landfill. Nitrous oxide is not a by-product of decomposition and therefore no fugitive emissions of nitrous oxide are anticipated from this source.

Chapter 3 Greenhouse Gas Emissions Inventory

The following sections include Moreno Valley’s 2010 municipal operations and community-wide emissions inventories. The municipal operations inventory includes sources and quantities of GHG emissions from government owned or rented buildings, facilities, vehicles, and equipment. The community-wide emissions inventory identifies and categorizes the major sources and quantities of GHG emissions being produced by residents, businesses, and municipal operations taking place in the City of Moreno Valley using the best available data. By having the municipal emissions separated from the community as a whole, the local government can implement reduction strategies where it has direct control, closely monitor the changes in emissions over time, and set an example for the rest of the City.

3.1 2010 Municipal Emissions Inventory

Data Inputs

Data for the municipal inventory was gathered from various City departments. Table 3-1, below, summarizes the data inputs and sources for each of the emission categories included in the inventory.

Table 3-1 2010 Municipal Data Inputs		
Category	Data Input	Data Source
Electricity (kWh)	9,937,015	SCE
	3,847,738	MVU
Natural Gas (therms)	90,651	SCG
Vehicle Fleet		
<i>Gasoline(gallons)</i>	77,325	Fleet Manager
<i>Diesel (gallons)</i>	28,544	Special Districts
Equipment		
<i>Gasoline(gallons)</i>	2,118	Parks Division
<i>Diesel (gallons)</i>	2,208	Special Districts
Employee Commute (responses)	141	Employee Survey

With the exception of the employee commute data, each data input was then multiplied by the associated emission factor to calculate the emissions inventory. The data from the employee commute survey was used to estimate total miles traveled, fuel used, and associated GHG emissions for all City employees’ commutes. Additionally, where possible, the emissions were categorized by City Department.

Emissions Summary

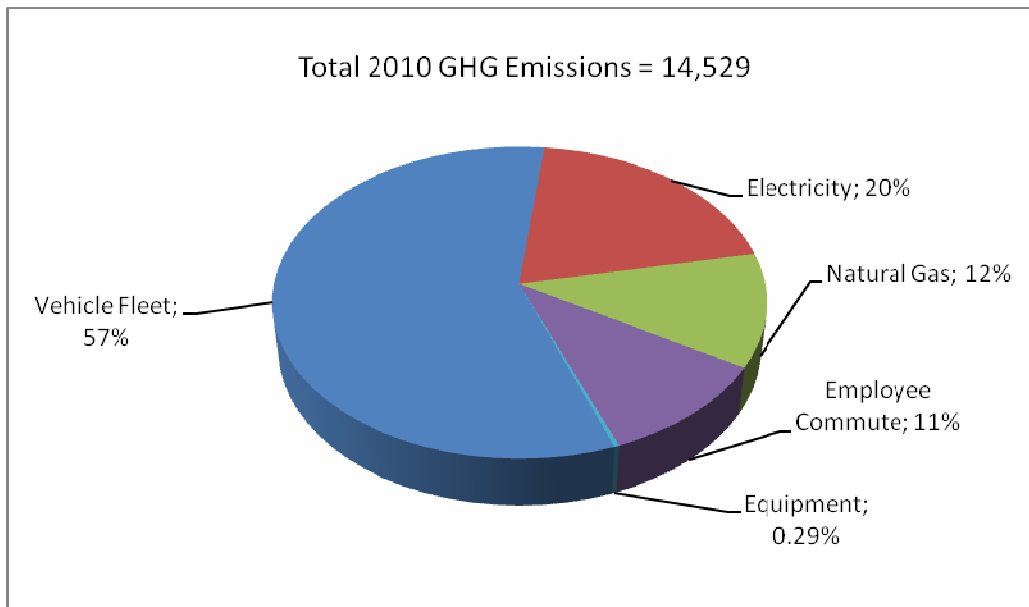
The City of Moreno Valley emitted 14,529 MT CO₂e through its municipal operations in 2010. The emissions were calculated based on the vehicle and equipment fleet fuel use, energy accounts, waste management, and a survey of the City’s employee commutes. The largest portion of the City’s 2010 government emissions were from the City’s vehicle fleet (57 percent), followed by emissions from electricity (20 percent). Table 3-2 summarizes the City’s net 2010 emissions of CO₂e as broken down by

3.1 2010 MUNICIPAL EMISSIONS INVENTORY

emissions category. Figure 3-1 is a graphical representation of Table 3-2. A detailed breakdown of 2010 emissions by category is available in Appendix ___.

Table 3-2 2010 Total Municipal Emissions	
Category	Metric tons of CO ₂ e
Vehicle Fleet	7,988
Electricity	2,898
Natural Gas	1,712
Employee Commute	1,538
Equipment	41
Total	14,529

Figure 3-1 2010 Municipal Emissions by Source (metric tons CO₂e)



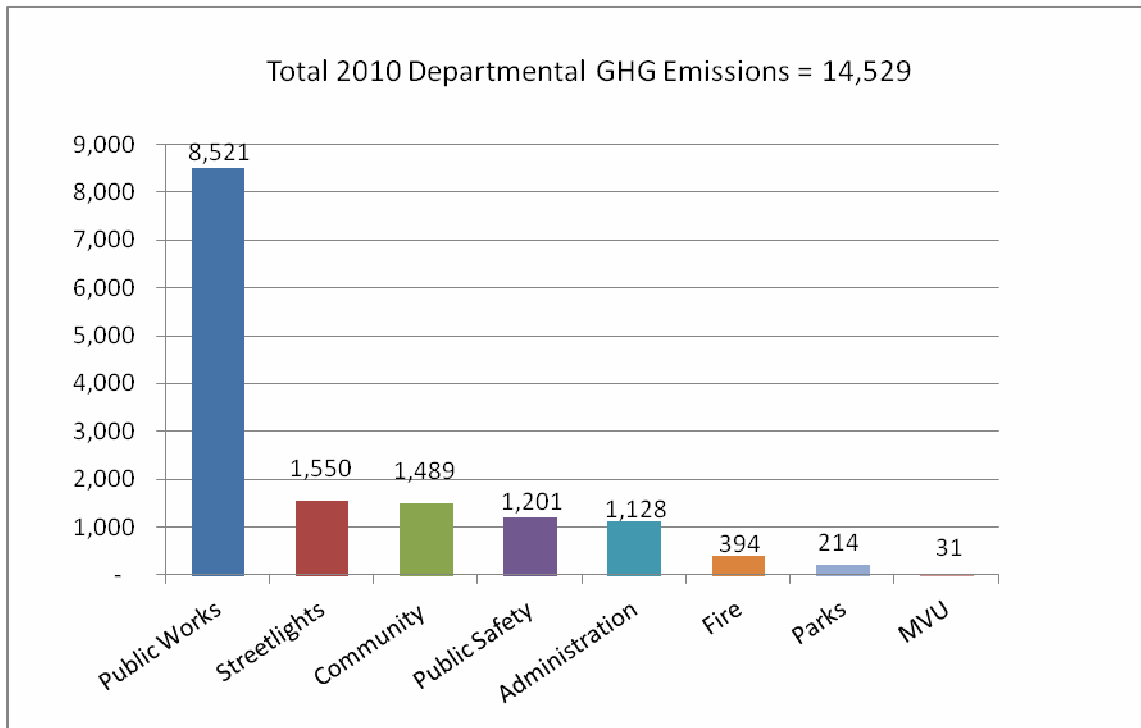
2010 MUNICIPAL DEPARTMENT EMISSIONS AND COSTS

For the municipal inventory it is helpful to see which departments are generating the most emissions. This helps to pinpoint where emissions are coming from and where the focus should be placed for targeting emissions reductions. Table 3-3 and Figure 3-2, below, summarize the electricity, natural gas, and employee commute emissions by department. Vehicle fleet fuel use was not available for each individual department, so those emissions are not included in Table 3-3.

CHAPTER 3 GREENHOUSE GAS EMISSIONS INVENTORY

Table 3-3 2010 Municipal Emissions and Costs by Department		
Category	Metric Tons of CO₂e	Cost (\$)
Public Works ^a	8,521	\$ 561,979
Public Lighting	1,550	\$ 1,753,647
Community/Special Districts	1,490	\$ 343,743
Public Safety	1,201	\$ 210,268
Administration	1,128	\$ 310,242
Fire	394	\$ 87,132
Parks	214	\$ 123,755
MVU ^b	31	\$ 27,236
Total	14,529	\$ 3,418,004
<p>Note: Emission sources include electricity, natural gas, and fuel use in vehicle fleet, equipment, and employee commute.</p> <p>^a Public Works category includes all vehicle fleet emissions with the exception of park-owned vehicles.</p> <p>^b MVU category only represents emissions from indirect electricity use by MVU facilities. See the community-wide inventory for all indirect emissions from MVU electricity used throughout the City of Moreno Valley.</p>		

Figure 3-2 2010 Comparison of Municipal Emissions Generated by Department (MT CO₂e)



2010 MUNICIPAL COST ESTIMATES

The costs associated with the inventory represent the municipal energy and fuel use costs. These cost estimates give the City a perspective on where the City is spending the most money and help to prioritize reduction measures toward the sectors that have the potential to both reduce emissions and costs. Electricity was the largest source of emissions and cost in 2010, while the employees’ commutes followed in emissions and cost. Table 3-4, below, summarizes the cost estimates for 2010.

Category	Cost
Electricity	\$2,634,674
Vehicle Fleet	\$ 383,909
Employee Commute	\$ 303,339
Natural Gas	\$ 79,968
Equipment	\$ 16,113
Total	\$ 3,418,004

3.2 2010 Community-Wide Emissions Inventory

The community-wide inventory represents all emissions from sources located with the jurisdictional boundaries of the City of Moreno Valley. Therefore, the municipal emissions described in the previous section are a subset of the community-wide inventories presented here. In 2010, the City of Moreno Valley emitted a total of 920,657 MT CO₂e from the community as a whole. The following sections describe the data inputs, emissions by source, and emissions by land use in 2010.

Data Inputs

Data for the community-wide inventory was gathered from various City departments, SCE, SCG, and EMWD. Table 3-5, below, summarizes the data inputs and sources for each of the emission categories included in the inventory.

Category	Data Input	Data Source
Electricity (kWh)	633,215,207	SCE
	62,138,000	MVU
Natural Gas (therms)	26,266,326	SCG
Transportation		
<i>Annual Vehicle Miles Traveled</i>	1,077,909,543	City Traffic Engineer
<i>Annual Trips</i>	110,098,975	
Area Source (based on land use)		
<i>SFR (units)</i>	42,642	City Planning
<i>MFR (units)</i>	9,387	
<i>Commercial (ksf)</i>	8,325	
<i>Industrial (ksf)</i>	12,695	
Solid Waste (tons)	144,824	CIWMB
Water (AF)	26,183	EMWD
	87	Box Springs Mutual

Each data input was then multiplied by the associated emission factor to calculate the emissions associated with each source.

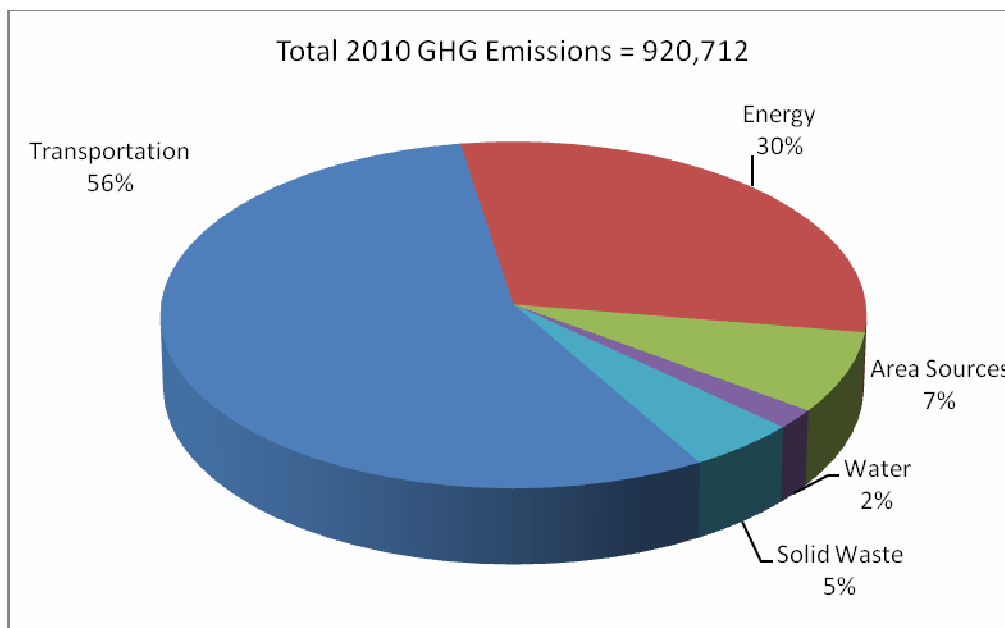
Emissions by Source

Table 3-6 includes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2010 by emission source category. The City of Moreno Valley as a whole emitted 920,657 MT CO₂e in 2010. The largest portion of the City’s 2010 emissions were from transportation (56 percent), followed by emissions from electricity and natural gas use in buildings (30 percent). Figure 3-3 provides a comparison of GHG emissions by source category.

3.2 2010 COMMUNITY-WIDE EMISSIONS INVENTORY

Table 3-6 2010 Community-wide GHG Emissions by Source	
Category	Metric tons of CO ₂ e
Transportation	513,581
Energy	277,230
Area Sources	69,437
Solid Waste	43,633
Water and Wastewater	16,831
Total	920,712

Figure 3-3 2010 Emissions Generated by Source



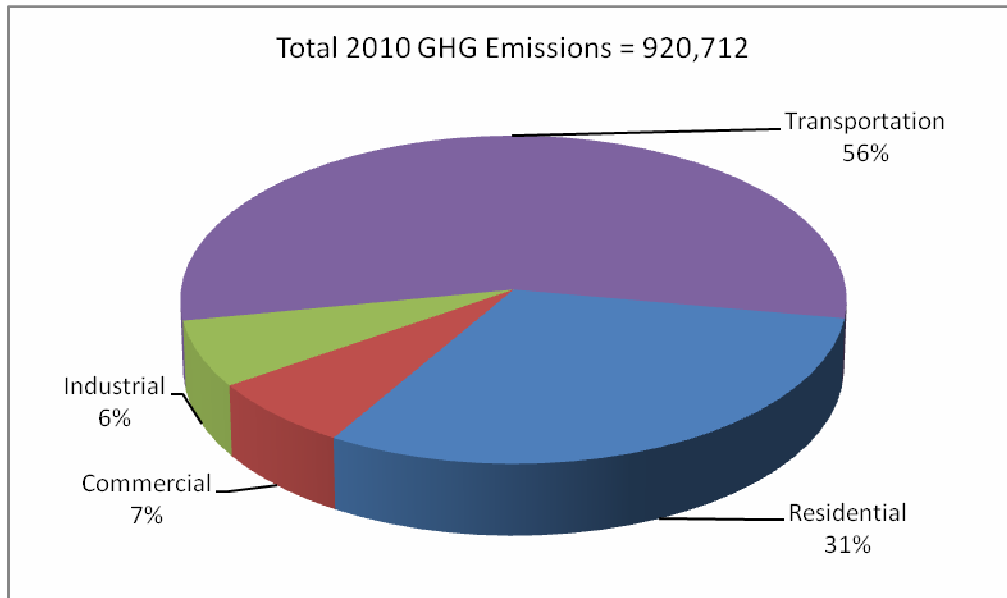
Emissions by Land Use

Table 3-7 summarizes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2010 by land use category. The City of Moreno Valley as a whole emitted 920,712 MT CO₂e in 2010. The largest portion of the City's 2010 emissions were from transportation (56 percent), followed by emissions from residential land uses (31 percent). Due to the nature of mobile emissions, transportation emissions could not be allocated to the individual land use types. Figure 3-4 provides a comparison of GHG emissions by land use category.

CHAPTER 3 GREENHOUSE GAS EMISSIONS INVENTORY

Table 3-7 2010 Community-wide GHG Emissions by Land Use	
Category	Metric tons of CO ₂ e
Transportation	513,581
Residential	283,451
Industrial	60,552
Commercial	63,129
Total	920,712
Note: Numbers may not add up to the total due to rounding.	

Figure 3-4 2010 GHG Emissions by Land Use



3.3 2020 Business-as-Usual Community-Wide Emissions Inventory

In 2020, Moreno Valley is projected to emit a total of 1,298,543 MT CO₂e from a BAU standpoint. BAU refers to continued operations and development of the City according to existing approved General Plan policies, without the inclusion of recently-adopted sustainability initiatives or proposed policies included as part of the General Plan Update as described in Chapter 4. As with the 2010 community-wide inventory, these emissions represent all sources within the jurisdictional boundary of the City of Moreno Valley, including emissions due to the municipal operations of the City. The following sections describe the data inputs, emissions by source, and emissions by land use category for the year 2020.

Data Inputs

Data for the 2020 community-wide inventory was estimated based on projected growth rates for the City and the traffic model's forecasts. Table 3-8, below, summarizes the growth rates and annual VMT data for 2020.

Category	Data Input	Data Source
Transportation		
<i>Annual VMT</i>	1,585,559,510	City Traffic Engineer
<i>Annual Trips</i>	157,447,088	
Growth Rates ^a		
<i>Population</i>	12.8%	City Planning
<i>Housing</i>	19.8%	
<i>Employment</i>	46.2%	
^a Note: The growth rates represent the overall growth from 2010 to 2020.		

The VMT data from the City's 2035 traffic model was used to extrapolate between 2007 and 2035 in order to estimate 2020 VMT. The growth rates were used to estimate the emissions associated with electricity, natural gas, water, wastewater, area source, and solid waste.

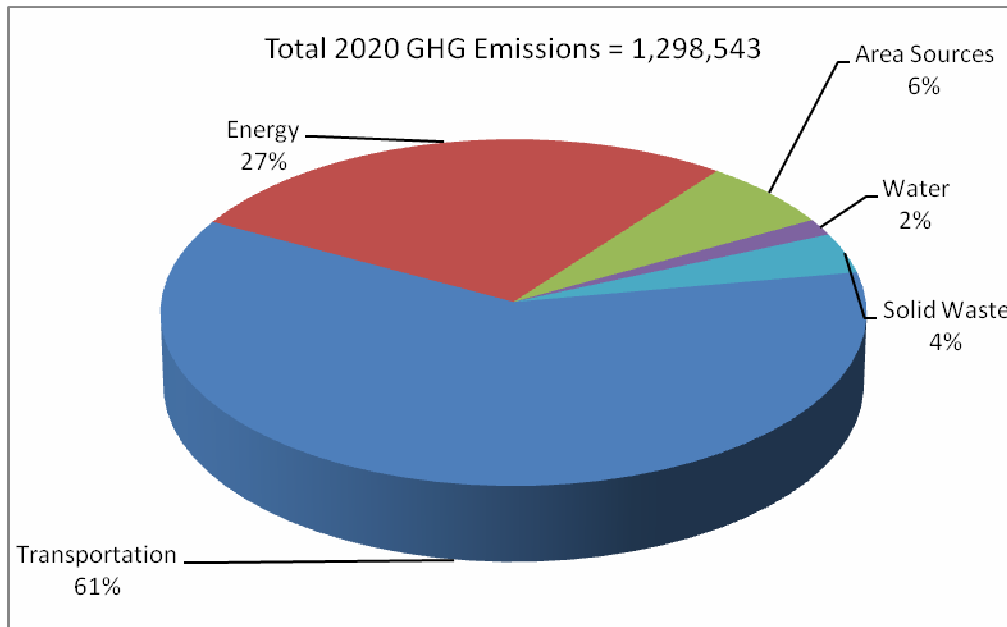
Emissions by Source

The 2020 BAU emissions are estimated based on the projected growth in Moreno Valley from 2010 to 2020. These projections include a 12.8 percent increase in population, 19.8 percent increase in housing, and a 46.2 percent increase employment; these growth rates were applied to 2010 community-wide emissions in order to estimate 2020 BAU emissions. Table 3-9 summarizes the 2020 City emissions of CO₂e as broken down by Emissions category. Figure 3-5 is a graphical representation of Table 3-9. A detailed breakdown of 2020 emissions by category is available in Appendix ___.

CHAPTER 3 GREENHOUSE GAS EMISSIONS INVENTORY

Table 3-9 2020 BAU GHG Emissions by Source	
Category	Metric tons of CO ₂ e
Transportation	788,267
Energy	356,192
Area Sources	84,665
Solid Waste	49,203
Water and Wastewater	20,216
Total	1,298,543

Figure 3-5 2020 BAU Emissions Generated by Source (MT CO₂e)

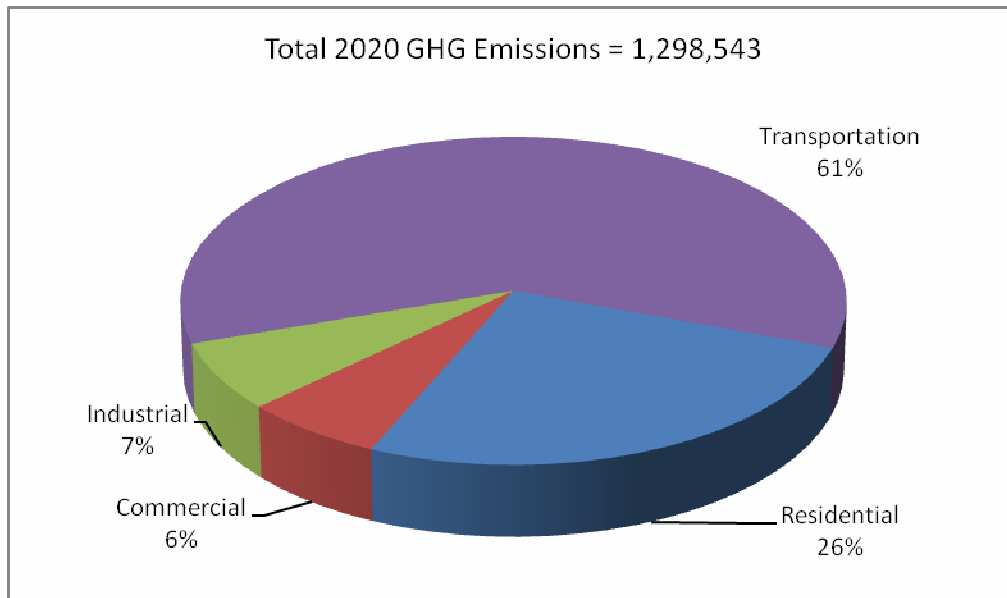


Emissions by Land Use

Table 3-10 summarizes the total amount of community-wide GHG emissions for the City of Moreno Valley in 2020 by land use category. The City of Moreno Valley as a whole is projected to emit 1,298,543 MT CO₂e in 2020. The largest portion of the City’s 2020 emissions are projected to be from transportation (61 percent), followed by emissions from residential land uses (26 percent). Due to the nature of mobile emissions, transportation emissions could not be allocated to the individual land use types. Figure 3-6 provides a comparison of GHG emissions by land use category.

Table 3-10 2020 BAU Community-wide GHG Emissions by Land Use	
Category	Metric tons of CO ₂ e
Transportation	788,267
Residential	338,360
Commercial	84,178
Industrial	87,737
Total	1,298,543
Note: Numbers may not add up to the total due to rounding.	

Figure 3-6 2020 BAU GHG Emissions by Land Use



3.4 2020 Reduction Target

In order for California to meet the goals of AB 32, statewide GHG emissions will need to be reduced back to 1990 levels by 2020. To be consistent with the goals of AB 32, the City of Moreno Valley would also need to achieve the same GHG emission reduction target. In the AB 32 Scoping Plan, CARB equated a return to 1990 levels to a 15 percent reduction from “current” levels. CARB states, “... ARB recommended a GHG reduction goal for local governments of 15 percent below today’s levels by 2020 to ensure that their municipal and community-wide emissions match the state’s reduction target.” (CARB 2008) The reduction target calculated in the Scoping Plan was based on an inventory of the state’s 2004 GHG emissions (then considered to be “current” levels); these emissions represent a high-point in the economy before the economic recession. For Moreno Valley, the reduction target is based

CHAPTER 3 GREENHOUSE GAS EMISSIONS INVENTORY

on the inventory of the City's 2007 GHG emissions. By using 2007, Moreno Valley is consistent with CARB in using an inventory target that is based on pre-recession conditions.

The reduction target is displayed in Table 3-11. Having one overall reduction target, as opposed to targets for each sector, allows Moreno Valley to have the flexibility to reduce emissions from the sector with the most cost-effective reduction strategies (i.e. the greatest reduction in emissions at the least cost).

Table 3-11 2020 GHG Emissions Reduction Target	
	Metric Tons CO₂e
2007 Emissions	939,639
% Reduction	15%
2020 Reduction Target	798,693

The 2007 emissions inventory was used to set the GHG emissions reduction target for the year 2020. The 2010 inventory, discussed previously and summarized below, provides a baseline for Moreno Valley to measure future progress toward attaining the 2020 target.

3.5 Emissions Comparison by Year

This report analyzes GHG emissions from the most current year with data available (2010) and estimates the future emissions for the City in 2020. Additionally, this report includes an estimate of 2007 GHG emissions which is used to set the 2020 reduction target for the City. See Table 3-16 for a summary of all inventories.

The 1,298,543 MT CO₂e of GHG emissions for 2020 is an estimated increase of 377,830 MT CO₂e above 2010 levels following BAU projections. The growth from 2007 and 2010 to 2020 is a 38 percent increase and 41 percent increase, respectively. Table 3-12 shows a comparison of total emissions for 2007, 2010, and 2020 BAU emissions.

Table 3-12 GHG Emissions by Source			
Source	Metric Tons CO₂e		
	2007	2010	2020 BAU
Transportation	517,098	513,581	788,267
Energy	287,261	277,230	356,120
Area Sources	69,390	69,437	84,665
Water and Wastewater	21,595	16,831	20,216
Solid Waste	44,294	43,633	49,203
Total	939,639	920,712	1,298,543

3.5 EMISSIONS COMPARISON BY YEAR

The impact of the economic recession is evident in the emission summaries. 2007 emissions represent the peak of the economy with a decline to the levels in 2010; this is consistent with trends in the overall economy.

The AB 32 Scoping Plan suggests local governments estimate a reduction target for 2020 that is 15 percent below 2007 emissions. Table 3-13 shows the 2020 reduction target for the City's community-wide emissions, the 2020 BAU emissions projected for the City, and the difference between the two. This difference represents the total emissions that the City will need to reduce in order to meet the target by 2020.

Table 3-13 2020 GHG Emissions Reduction Target	
	Metric Tons CO₂e
2020 BAU Emissions	1,298,543
2020 Reduction Target	798,693
Amount to Reduce from 2020 BAU	499,850

With the reduction target set at 798,693 MT CO₂e, the City will need to reduce emissions by 499,850 MT CO₂e from the 2020 BAU emissions. This amounts to a 38 percent decrease from 2020 BAU emissions and a 13 percent decrease from the 2010 community-wide emissions. Chapter 4 describes the efforts currently underway in Moreno Valley and the reduction strategies that would be implemented to reduce emissions in the City in order to reach the 2020 reduction target.

CHAPTER 3 GREENHOUSE GAS EMISSIONS INVENTORY

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Chapter 4 **GHG Emissions Reduction Programs and Regulations**

CHAPTER 4 GHG EMISSIONS REDUCTION PROGRAMS AND REGULATIONS



The State of California has set specific targets for reducing GHG emissions from the burning of fossil fuels in both power plants and vehicles by adopting various regulations. In addition, State energy efficiency and renewable requirements provide another level of reductions. In order to provide credit to Moreno Valley for regulatory actions already taken or planned by the State of California, this analysis first evaluates the GHG reductions that will occur within the City as a result of these actions. These will be identified as R1 reduction measures. The R1 measures are included here to show all of the anticipated reduction strategies

identified in the AB 32 Scoping Plan for implementation at the State Level that will ultimately result in a reduction of GHG emissions at the City level. The R1 measures are not administered or enforced by the City, but the City - by describing them herein- substantiates the reductions associated with these State Measures.

R2 and R3 reduction measures are measures that will be incorporated at the City level to provide additional reductions in GHG emissions. R2 measures are those measures that can be quantified to show the value of the reduction from the incorporation of those measures. A complete list of assumptions and reductions for each of the R1 and R2 measures is included in Appendix ___.

R3 measures are those measures that, although they provide a means through which reductions in emissions will occur, cannot be quantified at this time. The R3 measures are supportive measures or methods of implementation for the R2 measures. For example, R3-E2: Energy Efficiency Training and Public education, is a measure that provides education to inform people of the programs, technology, and potential funding available to them to be more energy efficient, and provides the incentives to participate in the voluntary programs shown in R2-E1 through R2-E7. R3-E2 is supportive of measures R2-E1 through R2-E7 because it will provide more publicity, reduce the perceived challenge of being energy efficient, and provide information on potential rebates and other funding programs which will make retrofits more accessible to everyone. Therefore, although by itself R3-E2 cannot be quantified, its implementation provides a level of assurance that the reduction goals specified in the R2 measures will be achieved.

Also included in the R3 measures are reduction measures that reduce Moreno Valley's government operation emissions. Government operations make up less than 2% of the City's total emissions, but the City can set an example for residents by implementing reduction measures at the municipal level.

Over the last few years Moreno Valley has implemented several programs that have already begun to reduce the City's GHG emissions and will continue to provide reductions through to 2020. Programs that were in place prior to 2010 are accounted for in the existing inventory while programs implemented since 2010 are included below as reduction measures used to reach the 2020 target.

4.1 EXISTING MORENO VALLEY PROGRAMS

The following discussion summarizes the existing Moreno Valley programs and the proposed reduction measures to be implemented by the City to further reduce GHG emissions. The reduction measures are organized herein by source category (transportation, energy, area source, water, and solid waste) then by R1, R2, and R3 measure. The convention to be used for numbering the mitigation measures will be to list the R designation (R1, R2, or R3) then an abbreviation of the source category, followed by the order number. So, R1-E1 is the first R1 measure within the energy category, R1-E2 is the second measure within the energy category, and so on. The source category abbreviations are as follows: T – transportation; E – energy; A – area source; W – water; and S - solid waste.

Each of the R2 measures include the GHG reduction potential, estimated cost, estimated savings, and additional community co-benefits. The co-benefits describe the additional community benefits from implementing the reduction measure beyond the GHG emissions reduced. The following icons are used to indicate the co-benefits for each measure:



Air Quality



Renewable Energy



Energy Use/Energy Efficiency



Transportation Mobility



Land Use/Community Design



Waste Reduction/Recycling



Livable Communities



Water Quality



Public Health



Water Use/Water Conservation

4.1 Existing Moreno Valley Programs

Community Energy Partnership

The Community Energy Partnership (CEP) is a collaboration among seven Southern California cities, Southern California Edison, Southern California Gas Company, and The Energy Coalition. Moreno Valley is one of the member cities participating in CEP. By including in this report an inventory of municipal energy usage, establishing a long term vision and plan for energy efficiency in the City, and identifying policies and funding mechanisms to complete municipal facility energy efficiency projects, Moreno Valley has completed the groundwork for an Energy Action Plan and will soon qualify for Gold Level and an Energy Leader.

Energy Star Portfolio Manager

The Energy Star Portfolio Manager is an online tool for monitoring energy use in buildings. Moreno Valley has setup their portfolio with all municipal buildings; SCE and SCG automatically update the energy use data electronically into the portfolio on a monthly basis. The Portfolio Manager assists the City in comparing energy use and assessing Energy Star qualifying status across facilities.

EECBG Projects

The City has completed a number of energy saving renovations made possible by the allocation of Energy Efficiency and Conservation Block Grant (EECBG) funding. The EECBG Program was funded for the first time by the American Recovery and Reinvestment Act of 2009. It is intended to assist U.S. cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects and programs designed to:

- Reduce fossil fuel emissions;
- Reduce the total energy use of eligible entities;
- Improve energy efficiency in the transportation, building, and other appropriate sectors; and
- Create and retain jobs.

Table 4-1 summarizes the projects the City has completed along with the annual kWh saved, the project cost, the incentive received, and the annual emissions reduced.

Table 4-1 Municipal EECBG Projects					
Project Name	kWh saved	Project Cost (\$)	Incentive (\$)	Emissions Reduced (MT CO ₂ e)	
Fire Station 48 Lighting	3,155	\$ 3,668	\$ 747	0.61	
Fire Station 65 Lighting	5,368	\$ 3,961	\$ 758	1.03	
Fire Station 6 Lighting	8,095	\$ 10,227	\$ 2,225	1.55	
Senior Center Lighting	14,687	\$ 10,088	\$ 2,038	2.82	
Library Thermostat	26,460	\$ 1,219	\$ 785	5.08	
Library Lighting and HID	79,109	\$ 32,237	\$ 13,670	15.18	
City Hall A/C	179,079	\$ 711,000	\$ 32,017	34.36	
City Hall Lighting	318,988	\$23,817	\$25,354	61.21	
City Hall Window Film ^a	203,250	\$ 43,187	\$ 10,927	230.25	
Total	838,191	\$ 815,587	\$ 88,521	352.09	

^a The window film installation also saved 1,726 therms of natural gas annually.

GREEN MoVal

Getting Residents Energy Efficient Now (GREEN) MoVal is a City initiative that encourages residents to become more energy efficient in their homes. The City has a page on their website that connects members of the community to resources related to energy efficiency: <http://www.moreno-valley.ca.us/green-mv.shtml>

MVU Solar Incentive Program

Moreno Valley Electric Utility offers a Solar Electric Incentive Program, a rebate that can cut the cost of a solar installation. MVU offers a rebate of \$2.80 for every watt of solar installed on the roof of a home or business. All incentives are based on limited available funds and verification of installation. The requirements are as follows:



- Incentives are available to MVU electric customers only.
- The qualifying system must be on the same premises as the customer.
- All solar system components must be new and approved by MVU. Panels and inverters must appear on the latest California Energy Commission certified photovoltaic modules list or certified inverters list.
- Panels must have a warranty for 25 years, and inverters and labor for 10 years. And electric meter must be in place to monitor the system's performance.

Existing General Plan Policies

The City's General Plan lays the framework for continued growth and development in the City. The policies lay the framework for guiding development and land use changes in order to achieve certain goals and objectives. Moreno Valley has goals to create a city that is safe, healthy, and conserves natural resources while accommodating growth and development. While the general plan does not address the reduction of GHGs directly, it does have policies that indirectly reduce emissions. Table 4-2, below, summarizes these relevant policies by emissions category and General Plan element.

CHAPTER 4 GHG EMISSIONS REDUCTION PROGRAMS AND REGULATIONS

Table 4-2 General Plan Polices Related to Reducing GHG Emissions			
Source	Element	Objective	Policies
Energy	Community Development	Residential Opportunities	2.2.15
	Safety	Reduce Air Pollution	6.7.6
	Conservation	Energy Efficiency	7.5.1, 7.5.4, 7.5.5
Transportation	Community Development	Convenient Commercial	2.4.8
		Programs	2-6
	Parks, Recreation, and Open Space Element	Trails System	4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5
		Programs	4-3, 4-10, 4-12, 4-13
	Circulation	Safe Street System	5.1.1, 5.1.2
		Maximize Efficiency	5.4.2, 5.4.5, 5.4.6,
		Retain Rural	5.7.2
		Public Transportation System	5.8.1, 5.8.2, 5.8.3, 5.8.4, 5.8.5
		Pedestrian Facilities	5.9.1, 5.9.2, 5.9.3, 5.9.4
		Encourage Bicycling	5.10.1, 5.10.2, 5.10.3, 5.10.4,
		Eliminate Obstructions	5.11.1, 5.11.2
		School Safety	5.12.1
	Programs	5-10e, 5-10f, 5-11, 5-13, 5-14, 5-15, 5-16, 5-17	
Safety	Reduce Vehicle Trips	6.6.1, 6.6.2, 6.6.3, 6.7.2, 6.7.3	
Conservation	Energy Efficiency	7.5.2, 7.5.3	
Water	Conservation	Minimize Water Consumption	7.3.1, 7.3.2
Area Source	Community Development	High Quality Development	2.10.14
	Safety	Reduce Air Pollutants	6.7.1
Solid Waste	Conservation	Adequate Solid Waste System	7.8.1

4.2 Transportation

Transportation accounts for the largest source of emissions in Moreno Valley. Measures to reduce emissions associated with transportation include encouraging mixed use development, developing near transit corridors, offering incentives for alternative fuels, creating pedestrian and bicycle friendly communities, and replacing older vehicles with more fuel-efficient ones. The measures below describe opportunities for Moreno Valley to reduce the emissions from transportation.

R1 Transportation Measures

The following list of R1 transportation related measures are those measures that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-T1: ASSEMBLY BILL 1493: PAVLEY I

Assembly Bill (AB) 1493 (Pavley) required the California Air Resources Board (CARB) to adopt regulations that will reduce GHG from automobiles and light-duty trucks by 30 percent below 2002 levels by the year 2016, effective with 2009 models. By 2020, this requirement will reduce emissions in California by approximately 16.4 MMTCO₂e, representing 17.3 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008). Implementation of Pavley I was delayed by the USEPA's denial of California's waiver request to set State standards that are more stringent than the federal standards, but in June 2009 the denial of the waiver was reversed and California was able to begin enforcing the Pavley requirements.

R1-T2: ASSEMBLY BILL 1493: PAVLEY II

California committed to further strengthening the AB1493 standards beginning in 2017 to obtain a 45 percent GHG reduction from 2020 model year vehicles. This requirement will reduce emissions in California by approximately 4.0 MMTCO₂e, representing 2.5 percent of emissions from passenger/light-duty vehicles in the State beyond the reductions from the Pavley I regulations described above (CARB 2008).

R1-T3: EXECUTIVE ORDER S-1-07 (LOW CARBON FUEL STANDARD)

The Low Carbon Fuel Standard (LCFS) will require a reduction of at least ten (10) percent in the carbon intensity of California's transportation fuels by 2020. By 2020, this requirement will reduce emissions in California by approximately 15 MMTCO₂e, representing 6.9 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008). The emissions reduced by this strategy overlap with emissions as a result of the Pavley legislation; adding the emissions reductions would be an overestimate of the actual emissions reductions. This is accounted for in the emission reduction calculations following the methodology used by CARB to calculate emissions reductions in the AB 32 Scoping Plan.

R1-T4: TIRE PRESSURE PROGRAM

The AB 32 early action measure involves actions to ensure that vehicle tire pressure is maintained to manufacturer specifications. The State's plan for implementing this measure is directed at automotive service providers. CARB is requiring automotive service providers to check and inflate each vehicle's tires to the recommended tire pressure rating at the time of performing any automotive maintenance or repair service, indicate on the vehicle service invoice that a tired inflation service was completed and the tire pressure measurements after the services were performed, and keep a copy of the service invoice for a minimum of three years, and make the vehicle service invoice available to the ARB, or its authorized representative upon request. By 2020, CARB estimates that this requirement will reduce emissions in California by approximately 0.55 MMTCO₂e, representing 0.3 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008).

R1-T5: LOW ROLLING RESISTANCE TIRES

This AB 32 early action measure would increase vehicle efficiency by creating an energy efficiency standard for automobile tires to reduce rolling resistance. By 2020, this requirement will reduce emissions in California by approximately 0.3 MMTCO_{2e}, representing 0.2 percent of emissions from passenger/light-duty vehicles in the State (CARB 2008).

R1-T6: LOW FRICTION ENGINE OILS

This AB 32 early action measure would increase vehicle efficiency by mandating the use of engine oils that meet certain low friction specifications. By 2020, this requirement will reduce emissions in California by approximately 2.8 MMTCO_{2e}, representing 1.7 percent of emissions from passenger light-duty vehicles in the State (CARB 2008).

R1-T7: GOODS MOVEMENT EFFICIENCY MEASURES

This AB 32 early action measure targets system wide efficiency improvements in goods movement to achieve GHG reductions from reduced diesel combustion. By 2020, this requirement will reduce emissions in California by approximately 3.5 MMTCO_{2e}, representing 1.6 Percent of emissions from all mobile sources (on-road and off-road) in the State (CARB 2008).

R1-T8: HEAVY-DUTY VEHICLE GHG EMISSION REDUCTION (AERODYNAMIC EFFICIENCY)

This AB 32 early action measure would increase heavy-duty vehicle (long-haul trucks) efficiency by requiring installation of best available technology and/or CARB approved technology to reduce aerodynamic drag and rolling resistance. By 2020, this requirement will reduce emissions in California by approximately 0.93 MMTCO_{2e}, representing 1.9 percent of emissions from heavy-duty vehicles in the State (CARB 2008).

R1-T9: MEDIUM AND HEAVY-DUTY VEHICLE HYBRIDIZATION

The implementation approach for this AB 32 measure is to adopt a regulation and/or incentive program that reduce the GHG emissions of new trucks (parcel delivery trucks and vans, utility trucks, garbage trucks, transit buses, and other vocational work trucks) sold in California by replacing them with hybrids. By 2020, this requirement will reduce emissions in California by approximately 0.5 MMTCO_{2e}, representing 0.2 percent of emissions from all on-road mobile sources in the State. This reduction is also equivalent to a 1.0 percent reduction of emissions from all heavy-duty trucks in the State (CARB 2008).

R2 Transportation Measures

The following list of R2 measures are candidate measures the City can implement to achieve an AB 32 compliant reduction target.

R2-T1: LAND USE BASED TRIPS AND VMT REDUCTION POLICIES

The demand for transportation is influenced by the density and geographic distribution of people and places. Whether neighborhoods have sidewalks or bike paths, whether homes are within walking distance of shops or transit stops will influence the type and amount of transportation that is utilized. By changing the focus of land use from automobile centered transportation, a reduction in vehicle miles traveled will occur.



GHG Reduction Potential:

20,423 MT CO₂e

4% reduction in passenger vehicle VMT

Community Co-Benefits:



City Costs:

Undetermined costs due to extensive variables in how this is implemented ranging from very modest costs associated with providing incentives to employers to provide commute trip reductions to substantial bicycle and pedestrian infrastructure to facilitate vehicle trip reductions associated with bicycle and pedestrian alternatives.

Private Savings:

\$6,959,091 annually, based on fuel savings from fewer, shorter vehicle trips.

The forthcoming Sustainable Communities Strategy and Regional Transportation Plan for the SCAG region should include opportunities for Moreno Valley to identify areas for Transit Priority Projects (TPPs). TPPs are eligible for streamlined CEQA review. See Appendix ___ for detailed emissions reduction calculations for this strategy and all of the reduction strategies.

R2-T2: TRANSIT IMPROVEMENTS

The City of Moreno Valley will continue to coordinate with Riverside Transit Agency (RTA) and SCAG in order to provide timely and cost effective transit services. In particular, the City will work to expand the bus system, incorporate rapid bus transit to desirable destinations, and provide adequate facilities and connections to pedestrian and bicycle systems.



GHG Reduction Potential:

120,087 MT CO₂e
 25% reduction in passenger vehicle VMT

Community Co-Benefits:



City Costs:

A more detailed cost analysis must be completed in order to assess the costs that the City will incur from these projects.

City Savings:

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Private Costs:

A more detailed cost analysis must be completed in order to assess the costs that the RTA and private developers will incur to implement these projects.

Private Savings:

\$40,919,458 annually, based on fuel savings from using public transit rather than personal vehicles

Potential Funding Sources:

In July 2010, RTA published its *Short Range Transit Plan*, which details the plans for improving the RTA system through Fiscal years 2011-2013. In this Plan, RTA identified the following strategies for service improvements in Moreno Valley:

- Establish a base transit network serving major activity centers including schools, shopping centers, medical centers, and the approved Metrolink station
- Connect Moreno Valley to UCR and Downtown Riverside as well as Perris with direct and frequent transit services
- Provide transit service to the existing and planned major development at March Air Reserve Base and adjacent Joint Powers Authority reuse areas.

SCAG is currently in the process of updating the RTP with the draft to be released in December 2011. The RTP will identify plans for the region to expand transit in Moreno Valley and surrounding areas.

R2-T3: EMPLOYMENT-BASED TRIP REDUCTIONS

Transportation Demand Management (TDM) programs work to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.

The City of Moreno Valley would implement this strategy by including a TDM strategy as mitigation for New Development.



GHG Reduction Potential:
7,401 MT CO₂e
2% reduction in passenger vehicle VMT

Community Co-Benefits:



City Costs:
Undetermined costs depending upon how this is implemented ranging from no costs, to very modest costs associated with providing incentives to employers to provide commute trip reductions.

City Savings:
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Private Costs:
Minimal administrative fees

Private Savings:
\$2,521,975 annually, based on decreased fuel use

Potential Funding Sources:

New businesses can mitigate transportation related emissions by offering programs, facilities and incentives to their employees that would promote carpooling, transit use, and use of other alternative modes.

R3 Transportation Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified. Also, reduction measures implemented at the municipal level are described.

R3-T1: REGIONAL LAND USE AND TRANSPORTATION COORDINATION

Promoting the development and use of transit between Moreno Valley and other jurisdictions including the County and neighboring cities enhances the implementation of R2-T1 and R2-T2 described above.

4.3 Energy

Electricity and natural gas use in buildings represent the second largest source of emissions in the City of Moreno Valley. The state has begun to address this source of emissions by requiring new buildings to attain higher standards for energy efficiency and requiring utilities to use more renewable power sources. At the local level, Moreno Valley can encourage developers to go beyond the state requirements and offer incentives to bring older buildings up to current standards.

R1 Energy Reduction Measures

The following list of R1 building energy efficiency related measures are those measures that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-E1: RENEWABLE PORTFOLIO STANDARD FOR BUILDING ENERGY USE

Senate Bills (SBs) 1075 (2002) and 107 (2006) created the State's Renewable Portfolio Standard (RPS), with an initial goal of 20 percent renewable energy production by 2010. Executive Order (EO) S-14-08 establishes a RPS target of 33 percent by the year 2020 and requires State agencies to take all appropriate actions to ensure the target is met. In April 2011, Governor Jerry Brown signed Senate Bill 2 (2011), which codified the Executive Order and requires the State to reach the 2020 goal (CARB 2008).

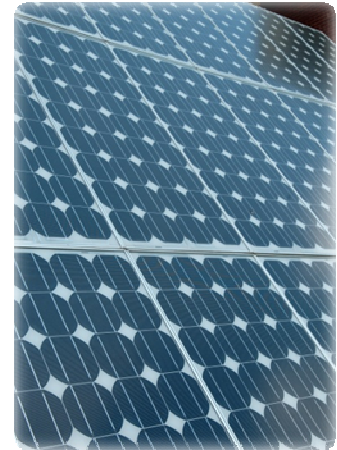
R1-E2 AND R1-E3: AB 1109 ENERGY EFFICIENCY STANDARDS FOR LIGHTING (RESIDENTIAL AND COMMERCIAL INDOOR AND OUTDOOR LIGHTING)

Assembly Bill (AB 1109) mandated that the California Energy Commission (CEC) on or before December 31, 2008, adopt energy efficiency standards for general purpose lighting. These regulations, combined with other State efforts, shall be structured to reduce State-wide electricity consumption in the following ways:

- R1-E2: At least 50 percent reduction from 2007 levels for indoor residential lighting by 2018; and
- R1-E3: At least 25 percent reduction from 2007 levels for indoor commercial and outdoor lighting by 2018 (CARB 2008).

R1-E4: ELECTRICITY ENERGY EFFICIENCY (AB32)

This measure captures the emission reductions associated with electricity energy efficiency activities included in CARB's AB32 Scoping Plan that are not attributed to other R1 or R2 reductions, as described in this report. This measure includes energy efficiency measures that CARB views as crucial to meeting the State-wide 2020 target, and will result in additional emissions reductions beyond those already accounted for in California's Energy Efficiency Standards for Residential and Non-Residential Buildings (Title 24, Part 6 of the California Code of Regulations; hereinafter referred to as, "Title 24 Energy Efficiency Standards") of California's Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations; hereinafter referred to as "CALGreen").



By 2020, this requirement will reduce emissions in California by approximately 21.3 MMTCO₂e, representing 17.5 percent of emissions from all electricity in the State (CARB 2008). This measure includes the following strategies:

- "Zero Net Energy" buildings (buildings that combine energy efficiency and renewable generation so that they, based on an annual average, extract no energy from the grid);
- Broader standards for new types of appliances and for water efficiency;
- Improved compliance and enforcement of existing standards;
- Voluntary efficiency and green building targets beyond mandatory codes;
- Voluntary and mandatory whole-building retrofits for existing buildings;
- Innovative financing to overcome first-cost and split incentives for energy efficiency, on-site renewables, and high efficiency distributed generation;
- More aggressive utility programs to achieve long-term savings;
- Water system and water use efficiency and conservation measures;
- Additional industrial and agricultural efficiency initiatives; and
- Providing real time energy information technologies to help consumers conserve and optimize energy performance.

R1-E5: NATURAL GAS ENERGY EFFICIENCY (AB32)

This measure captures the emission reductions associated with natural gas energy efficiency activities included in CARB's AB32 Scoping Plan that are not attributed to other R1 or R2 reductions, as described in this report. This measure includes energy efficiency measures that CARB views as crucial to meeting

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the State-wide 2020 target, and will result in additional emissions reductions beyond those already accounted for in the Title 24 Energy Efficiency Standards or CALGreen. By 2020, this requirement will reduce emissions in California by approximately 4.3 MMTCO₂e, representing 6.2 percent of emissions from all natural gas combustion in the State (CARB 2008). This measure includes similar strategies to those listed above for R1-E4.

R1-E6: INCREASED COMBINED HEAT AND POWER (AB32)

This measure captures the reduction in building electricity emissions associated with the increase of combined heat and power activities, as outlined in CARB's AB 32 Scoping Plan. The Scoping Plan suggests that increased combined heat and power systems, which capture "waste heat" produced during power generation for local use, will offset 30,000 GWh State-wide in 2020. Approaches to lowering market barriers include utility-provided incentive payments, a possible CHP portfolio standard, transmission and distribution support systems, or the use of feed-in tariffs. By 2020, this requirement will reduce emissions in California by approximately 6.7 MMTCO₂e, representing 7.6 percent of emissions from all electricity in the State (CARB 2008).

R1-E7: INDUSTRIAL EFFICIENCY MEASURES (AB32)

This measure captures the reduction in industrial building energy emissions associated with the energy efficiency measures for industrial sources included in CARB's AB 32 Scoping Plan. By 2020, this requirement will reduce emissions in California by approximately 1.0 MMTCO₂e, representing 3.9 percent of emissions from all industrial natural gas combustion in the State (CARB 2008). CARB proposes the following possible State-wide measures:

- Oil and gas extraction regulations and programs to reduce fugitive CH₄ emissions;
- GHG leak reduction from oil and gas transmission;
- Refinery flare recovery process improvements; and
- Removal of methane exemption from existing refinery regulations.

R2 Energy Reduction Measures

The following list of R2 measures are candidate measures related to building energy efficiency the City can implement to achieve an AB 32 compliant reduction target.

R2-E1: NEW CONSTRUCTION RESIDENTIAL ENERGY EFFICIENCY REQUIREMENTS

This measure would facilitate the implementation of energy efficient design for all new residential buildings to be 10% beyond the current Title 24 Standards. This energy efficiency requirement is equal to that of the LEED for Homes and ENERGY STAR programs.

The 2008 Title 24 Energy Standards were adopted by the Energy Commission on April 23, 2008, with the 2008 Residential Compliance Manual adopted by the Commission on December 17, 2008. Compliance with the 2008 standards went into effect January 1, 2010. In an effort to meet the overall goal of the California Energy Efficiency Strategic Plan of reaching zero net energy for residential buildings by 2020, the stringency of the Title 24 Energy Standards as regulated and required by the State will continue to increase every three years. As energy efficiency standards increase Moreno Valley may want to periodically re-evaluate their percentage beyond Title 24 goal to ensure it is still a feasibly achievable goal. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

GHG Reduction Potential:

3,357 MT CO₂e

10% beyond Title 24 in new residential

Community Co-Benefits:



City Costs:

Administrative costs associated with incorporating energy efficiency mitigation into the development review process

City Savings:

--

Private Costs:

\$15.9 million

The cost is based on an estimated \$1,500 per residential unit.

Private Savings:

\$778,000 annually in reduced energy costs, resulting in an estimated 20 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc ;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

R2-E2: NEW CONSTRUCTION RESIDENTIAL RENEWABLE ENERGY

GHG Reduction Potential:

1,252 MT CO₂e

10% of energy in new residential from on-site renewable energy

Community Co-Benefits:



City Costs:

Administrative costs associated with incorporating alternative energy mitigation into the development review process

City Savings:

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Private Costs:

\$20 million

Costs assume 10% of units install 2kW solar PV systems at \$7,796/kW. (Anders 2009)

Private Savings:

\$760,000 annually in reduced energy costs, resulting in an estimated 26 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This measure would facilitate the incorporation of renewable energy (such as photovoltaic panels or small wind turbines) into new residential developments. For participating developments, renewable energy application should be such that the new home’s projected energy use from the grid is reduced by 50%. The California Energy Commissions’ New Solar Homes Partnership is a component of the California Solar Initiative and provides rebates to developers of 6 or more units where 50% of the units include solar power. In addition this measure would encourage that all residents be equipped with “solar ready” features where feasible, to encourage future installation of solar energy systems. These features should include the proper solar orientation (south facing roof sloped at 20° to 55° from the horizontal), clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems, and space provided for a solar hot water tank. The incentive program should provide enough funding and other incentives as shown in the R3 measures to result in approximately 20% of new residential development participation in this program, thereby resulting in a 10% reduction in electrical consumption from new residential developments.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent can buy into a purchased energy offset program that will allow for the purchase of electricity generated from renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) must be equal to 50% of the total projected energy consumption for the development. See R3-E3 for further details on the financing program.

R2-E3: RESIDENTIAL ENERGY EFFICIENCY RETROFITS

GHG Reduction Potential:

33,418 MT CO₂e

On average, all existing units become 20% more efficient

Community Co-Benefits:



Private Costs:

\$49 million

Assumes cost is equal to \$0.75/kWh and \$4.35/therm saved. (Anders 2009)

Private Savings:

\$7.7 million annually in reduced energy costs, resulting in an estimated 6 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This reduction measure would set a goal for the City to increase energy efficiency in existing homes. With the rebates and incentive programs currently available, this measure could allow for all residential units to become, on average, 20% more efficient. One key program ensuring the achievement of this reduction measures is Moreno Valley's partnership with the Western Riverside Council of Governments (WRCOG) surrounding their Energy Efficiency and Water Conservation Program (WRCOG 2009). The program would provide residences with low-interest loans that can be used to implement energy efficient improvements on their homes. This program has the potential to reduce energy consumption in retrofitted homes by a minimum of 15%. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Replace inefficient air conditioning and heating units with new energy efficient models;
- Replace older, inefficient appliances with new energy efficient models;
- Replace old windows and insulation with top-quality windows and insulation;
- Install solar water heaters;
- Replace inefficient and incandescent lighting with energy efficient lighting; and
- Weatherize the existing building to increase energy efficiency.

R2-E4: RESIDENTIAL RENEWABLE ENERGY RETROFITS

GHG Reduction Potential:

5,750 MT CO₂e

10% of energy in residential from on-site renewable energy

Community Co-Benefits:



City Costs:

Undetermined costs depending upon how this is implemented ranging from modest administration costs to moderate costs of incentive programs.

City Savings:

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Private Costs:

\$81.1 million

Costs assume 10% of units install 2kW solar PV systems at \$7,796/kW. (Anders 2009)

Private Savings:

\$3.5 million annually in reduced energy costs, resulting in an estimated 23 year payback period on the initial cost.

Potential Funding Sources:

WRCOG, SCE, SEC, MVU Solar Incentive

This measure would set a goal for City residents to retrofit their homes with photovoltaic panels or small wind turbines such that 50% of the home's electrical usage is offset. With the current rebates and incentives available, a participation rate of 20% can be achieved. In particular, the California Energy Commission's Solar Initiative has incentives available to home owners. In addition, WRCOG's Energy Efficiency and Water Conservation Program helps finance solar photovoltaic systems for residents.

Residents may also be eligible for an MVU rebate of \$2.80 for every watt of solar installed on the roof of a home.

R2-E5: NEW CONSTRUCTION COMMERCIAL ENERGY EFFICIENCY REQUIREMENTS

GHG Reduction Potential:

3,357 MT CO₂e

On average, all existing units become 10% more efficient

Community Co-Benefits:



City Costs:

Administrative costs associated with incorporating energy efficiency mitigation into the development review process

City Savings:

--

Private Costs:

\$9.7 million

The cost is based on an estimated \$1.00 per square foot to achieve 10% beyond Title 24. (Anders 2009)

Private Savings:

\$1.3 million annually in reduced energy costs, resulting in an estimated 8 year payback period on the initial cost.

Potential Funding Sources:

WRCOG and SCE

This measure would facilitate the implementation of energy efficient design for all new commercial buildings to be 10% beyond the current Title 24 Standards. This energy efficiency requirement meets the minimum requirements of the LEED and ENERGY STAR programs. As energy efficiency standards increase the City may want to periodically re-evaluate their percentage beyond Title 24 goal to ensure it is still a feasibly achievable goal. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc.;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

R2-E6: NEW CONSTRUCTION COMMERCIAL/INDUSTRIAL RENEWABLE ENERGY

GHG Reduction Potential:

2,030 MT CO₂e

10% of energy in commercial is from on-site renewable energy

Community Co-Benefits:



City Costs:

Administrative costs associated with incorporating alternative energy mitigation into the development review process

City Savings:

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Private Costs:

\$31.7 million

This cost represents 5kW of solar photovoltaic per 10,000 square feet of new commercial development at an estimated \$6,526/kW. (Anders 2009)

Private Savings:

\$1.2 million annually in reduced energy costs, resulting in an estimated 26 year payback period on the initial cost.

Potential Funding Sources:

SCE, WRCOG

This measure would facilitate the incorporation of renewable (solar or other renewable) energy generation into the design and construction of new commercial, office, and industrial developments. Renewable energy generation would be incorporated such that a minimum of 10% of the project’s total energy needs are offset. In addition, this measure would encourage all facilities be equipped with “solar ready” features where feasible, to facilitate future installation of solar energy systems. These features should include the proper solar orientation, clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems, and space provided for a solar hot water tank.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent could buy into an offset program that will allow for the purchase of renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) must equal 20% of the total projected energy consumption for the development. See R3-E3 for further details on the financing program.

R2-E7: COMMERCIAL/INDUSTRIAL ENERGY EFFICIENCY AND RENEWABLE ENERGY RETROFITS

This measure sets a goal for all commercial or industrial buildings undergoing major renovations to reduce their energy consumption by 25%. The State offers incentives and programs that contribute toward the implementation of this goal. Similar to the residential goals described above, WRCOG's Energy Efficiency and Water Conservation Program could help finance energy efficiency and renewable energy projects for commercial

buildings. Although not limited to these actions, this

reduction goal can be achieved through the incorporation of the following:



GHG Reduction Potential:

18,261 MT CO₂e

Assumes a 25% decrease in energy use through a combination of energy efficiency and renewable energy retrofits.

Community Co-Benefits:



City Costs:

Undetermined costs depending upon how this is implemented ranging from modest administration costs to moderate costs of incentive programs.

City Savings:

--

Private Costs:

\$14.6 million

The cost is based on an estimated \$1.50 per square foot to achieve the reductions. (Anders 2009)

Private Savings:

\$6.9 million annually in reduced energy costs, resulting in an estimated 2 year payback period on the initial cost.

Potential Funding Sources:

- Replace inefficient air conditioning and heating units with new energy efficient models;
- Replace older, inefficient appliances with new energy efficient models;
- Replace old windows and insulation with top-quality windows and insulation;
- Install solar water heaters;
- Replace inefficient and incandescent lighting with energy efficient lighting; and
- Weatherize the existing building to increase energy efficiency.

R3 Energy Reduction Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified.

R3-E1: ENERGY EFFICIENT DEVELOPMENT, AND RENEWABLE ENERGY DEPLOYMENT FACILITATION AND STREAMLINING

This measure would encourage the City to identify key opportunities for the implementation of green building practices and the incorporation of renewable energy systems. This could include the updating of codes and zoning requirements and guidelines. This measure could be further enhanced by providing incentives for energy efficient projects such as priority in the reviewing, permitting, and inspection process. Additional incentives could include flexibility in building requirements such as height limits or set-backs in exchange for incorporating green building practices or renewable energy systems.

R3-E2: ENERGY EFFICIENCY TRAINING & PUBLIC EDUCATION

This measure would strengthen Moreno Valley General Plan Policy Infrastructure & Utilities 7.6.8 which provides public education and publicity about energy efficiency measures and reduction programs available within the City through a variety of methods including newsletters, brochures, and the City's Website. This measure would enhance this existing program by including rebates and incentives available for residences and businesses as well as providing training in green building materials, techniques, and practices for all plan review and building inspection staff.

R3-E3: ENERGY EFFICIENCY AND SOLAR ENERGY FINANCING

This measure would facilitate the incorporation of innovative, grant funded or low-interest financing programs for energy efficiency and renewable energy projects for both existing and new developments. This would include financing for heating, ventilation, air conditioning, lighting, water heating equipment, insulation, weatherization, and residential and commercial renewable energy. The City is a member of a partnership with WRCOG surrounding their Energy Efficiency and Water Conservation Program. The program would provide property with low-interest loans that would be repaid over time through annual property tax payments.

R3-E4: CROSS-JURISDICTIONAL COORDINATION

Under this reduction measure the City would coordinate with other local governments, special districts, nonprofit, and other organizations in order to optimize energy efficiency and renewable resource development and usage. This would allow for economies of scale and shared resources to more effectively implement these environmental enhancements.

R3-E5: ALTERNATIVE ENERGY DEVELOPMENT PLAN

The accomplishment of this measure would encourage the City and MVU to work with SCE to explore the possibilities for producing energy by renewable means within the built environment. This would be developed to identify appropriate alternative energy facilities (i.e., photovoltaic) for use within residential and commercial developments. The Alternative Energy Development Plan will encourage the

establishment of City policies and ordinances to address how alternative energy production would be conducted. This measure would identify the most optimal locations and the best means by which to avoid noise, aesthetics and other land use compatibility conflicts. Another provision of this Plan could be to identify possible sites for the production of renewable energy using local renewable sources such as solar, wind, small hydro, and/or biogas. This would encourage adopting measures to protect these resources and providing right-of-way easements, utility easements, or by setting aside land for future development of these potential production sites.

4.4 Area Source

The following list includes measures related to landscaping and wood burning emissions that will reduce emissions and help the City to achieve an AB 32 compliant reduction target.

R1 Area Source Reduction Measure

R1-L1: SCAQMD HEALTHY HEARTHS PROGRAM

AQMD's Rule 445-Wood Burning Devices, adopted on March 7, 2008, applies to residents in the South Coast Air Basin and includes the following key components:

- No permanently installed indoor or outdoor wood burning devices in new developments;
- Establishes a mandatory wood burning curtailment program on high pollution days during November through February, beginning November 1, 2011. Based on current air quality conditions, there may be 10 to 25 mandatory curtailment days in specific areas (AQMD 2008).

R2 Area Source Reduction Measure

R2-L1: ELECTRIC LANDSCAPING EQUIPMENT

This measure reduces GHG emissions by substituting electric landscaping equipment for the traditional gas-powered equipment. Electric lawn equipment including lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chain saws are available. When

GHG Reduction Potential:

4,207 MT CO₂e

The change out from gas powered equipment to electric powered equipment reduces emissions by 38.5%. The reduction calculations assume all new developments use electricity rather than gas powered equipment.

Community Co-Benefits:



City Costs:

Undetermined costs due to variables ranging from no costs with no city involvement, modest costs associated engaging the public to participate in the program, to moderate costs of teaming with SCE in the incentive program.

City Savings:

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Private Costs:

There is no additional cost associated with installing external outlets and purchasing electric equipment rather than gas-powered.

Private Savings:

Savings vary depending on fuel used

Potential Funding Sources:

SCAQMD lawn-mower trade-in program

electric landscaping equipment is used in place of conventional equipment, direct GHG emissions from natural gas combustion are replaced with indirect GHG emissions associated with the electricity used to power the equipment.



R3 Area Source Reduction Measures

The following R3 measures are related to landscape strategies that will help reduce GHG emissions and can be incorporated into development projects without additional cost. These measures strategically place trees and other landscape mechanisms that create shade to reduce the heat island effect within parking lots and adjacent to buildings, which in turn, reduces the temperature of buildings and cars during the summer.

R3-L1: EXPAND CITY TREE PLANTING

This program evaluates the feasibility of expanding tree planting within the City. This includes the evaluation of potential carbon sequestration from different tree species, potential reductions of building energy use from shading, and GHG emissions associated with pumping water used for irrigation. Commercial and retail development should be encouraged to exceed shading requirements by a minimum of 10% and to plant low emission trees. In support of Environmental Resources Goal 10.10 from Moreno Valley's General Plan, all future development shall be encouraged to preserve native trees and vegetation to the furthest extent possible.

R3-L2: HEAT ISLAND PLAN

The implementation of this measure would include promoting the use of cool roofs, cool pavements, and parking lot shading by increasing the number of strategically placed shade trees. Further, City wide Design Guidelines should be amended to include that all new developments and major renovations (additions of 25,000 square feet or more) would be encouraged to incorporate the following strategies such that heat gain would be reduced for 50% of the non-roof impervious site landscape (including parking, roads, sidewalks, courtyards, and driveways). The strategies include:

- Strategically placed shade trees;
- Paving materials with a Solar Reflective Index (SRI) of at least 29;
- Open grid pavement system; or
- Covered parking (with shade or cover having an SRI of at least 29).

4.5 Water

Although emissions associated with water represent a small portion of the total emissions for the City, Moreno Valley can still conserve water use in order to reduce the reliance on imported water from the state and encourage the use of recycled water.

R1 Water Reduction Measure

The following R1 water related reduction measure has been identified in the AB 32 Scoping Plan and will result in emission reductions within the City.

R1-W1: RENEWABLE PORTFOLIO STANDARD (33 PERCENT BY 2020) RELATED TO WATER SUPPLY AND CONVEYANCE

This measure would increase electricity production from eligible renewable power sources to 33 percent by 2020. A reduction in GHG emissions results from replacing natural gas-fired electricity production with zero GHG-emitting renewable sources of power. By 2020, this requirement will reduce emissions from electricity used for water supply and conveyance in California by approximately 21.3 MMTCO₂e, representing 15.2 percent of emissions from electricity generation (in-State and imports) (CARB 2008).

R1-W2: CAL GREEN BUILDING STANDARDS

The 2010 California Green Building Standards (CALGreen) went into effect January 1, 2011. The standards include a 20% mandated reduction in indoor water use for all residential and commercial buildings. For outdoor water use, CALGreen requires developers to install landscaping devices that can sense moisture content of soil and restrict landscaping-related water use when moisture content is high.

R2 Water Reduction Measure

The following R2 measure is a candidate measure related to water that the City can implement to achieve an AB 32 compliant reduction target.

R2-W1: WATER USE REDUCTION INITIATIVE

GHG Reduction Potential:

3,493 MT CO₂e

The calculated emission reductions assume all new developments reduce water consumption by 20%.

Community Co-Benefits:



City Costs:

Administrative costs associated with water conservation included in the development review process.

City Savings:

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Private Costs:

Considered negligible if implemented with new development

Private Savings:

\$3.9 million annually in reduced water costs.

Potential Funding Sources:

EMWD rebates

This initiative would reduce emissions associated with electricity consumption for water treatment and conveyance. This measure encourages the City to adopt a per capita water use reduction goal in support of the Governors Executive Order S-14-08 which mandates the reduction of water use of 20 percent per capita. The City's adoption of a water use reduction goal would introduce requirements for new development and would provide cooperative support for water purveyors that are required to implement these reductions for existing developments. The City would also provide internal reduction measures such that City facilities will support this reduction requirement. The following represent potential programs that could be implemented to attain this reduction goal.

WATER CONSERVATION PROGRAM

Under this program the excessive watering of landscaping, excessive fountain operation, watering during peak daylight hours, water of non-permeable surfaces, excessive water use for noncommercial washing, and water use resulting in flooding or runoff would be prohibited. In addition the program would encourage efficient water use for construction activities, the installation of low-flow toilets and showerheads for all new developments, use of drought-tolerant plants with efficient landscape watering systems for all new developments, recycling of water used for cooling systems, use of pool covers, and the posting of water conservation signage at all

hotels.

WATER EFFICIENCY RETROFIT PROGRAM

This program would encourage upgrades in water efficiency for renovations or additions of residential, commercial, office, and industrial properties equivalent to that of new developments. The City would work with local water purveyors to achieve consistent standards, and to develop, approve, and review procedures for implementation.

INCREASED RECYCLED WATER USE

Coordinate with EMWD to promote the use of municipal wastewater and graywater for agricultural, industrial and irrigation purposes. This measure would be subject to approval of the State Health Department and compliance with Title 22 provisions. This measure would facilitate the following:

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- Inventory of non-potable water uses that could be substituted with recycled or graywater;
- Determination of the feasibility of producing and distributing recycled water for groundwater replenishment;
- Determine the associated energy/GHG tradeoffs for treatment/use vs. out of basin water supply usage;
- Cooperation and coordination with responsible agencies to encourage the use of recycled water where energy tradeoffs are favorable.

R3 Water Reduction Measure

The following R3 measure enhances and/or ensures the reductions accounted for within the R2 measure identified above.

R3-W1: WATER EFFICIENCY TRAINING AND EDUCATION

Under this measure the City, in coordination with EMWD and local water purveyors would implement a public information and education program that promotes water conservation. The program could include certification programs for irrigation designers, installers, and managers, as well as classes to promote the use of drought tolerant, native species and xeriscaping. This measure supports measure R2-W1 discussed above.

4.6 Solid Waste

The following measures describe ways for the City of Moreno Valley to reduce the amount of waste sent to the landfill and thus reduce the associated GHG emissions.

R1 Solid Waste Measure

The following R1 solid waste related measure is a measure that California has identified in the AB 32 Scoping Plan that will result in emission reductions within the City.

R1-S1: WASTE MEASURES

The CARB AB 32 Scoping Plan recommends three measures for reducing emissions from Municipal Solid Waste at the State level, including: 1) landfill methane control; 2) increase the efficiency of landfill methane capture; and 3) high recycling/zero waste. CARB approved a regulation implementing the discrete early action program for methane recovery (1), which became effective June 17, 2010. This measure is expected to result in a 1.0 MMTCO₂e reduction by 2020 (CARB 2008). Other measures proposed by CARB include increasing efficiency of landfill methane capture (2) and instituting high recycling/zero waste policies (3). Potential reductions associated with these measures are still to be determined.

R1-S2: CAL GREEN CONSTRUCTION WASTE REDUCTION

The 2010 CALGreen Standards also include a measure for the reduction of construction waste. This measure states that at least 50% of non-hazardous construction and demolition debris must be recycled or salvaged. This reduces the amount of waste sent to the landfill and thus reduces GHG emissions associated with the decomposition of solid waste.

R2 Solid Waste Measures

The following R2 measure reduces emissions related to solid waste and helps Moreno Valley to achieve an AB 32 compliant reduction target.

R2-S1: CITY DIVERSION PROGRAM

GHG Reduction Potential:

26,577 MT CO₂e

The emissions reductions account for a 20% decrease in non-construction waste sent to landfills. Non-construction waste represents 87% of Moreno Valley's total waste.

Community Co-Benefits:



City Costs:

Administrative costs of including construction material recycling, interior and exterior recycling storage areas in new development, and recycling at public events.

City Savings:

--

Private Costs:

--

Private Savings:

Undetermined

Potential Funding Sources:

--

The state has set the following targets for Moreno Valley's solid waste disposal: 4.4 pounds per day (PPD) per resident and 31.8 PPD per employee (equating to a diversion rate of 50%). As of 2009, the City is below the target for both categories: 3.3 PPD per resident and 26 PPD per employee. To further reduce the amount of waste disposed, and comply with AB 341, this measure would set a target for the City to increase the waste diverted to 75% by 2020 (this equates to 2.2 PPD per resident and 15.9 PPD per employee). The following is a potential list of waste reduction measures that will further strengthen existing waste reduction/diversion programs along with coordination with Waste Management of the Inland Empire and Riverside County Waste Management.

- Provide outreach and education programs for residential, commercial, and industrial land uses in order to further promote existing City diversion programs;
- Encourage businesses to adopt a voluntary procurement standard and prioritize those products that have less packaging, are reusable, or recyclable;
- Support State level policies that provide incentives for efficient and reduced packaging waste for commercial products;
- Provide waste audits;
- Make recycling mandatory at all public events;
- Support legislation which advocates for extended producer responsibility;
- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard);

CHAPTER 4 GHG EMISSIONS REDUCTION PROGRAMS AND REGULATIONS

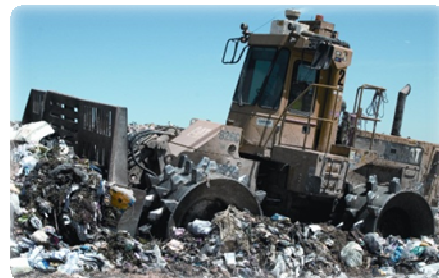
- Require interior and exterior storage areas for recyclables at all buildings associated with new construction;
- Provide adequate recycling containers in public areas, including parks, public golf courses, and City owned facilities; and
- Provide education and publicity about reducing waste and available recycling services.

R3 Solid Waste Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measure identified above.

R3-S1: ENCOURAGE INCREASED EFFICIENCY OF THE GAS TO ENERGY SYSTEM AT LANDFILLS.

El Sobrante Landfill and the Badlands Landfill, where Moreno Valley's waste is sent, currently have gas-to-energy systems that convert methane released from the decomposition of waste into energy. This measure would encourage Waste Management of the Inland Empire and Riverside County Waste Management Department to keep current with upgrades in efficiencies to waste to energy systems and to upgrade as feasible when significant increases in conversion efficiencies are available. Moreno Valley's waste is deposited in the El Sobrante Landfill and the Badlands Landfill, so the emissions from Moreno Valley's solid waste are dependent on the waste management and methane capture systems in place at El Sobrante and Badlands. Any reductions in emissions from the landfill will, in turn, reduce Moreno Valley's emissions from solid waste generation.



R3-S2: WASTE EDUCATION PROGRAM

This measure would provide public education and increased publicity about commercial and residential recycling. This measure would educate the public about waste reduction options available at both residential and commercial levels, including composting, grass recycling, and waste prevention, and available recycling services.

Chapter 5 **Total Estimated Reductions**

CHAPTER 5 TOTAL ESTIMATED REDUCTIONS

In 2020, the City of Moreno Valley is projected to emit a total of 1,298,543 MT CO₂e without the incorporation of reduction measures. With implementation of the reduction measures discussed in Chapter 4, the City emissions for 2020 would be reduced to 798,137 MT CO₂e. The statewide reduction measures (the R1 Measures in Chapter 4) would reduce the bulk of Moreno Valley’s emissions and make a substantial contribution toward reaching the 2020 reduction target. However, the City would need to supplement the state measures with the implementation of the local reduction measures (R2 measures) discussed in Chapter 4.

5.1 Reductions from R1 and R2 Measures

The R1 measures described in Chapter 4 will be implemented at the State level with reductions occurring at the local level in Moreno Valley. The R2 measures go beyond the State measures to reduce GHG emissions in order to meet the 2020 reduction target. Table 5-1 summarizes the MT CO₂e and the corresponding percentage of emissions reduced for each of the R1 and R2 measures.

Table 5-1 Measures and Associated Emissions Reduced from 2020 Inventory		
Transportation	MT CO₂e Reduced	% of Transportation Emissions
R1-T1 & R1-T2: Pavley I and II	150,196	19.1
R1-T3: Low Carbon Fuel Standard	45,941	5.8
R1-T4: Tire Pressure	1,591	0.2
R1-T5: Low Rolling Resistance Tires	1,058	0.1
R1-T6: Low Friction Oils	8,973	1.1
R1-T7: Goods Movement Efficiency	9,288	1.2
R1-T8: Aerodynamic Efficiency	1,152	0.2
R1-T9: Medium/Heavy Duty Hybridization	595	0.1
R2-T1: Land Use and VMT Reduction Policies	20,423	2.6
R2-T2: Transit Improvements	120,087	15.2
R2-T3: Employment Based Trips	7,401	0.9
Transportation Total	366,706	46.5
Energy	MT CO₂e Reduced	% of Energy Emissions
R1-E1: Renewable Portfolio Standard 33%	3,194	0.9
R1-E2: Indoor Residential Lighting	5,900	1.7
R1-E3: Indoor Commercial/Outdoor Lighting	4,380	1.2
R1-E4: Electrical Energy Efficiency	3,060	0.9
R1-E5: Natural Gas Energy Efficiency	1,382	0.4
R1-E6: Combined Heat/Power	12,678	3.6
R1-E7: Industrial Efficiency	791	0.2
R2-E1: New Residential Energy Efficiency	3,357	0.9
R2-E2: New Residential Renewable Energy	1,252	0.4
R2-E3: Residential Energy Efficiency Retrofits	33,418	9.4
R2-E4: Residential Renewable Energy Retrofits	5,750	1.6
R2-E5: New Commercial Energy Efficiency	3,357	0.9
R2-E6: New Commercial Renewable Energy	2,030	0.6
R2-E7: Commercial Energy Retrofits	18,261	5.1
Energy Total	80,549	22.6

5.2 REDUCED 2020 COMMUNITY-WIDE EMISSIONS INVENTORY

Table 5-1 Measures and Associated Emissions Reduced from 2020 Inventory		
Area Source	MT CO ₂ e Reduced	% of Area Source Emissions
R1-L1: SCAQMD Healthy Hearths Programs	6,244	7.6
R2-A1: Electric Landscaping Equipment	4,207	5.1
Area Source Total	10,451	12.7
Water	MT CO ₂ e Reduced	% of Water Emissions
R1-W1: RPS related to Water Supply	2,535	12.7
R1-W2 & R2-W1: Water Conservation Strategies	3,493	17.5
Water Total	6,028	30.1
Solid Waste	MT CO ₂ e Reduced	% of Solid Waste Emissions
R1-S2: CalGreen Construction Waste	10,618	6.5
R2-S1: Waste Disposal Program	26,577	16.3
Solid Waste Total	37,196	22.8

With the statewide reduction measures and the implementation of the R2 measures, Moreno Valley would reduce its community-wide emissions to a level below the established 2020 reduction target. Table 5-2 summarizes the 2020 inventory emissions, the GHG reductions associated with the reduction measures, and the reduced 2020 emissions.

Table 5-2 Reduction Summary for 2020 Inventory				
	2020 MT CO ₂ e	Reductions		% Reduction
		MT CO ₂ e	Reduced 2020 MT CO ₂ e	
Transportation	788,267	366,706	421,561	46.5
Energy	356,193	104,820	251,372	29.4
Area Sources	84,665	11,619	73,046	13.7
Water/Wastewater	20,216	6,057	14,158	30.0
Solid Waste	49,203	11,203	38,000	22.8
TOTAL	1,298,543	500,406	798,137	38.5

The implementation of the R1 and R2 reduction measures would reduce Moreno Valley's emissions by 38.5 percent to 798,137 MT CO₂e.

5.2 Reduced 2020 Community-Wide Emissions Inventory

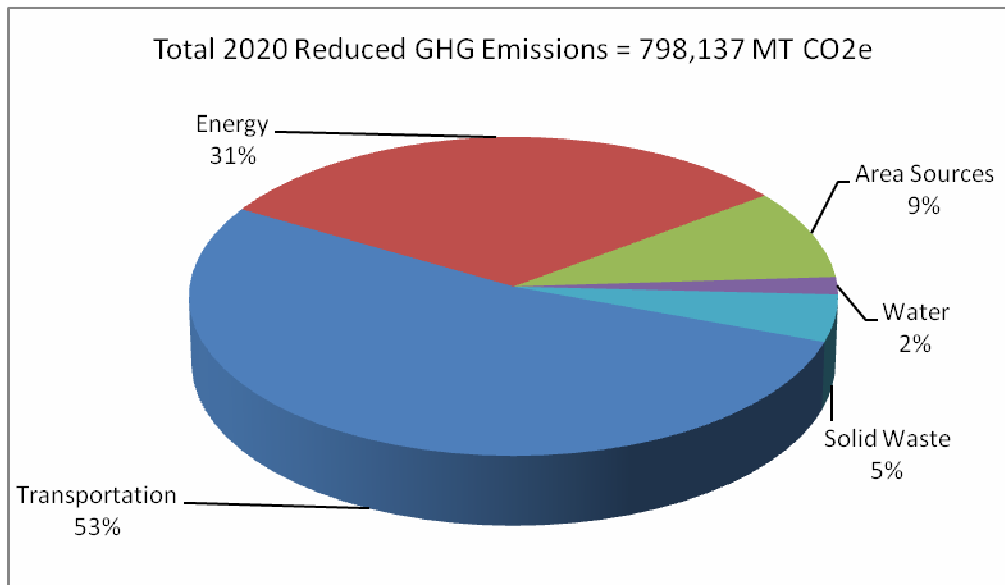
With the implementation of GHG reduction measures, Moreno Valley is projected to reduce its emissions to a total of 798,137 MT CO₂e, which is 556 MT CO₂e below the 2020 reduction target. This is a decrease of 38.5 percent from the City's 2020 BAU emissions inventory and 13 percent from the 2010 emissions. The reduction measures reduce GHG emissions from all sources of community-wide GHG emissions including transportation, energy, area sources, water, and solid waste. The following sections describe the emissions by source and land use category for the year 2020.

Emissions by Source

The emissions by source for the reduced 2020 inventory were calculated by applying a percent reduction to the 2020 emissions for each reduction measure. Table 5-3 summarizes the reduced 2020 City emissions of CO₂e as broken down by emissions category. Figure 5-1 is a graphical representation of Table 5-3. A detailed breakdown of reduced 2020 emissions by category is available in Appendix ___.

Table 5-3 Reduced 2020 GHG Emissions by Source	
Category	Metric tons of CO ₂ e
Transportation	421,561
Energy	251,372
Area Sources	73,046
Solid Waste	38,000
Water and Wastewater	14,158
Total	798,137

Figure 5-1 Reduced 2020 GHG Emissions Generated by Source



5.3 Emissions Summary

With the implementation of the reduction measures outlined in Chapter 4, the City of Moreno Valley would reduce its emissions to a level below the 2020 reduction target calculated in Chapter 3. This represents a 38.5 percent decrease from the BAU 2020 inventory and is consistent with the State’s GHG

5.3 EMISSIONS SUMMARY

reduction goals. Table 5-4 summarizes the existing 2010 emissions, the 2020 emissions inventory, and the reduced 2020 emissions.

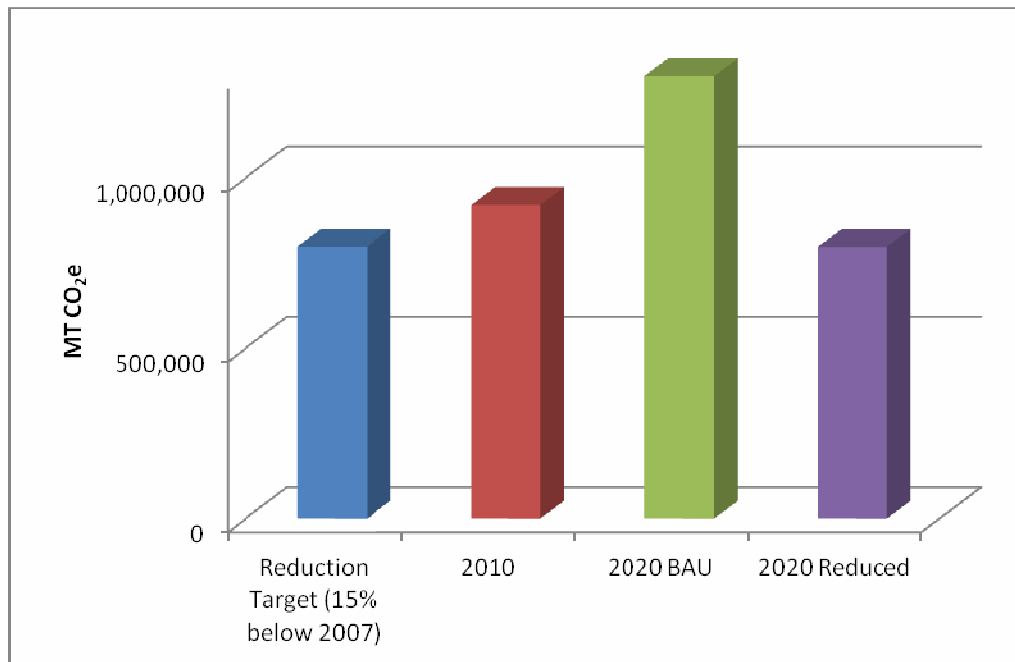
Table 5-4 2020 GHG Emissions Comparison				
Source Category	Metric tons of CO₂e			
	2010	BAU 2020	Reduced 2020	% Reduced
Transportation	513,581	788,267	421,561	46.5
Energy	277,230	356,192	251,372	29.4
Area Sources	69,437	84,665	73,046	13.7
Water and Wastewater	16,831	20,216	14,158	30.0
Solid Waste	43,633	49,203	38,000	22.8
Total	920,712	1,298,543	798,137	38.5
Emission Reduction Target		798,693	798,639	
Below Reduction Target?		No	Yes	
Note: Mass emissions of CO ₂ e shown in the table are rounded to the nearest whole number. Totals shown may not add up due to rounding.				

Chapter 6 Conclusion

6.1 Conclusions

This report serves as a guide to help the City implement the objectives of conserving resources and reducing GHG emissions. This document also serves as a technical resource future updates of the City’s General Plan and other land use related documents that may require evaluation and documentation of GHG emissions. Figure 6-1 shows a comparison between the emission inventories discussed throughout this report.

Figure 6-1 Moreno Valley GHG Emissions by Year



This document sets a target to reduce community-wide GHG emission emissions by 15% from 2007 levels by 2020, consistent with the State reduction goals in AB 32. The CARB Scoping Plan outlines the reduction strategies designed to meet the statewide reduction goal of AB 32. The City has a reduction strategy as described in Chapter 4 that would meet the State reduction goal. Reduction measures provided herein would ensure that Moreno Valley meets the AB 32 reduction target of reducing to 15% below 2007 levels (reduce down to 798,693 MT CO₂e) by 2020. In many cases, implementation of the reduction measures will require the cooperation of other agencies, private businesses, and residents. Even with the anticipated growth, the modernization of vehicle fleets, combined with the continued implementation of the proposed measures, will reduce GHG emissions by approximately 500,406 MT CO₂e from 2020 levels. Therefore, the implementation of the State (R1) measures combined with the City’s R2 and R3 measures will reduce GHG emissions down to 798,137 MT CO₂e by year 2020, which is 556 MT CO₂e below the reduction target.

6.2 Additional Reduction Opportunities

The quantitative analysis of reductions demonstrates that the City can achieve the reduction target by implementing the reduction strategies. The quantitative analysis of future emissions in Moreno Valley also demonstrates that the target is achieved with only 556 MT CO₂e to spare. However, there are many additional opportunities to reduce emissions that cannot be calculated in a quantitative manner at this time.

One class of additional reduction opportunities includes many of the R3 measures which are anticipated to reduce emissions but cannot be calculated due to indeterminate variables. These include cross-jurisdictional coordination on transportation and energy programs that can reap huge additional reduction opportunities beyond what Moreno Valley can do on their own, an Alternative Energy Development Plan coordinated with SCE, City tree planting program that provides additional sequestration and shade, and a Heat Island Plan. Addressing the heat island affect will reduce the energy needed to cool buildings and automobiles, which would result in a reduction in GHG emissions. However, the current state of emission modeling cannot calculate the emissions reductions associated with addressing the heat island effect.

Another class of additional reduction opportunities includes the implementation of the Regional Sustainable Communities Strategy (SCS) within Moreno Valley. The Southern California Association of Governments (SCAG) has released the draft SCS, but has not finalized it or provided the quantitative values to estimate the GHG reductions within Moreno Valley attributable to implementation of the SCS. Once more quantitative data is available, additional reductions due to the SCS within Moreno Valley can be calculated and provided.

The last class of additional reduction opportunities includes the City's ability to implement the R2 measures in a manner that reduces emissions beyond what was calculated in Section 4. As an example, a very modest participation in voluntary energy efficiency retrofits of existing buildings was expected in the calculations that are shown. Increasing participation in these programs will result in additional reductions.

The City should monitor progress of achieving the reduction goal as the R2 measures are implemented and take advantage of these additional reduction opportunities to insure that the target is achieved.

Chapter 7 Implementation

CHAPTER 7 IMPLEMENTATION

This GHG Analysis sets a framework for Moreno Valley to reduce its GHG emissions. Through this analysis, the City has set a baseline for emissions, a target for emissions reductions, and a strategy to attain the reductions to a series of reduction measures. The implementation of these measures will depend on development review; coordination with other agencies, businesses, and residents; and availability of funding through rebates and incentives.

Many of the proposed reduction measures will be implemented through the development review process. New construction offers the opportunity to build with energy efficiency and renewable energy integrated from the start. Additionally, making land use decisions based on transit accessibility and proximity to a variety of uses will help to reduce the dependency on vehicles as the main mode of transportation. Reductions from existing development will also be critical in order to reduce emissions in Moreno Valley. These improvements to existing buildings can offer direct energy cost savings and there are a variety of rebates and incentives available at the state and local level to make the upfront costs more affordable.

On a municipal level, the City of Moreno Valley has already begun to implement energy efficiency upgrades with funding from the EECBG grant money. By implementing all of the remaining planned projects, the City can set an example for the rest of the community and demonstrate how these retrofits are saving the City money and reducing GHG emissions. The City has also been monitoring its energy use through the Energy Star Portfolio Manager program. This has allowed the City to assess energy use in its facilities and monitor changes in energy use based on the retrofits described above. In the future, Moreno Valley can also work to identify additional funding for future projects and continue to administrate the Energy Star Portfolio Manager.

This report is the first step in getting Moreno Valley on track with reducing its GHG emissions. Moving forward, the City will need to monitor and evaluate the implementation of the plan, reassess the reduction measures, and continually update the plan in order to address emissions beyond 2020.

Chapter 8 **References**

CHAPTER 8 REFERENCES

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CHAPTER 8 REFERENCES

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CITY OF MORENO VALLEY

PLANNING COMMISSION RULES OF PROCEDURE

I. RULES OF ORDER, ORGANIZATION AND OFFICERS

A. RULES OF ORDER

Except as otherwise provided in these Rules of Procedure, "Roberts Rules of Order, Newly Revised," shall be used as a guide to the conduct of the meetings of the Planning Commission; except as may otherwise be provided by applicable law, no omission to conform to said rules of order shall in any instance be deemed to invalidate any action taken by the Commission.

B. ORGANIZATION

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

C. OFFICERS

1. SELECTION

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

2. RESPONSIBILITIES

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

- a. Chairperson
 - 1) Preside at all meetings of the Commission.

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

b. Vice-Chairperson

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

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

D. POWERS AND DUTIES

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

E. ETHICAL PROCESS AND PROCEDURE

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

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

F. FITNESS TO SERVE; STATEMENT OF PRIOR CONVERSATIONS

1. Any Planning Commissioner who wishes to serve the City of Moreno Valley shall adhere to the Goals, Performance Objectives, Duties, Responsibilities, Ethical Process and Procedure, and Public Relations Standards as herein listed.
2. Present Commissioners who wish to serve who cannot justifiably adhere to the contents of the guidelines must evaluate their fitness to serve.
3. Any Commissioner shall declare prior to voting in the recorded minutes, whether or not they talked or otherwise communicated independently with the developer, with the proponents, or with the opponents or with a representative of the developer, proponents or opponents concerning a project under consideration, and shall disclose the substance of the communication.

II. MEETINGS

A. PUBLIC MEETINGS

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

B. REGULAR MEETINGS

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

C. ADJOURNED MEETINGS

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

D. SPECIAL MEETINGS

Special meetings of the Planning Commission may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the City Council following at least 48 hours notice to each member of the Commission and to the press, and to each person who has duly requested notice of such meetings. The time and place of the special meeting shall be determined by the

convening authority, except that the meeting place shall be within the corporate limits of the City. Only those matters of business described in the call and notice for a special meeting shall be considered by the Commission.

E. STUDY SESSIONS/WORKSHOPS

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
3. All study sessions shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

F. AGENDA

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

G. ORDER OF MEETINGS

1. UNLESS THE CHAIRPERSON IN HIS OR HER DISCRETION OTHERWISE DIRECTS, THE ORDER OF BUSINESS SHALL BE AS FOLLOWS:
 - a. The Chairperson shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.
 - b. Members present and absent shall be recorded.
 - c. Pledge of Allegiance shall be made.
 - d. The agenda shall be approved as submitted or revised (to the extent permitted by law).
 - e. The minutes of any preceding meeting shall be submitted for approval.

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

2. PRESENTATION OR HEARING OF PROPOSALS

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

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

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

d. ORDER OF TESTIMONY

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

e. RULES OF TESTIMONY

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

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

H. MOTIONS

1. A motion to adjourn shall always be in order except during roll call.
2. The Chairperson of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission. However, since the Chairperson is primarily responsible for the conduct of the meeting, if he or she personally desires to engage in extended debate on questions before the Commission, he or she should consider turning the Chair over to another Commissioner.

I. VOTING

1. VOTING REQUIREMENTS

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

2. VOTING ORDER

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

3. RECORDING OF VOTES

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

4. DISQUALIFICATION FROM VOTING

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

5. RECONSIDERATION

Any Commissioner who voted with the prevailing side may move a reconsideration of any action at the same meeting or the next regular meeting following the meeting where the matter was voted upon. After a motion for reconsideration has been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Commissioners present.

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

III. REVIEW AND AMENDMENTS PROCEDURE

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