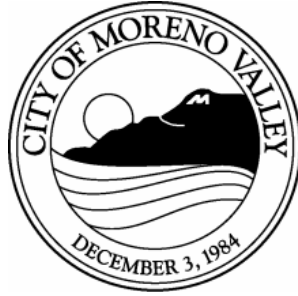

PLANNING COMMISSIONERS

BRIAN LOWELL
Chair

JEFFREY SIMS
Vice-Chair

RAY L. BAKER
Commissioner



JEFFREY BARNES
Commissioner

CARLOS RAMIREZ
Commissioner

PATRICIA KORZEC
Commissioner

MELI VAN NATTA
Commissioner

PLANNING COMMISSION Regular Meeting

Agenda

**Thursday, April 28, 2016 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Approval of Agenda

CONSENT CALENDAR

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

APPROVAL OF MINUTES

Planning Commission - Regular Meeting - Oct 8, 2015 7:00 PM

Approve as submitted.

Planning Commission - Regular Meeting - Oct 22, 2015 7:00 PM

Approve as submitted.

Planning Commission - Regular Meeting - Nov 12, 2015 7:00 PM

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Approve as submitted.

Planning Commission - Regular Meeting - Feb 25, 2016 7:00 PM

Approve as submitted.

Planning Commission - Regular Meeting - Mar 24, 2016 7:00 PM

Approve as submitted.

PUBLIC COMMENTS PROCEDURE

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

NON-PUBLIC HEARING ITEMS

1. Weed Abatement and Weed Barriers on Private Property (Report of: Community Development)

Case: Discussion Item Regarding Weed Abatement and Weed Barriers

Applicant: City of Moreno Valley

Owner: Not applicable

Representative: Not applicable

Location: City-wide

Case Planner: Chris Ormsby

Council District: Not applicable

PUBLIC HEARING ITEMS

2. Case: P16-007 and P16-008

Applicant: Riverside Housing Development Corp (RHDC)

Owner: Riverside Housing Development Corp (RHDC)

Representative: Riverside Housing Development Corp (RHDC)

Location: 22889 Allies PI and 22899 Allies PI

Case Planner: Claudia Manrique

Council District: 5

Proposal: P16-007 & P16-008 - Variance requests to reduce the rear setback of two existing four unit apartment complexes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolutions No. 2016-07 and 2016-08, and thereby:

1. **CERTIFY** that the proposed Variances are exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 5 Categorical Exemption, CEQA Guidelines, Section 15305 for Minor Alterations in Land Use Limitation; and
 2. **APPROVE** Variance P16-007 based on the findings contained in Planning Commission Resolution 2016-07; and
 3. **APPROVE** Variance P16-008 based on the findings contained in Planning Commission Resolution 2016-08.
3. Case: PA14-0011
- Applicant: City of Moreno Valley
- Owner: City of Moreno Valley
- Representative: Community Development Department
- Location: Citywide
- Case Planner: Claudia Manrique
- Council District: All
- Proposal: Municipal Code Amendment

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-05, and thereby:

1. **RECOGNIZE** that PA14-0011 (Municipal Code Amendment) qualify as exemptions in accordance with CEQA Guidelines, Section 15061.
2. **APPROVE** Planning Commission Resolution No. 2016-05, recommending that the City Council approve the proposed amendments to Title 8, Title 9, and Title 12 of the City Municipal Code, PA14-0011.

OTHER COMMISSION BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Next Meeting: Planning Commission Regular Meeting, **May 12, 2016 at 7:00 P.M.**, City of Moreno Valley, City Hall Council Chambers, 14177 Frederick Street, Moreno Valley, CA 92553

1 CITY OF MORENO VALLEY PLANNING COMMISSION
2 REGULAR MEETING
3 CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET
4

5 Thursday, October 8th, 2015, 7:00 PM

6
7
8 CALL TO ORDER
9

10 CHAIR LOWELL – Good evening ladies and gentleman. I would like to call the
11 October 8th, 2015 Regular Meeting of the Planning Commission to order. The
12 time is actually 7:04 PM. Grace, may we have the rollcall please?
13

14
15 ROLL CALL
16

17 Commissioners Present:

18 Alternate Commissioner Gonzalez
19 Commissioner Korzec
20 Commissioner Barnes
21 Commissioner Baker
22 Alternate Commissioner Nickel
23 Vice Chair Sims
24 Chair Lowell
25

26 Staff Present:

27 Rick Sandzimier, Planning Official
28 Paul Early, Assistant City Attorney
29 Grace Espino-Salcedo, Administrative Assistant
30 Jeff Bradshaw, Case Planner
31 Claudia Manrique, Case Planner
32 Vince Giron, Traffic Engineer
33 Michael Lloyd, Traffic Engineer
34

35
36 CHAIR LOWELL – It also should be noted that Commissioner Ramirez and
37 Commissioner Van Natta are absent and their absences are approved. I would
38 like to ask Vice Chair Sims to lead us in the Pledge of Allegiance tonight.
39

40
41 PLEDGE OF ALLEGIANCE
42

43
44 APPROVAL OF THE AGENDA

1
2 **CHAIR LOWELL** – Thank you. Would anyone like to motion to approve
3 tonight’s Agenda? Now we can motion.

4
5 **ALTERNATE COMMISSIONER NICKEL** – I move to approve tonight’s Agenda.

6
7 **CHAIR LOWELL** – Push that little move button on your screen. Moved by
8 Commissioner Nickel and seconded by Korzec. That was a race. So please
9 cast your vote. I’m assuming we’re all going to say yes. Perfect. All votes have
10 been cast. Tonight’s Agenda has been approved. Perfect.

11
12
13 **CONSENT CALENDAR**

14
15 *All matters listed under Consent Calendar are considered to be routine and all*
16 *will be enacted by one rollcall vote. There will be no discussion of these items*
17 *unless Members of the Planning Commission request specific items be removed*
18 *from the Consent Calendar for separate action.*

19
20
21 **APPROVAL OF MINUTES**

22
23 **Planning Commission - Regular Meeting - May 14th, 2015 7:00 PM**

24
25
26 **CHAIR LOWELL** – Now we’re moving on to approval of the Minutes. We have
27 Minutes from the previous meetings, specifically the meeting of May 14th, 2015.
28 Does anybody have any questions or comments about the meeting or the
29 Minutes? Okay. Motion to approve the Minutes?

30
31 **COMMISSIONER BAKER** – I so move to approve the Minutes.

32
33 **CHAIR LOWELL** – Do we have a second?

34
35 **ALTERNATE COMMISSIONER GONZALEZ** – I second.

36
37 **CHAIR LOWELL** – Perfect. With that said, may we have a rollcall vote? It
38 didn’t let me do it. There we go. It just popped up. There we go. Let’s do a
39 motion and a second. Who seconded it?

40
41 **ALTERNATE COMMISSIONER GONZALEZ** – I did.

42
43 **ALTERNATE COMMISSIONER NICKEL** – But it is not showing. Oh,
44 someone’s got to push it.

1 **CHAIR LOWELL** – Oh my goodness, so complicated. Sometimes I just think
2 I....okay, everybody vote please.

3
4 **ALTERNATE COMMISSIONER NICKEL** – Chairman Lowell.

5
6 **CHAIR LOWELL** – Yes ma'am.

7
8 **ALTERNATE COMMISSIONER NICKEL** – I have a question for the Assistant
9 City Attorney. Erlan and myself were not seated at this meeting, so we should
10 abstain?

11
12 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Well you were present at the
13 meeting, so if you reviewed the Minutes and you believe they reflect accurately
14 you certainly can vote. It's typical for absent commissioners to abstain on a vote
15 to approve the Minutes, but as long as you are familiar with them and aware of
16 them you're certainly capable of voting on the item if you wanted to.

17
18 **CHAIR LOWELL** – You were part of the meeting. That is the day you were
19 sworn in.

20
21 **ALTERNATE COMMISSIONER NICKEL** – I know. I was just checking.

22
23 **CHAIR LOWELL** – You could have abstained if you so chose.

24
25 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Right.

26
27 **ALTERNATE COMMISSIONER NICKEL** – Oh, I know what was said.

28
29 **CHAIR LOWELL** – Okay and it passed 7-0, awesome. Pardon me one second.
30 Let me get back to my meeting.

31
32
33 Opposed – 0

34
35
36 **Motion carries 7 – 0**

37
38
39 **PUBLIC COMMENTS PROCEDURE**

40
41 *Any person wishing to address the Commission on any matter, either under*
42 *Public Comments section of the Agenda or scheduled items or public hearings,*
43 *must fill out a "Request to Speak" form available at the door or at the side of the*
44 *room over here. The completed form must be submitted to the Secretary prior to*
45 *the Agenda item being called by the Chairperson. In speaking to the*
46 *Commission, members of the public may be limited to three minutes per person,*

1 *except for the applicant for entitlement. The Commission may establish an*
2 *overall time limit for comments on a particular Agenda item. Members of the*
3 *public must direct their questions to the Chairperson of the Commission and not*
4 *to other members of the Commission, the applicant, the Staff, or the audience.*
5 *Additionally, upon request, this Agenda will be made available in appropriate*
6 *alternative formats to persons with disabilities in compliance with the Americans*
7 *with Disabilities Act of 1990. Any person with a disability who requires a*
8 *modification or accommodation in order to participate in the meeting should*
9 *direct their request to Guy Pagan, our ADA Coordinator. His phone number is*
10 *(951) 413-3120. Please make your request at least 48 hours prior to the*
11 *meeting. The 48-hour notification will enable the City to make reasonable*
12 *arrangements to ensure accessibility to this meeting.*

13
14
15 **CHAIR LOWELL** – So that moves us onto the Public Hearing portion of the
16 meeting.

17
18
19 **NON-PUBLIC HEARING ITEMS**

20
21 **None**

22
23 **CHAIR LOWELL** – That moves us onto the Non-Public Hearing Items, which I
24 don't believe we have any.

25
26 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Were you going to take Public
27 Comments on matters not on the Agenda at this time?

28
29 **CHAIR LOWELL** – Right. Do we have any Public Comments?

30
31 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – I do not have
32 any.

33
34 **CHAIR LOWELL** – Ah, see.

35
36 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – I do not have
37 any Slips that is.

38
39 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Your foresight is ahead of me
40 on this.

41
42 **CHAIR LOWELL** – Okay, so that moves us onto the Non-Public Hearing Items,
43 which I don't believe we have any.

44
45 **PLANNING OFFICIAL RICK SANDZIMIER** – We have none.
46

1 **CHAIR LOWELL** – Perfect.

2
3
4 **PUBLIC HEARING ITEMS**

- 5
- 6 1. Case: PA15-0028 – Tentative Parcel Map 36468
- 7
- 8 Applicant: Continental East Fund III, LLC
- 9
- 10 Owner: Continental East Fund III, LLC
- 11
- 12 Representative: Continental East Fund III, LLC
- 13
- 14 Location: Moreno Valley Ranch Specific Plan (SP #193)
- 15
- 16 Case Planner: Jeff Bradshaw
- 17
- 18 Council District: 4
- 19
- 20 Proposal: Applicant request for continuance to the October 22nd,
- 21 2015, Planning Commission meeting for proposed
- 22 Finance Map 36468. Tentative Parcel Map No.
- 23 36468 proposes to create a three parcel subdivision
- 24 for finance purposes for property located within the
- 25 approved 217 unit Continental Villages Project. The
- 26 three parcels correspond to the three distinct
- 27 residential product types located within the project.
- 28 The Finance Map does not include any proposed
- 29 development.
- 30

31
32 **STAFF RECOMMENDATION:**

33
34 Staff recommends that the Planning Commission take the following action:

35
36 **APPROVE** the applicant’s request for a continuance of the public hearing
37 for this item to the next Regular Planning Commission Meeting date of
38 October 22nd, 2015.

39
40 **CHAIR LOWELL** – That moves us onto the Public Hearing Items. The first item,
41 which is PA15-0028, Tentative Parcel Map 36468. The Applicant is Continental
42 East Fund III, LLC and our Case Planner is Mr. Jeff Bradshaw.

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – We are not going to have a verbal
45 Staff Report, but I’m going to take the opportunity here this evening to identify
46 that this particular Applicant asked for the item to be on the hearing this evening

1 so we did schedule it for this evening and our public notice was actually posted in
2 the newspaper and on the site calling for the public hearing to be conducted this
3 evening. However, subsequent to that posting, the Applicant had some
4 additional information or additional stuff they needed to still do with the project so
5 they sent us a request to see if they could continue the item to the next Regular
6 Meeting, which would be October 22nd, 2015. And so what we have done is we
7 have included a brief Staff Report, and because of the fact that there was a
8 public notice issued, it would appropriate for the Commission to consider if there
9 are any speakers present that wanted to comment on it to either allow them to
10 speak this evening or ask them to hold their comments until the next meeting
11 when this item is taken up. But I just wanted to point that out for the
12 Commission.

13
14 **CHAIR LOWELL** – Okay, so should we hear a brief Staff Report or should we
15 see if there are any Public Comments?

16
17 **PLANNING OFFICIAL RICK SANDZIMIER** – We do not have a detailed Staff
18 Report this evening. There will be no Staff Report. It was just an opportunity if
19 somebody wanted to speak.

20
21 **CHAIR LOWELL** – Okay, with that said, do we have any Speaker Slips for
22 tonight?

23
24 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – I don't have
25 any Public Speaker Slips for Item No. 1.

26
27 **CHAIR LOWELL** – Okay.

28
29 **PLANNING OFFICIAL RICK SANDZIMIER** – But we would just be asking you
30 then to take an action to continue the item. So the reason to take an action and
31 continue it to the 22nd would be it removes the need to do any additional noticing.
32 Thank you.

33
34 **CHAIR LOWELL** – Okay, so is there any specific verbiage that I need to say as
35 far as a motion? A motion to continue the Item until October 22nd, 2015?

36
37 **ASSISTANT CITY ATTORNEY PAUL EARLY** – That is exactly perfect.

38
39 **CHAIR LOWELL** – Okay, would anybody like to make a motion? I'll make a
40 motion.

41
42 **VICE CHAIR SIMS** – Well how do we do it?

43
44
45 **CHAIR LOWELL** – The vote button is not up here. There we go. I'm still getting
46 used to my programming. Okay, I'll make the motion.

1
2 **VICE CHAIR SIMS** – Well no, I think I am ready.

3
4 **CHAIR LOWELL** – Okay.

5
6 **VICE CHAIR SIMS** – I would move that we continue this item to a Public
7 Hearing until the next Regular Planning Commission Meeting of October 22nd,
8 2015.

9
10 **CHAIR LOWELL** – Perfect. It looks like it was seconded by Commissioner
11 Korzec.

12
13 **COMMISSIONER KORZEC** – Yes.

14
15 **CHAIR LOWELL** – Two more votes to go. Perfect, all votes have been cast.
16 The Item has been continued to the next meeting voted unanimously 7-0.

17
18
19 Opposed – 0

20
21
22 **Motion carries 7 – 0**

23
24
25
26 2. Case: PA15-0009 (CUP)
27
28 Applicant: Verizon Wireless
29
30 Owner: Shinder Kaur and Parmjit Singh
31
32 Representative: SAC Wireless (Dail Richard)
33
34 Location: 14058 Redlands Boulevard (Farm Market)
35
36 Case Planner: Claudia Manrique
37
38 Council District: 3
39
40 Proposal: Conditional Use Permit (PA15-0009) for a new
41 wireless communications facility.
42
43

44 **STAFF RECOMMENDATION:**

45
46 Recommend that the Planning Commission **APPROVE** Resolution No. 2015-25.

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- 1. **CERTIFY** that the proposed Verizon wireless telecommunications facility is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, CEQA Guidelines, Section 15303 for New Construction or Conversion of Small Structures; and
- 2. **APPROVE** Conditional Use Permit PA15-0009 based on the findings contained in Planning Commission Resolution 2015-25, subject to the conditions of approval included as Exhibit A of the Resolution.

CHAIR LOWELL – That moves us onto the second item. Do we need to have a Staff wrap-up on that one?

PLANNING OFFICIAL RICK SANDZIMIER – There is no Staff wrap-up on that one, and while I’m here, the next item is a Public Hearing. Claudia Manrique, our Staff Planner, will be giving the presentation.

CHAIR LOWELL – Perfect. So the second item is Case PA15-009, which is a Conditional Use Permit. The Applicant is Verizon Wireless and our Case Planner is Claudia Manrique.

ASSOCIATE PLANNER CLAUDIA MANRIQUE – Good evening. I’m Claudia Manrique, the Project Planner. The proposal is for a new wireless telecommunications facility, a WCF. The Applicant is Verizon and it is for a 60 foot monopine to be located at 14058 Redlands Boulevard, which is the site of the Farmer’s Market. Under the current regulations in the Code, WCF’s a permitted with a Conditional Use Permit within a Commercial Zone. Due to the site being less than 300 feet away from Residential Zones, the project approval authority has been elevated to Planning Commission. The nearest home to the project located directly across Kimberly Street is approximately 98 feet away. In addition to this home, there are several other homes in the immediate proximity of the proposed tower and equipment enclosure. We have an aerial photograph. The parcel highlighted in red is the project site. Again, the new facility is proposed as a 60 foot tall monopine designed to mask its appearance as a tower in an attempt to match the existing pine trees around the site. The antenna rays and panels will be painted to match the pine trees and help blend the equipment with the neighboring existing pine trees. The 190 foot equipment shelter will house, along with the monopine, within a 900 square foot lease area which will be screened by an 8 foot decorative block wall, which is going to be painted to match the existing Farmer’s Market building. The design of the tree blends in with the existing tree species near the site, and they will be required to plant three additional pine trees. The Applicant has prepared some photographic simulations. First we have, this is the zoning of the site. The site is zoned

Minutes Acceptance: Minutes of Oct 8, 2015 7:00 PM (APPROVAL OF MINUTES)

1 Village Commercial, and it is surrounded by other commercial on the four
2 corners. This is the tower itself, and you can see in the front is the Farmer's
3 Market building. This is from the side. The star next to the Farmer's Market
4 shows where the tower will be placed on the site. This from east looking towards
5 the Farmer's Market. Here is off Redlands Boulevard. Off of Redlands just south
6 of Kimberly. That's the last one. As noted, the site includes the Farmer's Market
7 PA06173, which is currently under construction. The market was designed to be
8 consistent with the Village Commercial Standards, which provides limited retail
9 commercial services, which are compatible to the residential community around
10 the facility. The Farmer's Market building is the largest structure within this
11 commercial zone and provides the best opportunity to house a wireless facility.
12 In addition, the wireless facility design is considerate of building materials, colors,
13 and the landscape palette of the area. The landscape for the Farmer's Market is
14 not quite complete, but it also has pine trees and that's part of why we decided
15 that a monopine was appropriate for the site, as well as the three additional tree
16 species that are being conditioned to be added. This project was submitted in
17 March of 2015 and City Staff from various departments, including fire prevention,
18 has been working with the Applicant to resolve any issues and interests that were
19 raised during the review. Planning Staff has reviewed the environmental and
20 found that the project is exempt under CEQA Class 3 Categorical Exemption,
21 Section 15303, for New Construction or Conversion of Small Structures. Public
22 notice was sent to property owners within 300 feet of the project and posted on
23 site, as well as published in the Press Enterprise Newspaper on September 25th,
24 2015. As of today, I received one letter that was signed by six of the neighbors
25 against the project mainly due to the proximity to their homes and some issues or
26 concerns with health. I also received one phone call also against the project. I
27 don't know, I believe he is here tonight to speak his concerns. Staff recommends
28 **APPROVAL** of Resolution 2015-25 **CERTIFYING** that the project is exempt
29 under CEQA and **APPROVE** Conditional Use Permit PA15-0009. Thank you.

30
31 **CHAIR LOWELL** – Thank you very much. Anybody have any questions for
32 Staff? Okay, with that said, I'd like to invite the Applicant up to speak.

33
34 **APPLICANT DAIL RICHARD** – Hello. My name is Dail Richard. I am here on
35 behalf of Verizon. I want to thank Ms. Manrique for the presentation. I think she
36 did a good job illustrating what it is we are trying to accomplish here and
37 ultimately what the facility is going to look like once it's constructed. I know the
38 Farmer's Market is still under construction, but we did the best we could with the
39 photo simulations to make you guys aware of exactly what we're trying to do and
40 what it'll look like. A few things I did want to point out. The main objective of this
41 project is to address a gap in coverage for Verizon. It will be their latest 4G LTE
42 technology and it'll close the gap in that particular area. It'll also allow the other
43 nearby facilities to operate a little bit more effectively during peak usage, so it
44 brings a meaningful benefit to the network in the general area to the community.
45 In addition, we have worked with the Planning Department on some esthetic
46 components in order to make sure that we don't just provide the most minimally

1 acceptable design for something that is actually desired by the community and
2 what we've done is we've ensured that branching for the monopine starts at a
3 certain distance off the ground. And we have also agreed for conditions to
4 interval spacing vertically along the tower to ensure a nice full appearance for the
5 monopine. And the addition of the trees will actually be three live trees at a
6 mature height of 20 feet, so we won't be planting small trees that will take years
7 to grow. We will be planting mature trees, so it'll have a nice appearance from
8 the onset of the project. We do recommend or hope to get a favorable approval
9 on the project, and I'm available if there are any questions.

10
11 **CHAIR LOWELL** – Thank you very much. Does anybody have any questions
12 for the Applicant?

13
14 **ALTERNATE COMMISSIONER GONZALEZ** – I do.

15
16 **CHAIR LOWELL** – Mr. Gonzalez.

17
18 **ALTERNATE COMMISSIONER GONZALEZ** – A few questions. Are any of the
19 nearby facilities also Verizon? That is my first question. And do you have any
20 other kind of a Master Plan of gap coverage in this vicinity or at least in the
21 Moreno Valley environment?

22
23 **APPLICANT DAIL RICHARD** – The other nearby facilities that this would affect
24 would be the other Verizon facilities. There are just a couple nearby. We do not
25 have a Master Plan for this particular city, but the gap in coverage would be
26 addressed by this project as its proposed. When Verizon identifies a gap in
27 coverage, we're issued a very specific target search area and we locate best
28 location within there in order to meet their coverage needs, as well as any local
29 Municipal Code Regulations and Federal Guidelines.

30
31 **ALTERNATE COMMISSIONER GONZALEZ** – So this was the most apt site in
32 your analysis at this time?

33
34 **APPLICANT DAIL RICHARD** – Yeah a number of factors go into choosing a
35 specific location. It has to, of course, meet Verizon's network objectives. That's
36 key. Another thing that I mentioned just a minute ago was that it has to abide by
37 Local Zoning Regulations as far as where we're allowed to install a wireless
38 facility, which this location allows for it. But then we also need a landlord or
39 property owner whose willing to enter a long-term agreement with Verizon in
40 order to make sure that a couple years after the expense of building this tower it
41 doesn't fall apart. So a lot of pieces have to come together and this was the best
42 location.

43
44 **ALTERNATE COMMISSIONER GONZALEZ** – Thank you.

45
46 **CHAIR LOWELL** – Were there any other locations that were considered?

1
2 **APPLICANT DAIL RICHARD** – We identified other potential locations but none
3 were taken beyond the point of just general interest. This one, it met all of the
4 objective goals right off the bat. The property owner was interested, so we
5 moved forward with this project.

6
7 **CHAIR LOWELL** – Now as far as the specific location on site, is that set in
8 stone or is that up to negotiation? I mean my curiosity is why is this cell tower so
9 close to Kimberly when it could be moved further north towards Alessandro
10 where it would be more centered in the commercial area?

11
12 **APPLICANT DAIL RICHARD** – Sure. I wouldn't say that the location is set in
13 stone but change in location does set back the project for Verizon. A number of
14 reports and studies are done for that specific location; the soils in that location,
15 etc. But that location was chosen (A) because it's behind the Farmer's Market so
16 it provides some additional screening and coverage there and it allows for our
17 equipment enclosure to blend in more esthetically with the Farmer's Market by
18 painting it and texturing it to match that building. Also, we have to deal with fire
19 department access regulations. So, depending upon the placement of the pine,
20 we may have been required to pave a large portion of the land with a fire turnout.
21 So by using this location here, it allows the fire department, if necessary, for
22 emergency response to pull up along side the street if there is any sort of fire or
23 emergency and we can also utilize the existing parking lot for the Farmer's
24 Market for entry and exit for fire vehicles.

25
26 **CHAIR LOWELL** – Fair enough. Thank you very much. Any other questions for
27 the Applicant? Okay. Thank you very much. That moves us onto the Public
28 Comments portion. If anyone is interested in speaking on this item, please fill out
29 a Speaker Slip and provide it to our recording secretary if you have not done so
30 already. Do we have any Speaker Slips on this item, Grace?

31
32 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – We have one
33 Speaker Slip from Rick Irvine.

34
35 **CHAIR LOWELL** – Okay. That does not show up on my screen but please
36 make your way up to the podium. Could you introduce yourself for us?

37
38 **SPEAKER RICK IRVINE** – My name is Rick Irvine. I live right next door to the
39 property that would be on the east side. I'm glad to see that you've approved a
40 continuance to give us some more time because originally we were only allowed
41 nine days to amount any kind of an opposition against this, and that was kind of
42 unreasonable. We would like to request an additional extension because it's
43 going to take us a while to get all the petitions and signatures. The lawn signs
44 aren't even done yet. And it's taken them five years so far to build the property
45 that is there and a little more time for the opponents would certainly be
46 appreciated. One thing that concerns us is the Telecommunications Act of 1996.

1 It says that we cannot base opposition upon health issues. It just seems so
2 absurd to ignore all of the studies and the adverse effects that have been
3 reported in the last 20 years, including cancer and genetic damage which may
4 not even be apparent until the next generation or two. Or the radiation, asbestos,
5 or thalidomide it is arguably unconstitutional to deny us the right to claim health
6 issues, and I hope the decisions will best be conceded towards caution. Nobody
7 wants to live next to a cell tower or develop symptoms from it. It degrades our
8 once beautiful rural atmosphere and decreases our property values, but this
9 location is proposed on the exact spot where the original and historic town of
10 Moreno was established. Back in 1891, the historical stagecoach road
11 immediately east was a landmark linking the two. I would think the original
12 inhabitants would be turning over in their grave right now if they knew that ugly
13 technology and electromagnetic radiation that might be coming up from their
14 hallowed historic ground. Cell tower sites are traditionally placed in remote
15 locations, on hills/on industrial parks, rather than in the middle of residential
16 neighborhoods. "Every effort should be made to place these controversial
17 structures away from established residential neighborhoods." Also, the proposer
18 of such a tower must prove no alternative sites are available. Well, in this case
19 and I brought a big chart, it shows there are sites within blocks on every side of
20 this proposed property, even one mile east where they've already crammed the
21 World Logistics Center down our throats despite scandal, corruption, and bribes.
22 Speaking of Marcello, he might have had a hand in even proposing and
23 approving this site because it's been dumping dirt, dust, and noise on the
24 surrounding voters for the last five years.

25
26 **CHAIR LOWELL** – Thank you very much. That was your three minutes. Thank
27 you very much.

28
29 **SPEAKER RICK IRVINE** – I asked for three minutes and 15 second but okay.

30
31 **CHAIR LOWELL** – If you can wrap it up quickly I'll let you go.

32
33 **SPEAKER RICK IRVINE** – I certainly can. There are some problems with the
34 construction. As a matter of fact, I sent several of you a 25-page document. It's
35 hit other agencies and as a result construction there has come to a standstill.
36 There are going to be some problems, and if I were Verizon I wouldn't touch that
37 site with a 10 foot pole or a 60 foot monopine. People tell me it's going to
38 happen. It doesn't make any difference what you do. But to those people, I'll tell
39 them, I'm mad as hell and I'm not going to take it anymore. Those people they
40 are trying to take our tranquility and our health away from us. I can sum up the
41 entire thing in two words or one gesture. Thank you.

42
43 **CHAIR LOWELL** – Thank you very much. I don't see any other speakers. Do
44 we have any other speakers on this item? Perfect, thank you.

45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – Chair Lowell: Before you close
2 the Public Hearing I just wanted to point out that the speaker had identified that
3 there was a request for a continuance on this item. I wanted to make sure that
4 it's clear to, not only the Commission but any of the audience who might think
5 that's still the case, the item before you was the item we were talking about was
6 a continuance. There has been no request for a continuance on this particular
7 item.

8
9 **CHAIR LOWELL** – The continuance that you were referring to I'm assuming
10 was the one for the previous item so he probably was just confused.

11
12 **PLANNING OFFICIAL RICK SANDZIMIER** – It was for the map, yes.

13
14 **CHAIR LOWELL** – For clarification, there is no continuation on this item.
15 Perfect. Thank you. With that said, I'd like to close the Public Comments portion
16 of this hearing. Do we have any questions for Staff, the Applicant, or amongst
17 ourselves? I don't see anybody chomping at the bit to talk.

18
19 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chair.

20
21 **CHAIR LOWELL** – Yes, Sir.

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – Per your rules and procedures, it
24 would be customary also to allow the Applicant if they wanted an opportunity to
25 rebut any public speaking to also have an opportunity to do, so it's at your
26 discretion but....

27
28 **CHAIR LOWELL** – Okay, yeah, I think I'd like to add. Okay, thank you.

29
30 **APPLICANT DAIL RICHARD** – Thank you very much. Again, my name is Dail
31 Richard. I'm the Applicant for Verizon. Just briefly, I just wanted to make sure
32 that everyone's aware that this project is separate from the Farmer's Market
33 project. There may be some kind of issue going on with that I'm not aware of,
34 but Verizon's project is separate from that. I just wanted to make that clear.
35 Also, I just wanted to make clear in case anyone here is not that FCC (Federal
36 Communications Commission) does regulate all wireless facilities in the US.
37 This site was designed to be compliant with all FCC Regulations, so it does not
38 pose a risk to public health and safety. Thank you.

39
40 **CHAIR LOWELL** – Do we have any questions for the Applicant? Staff? Any
41 questions at all?

42
43 **VICE CHAIR SIMS** – I do have a question of Staff. It's on the Categorical...is
44 that okay?

45
46 **CHAIR LOWELL** – By all means, you're up.

1
2 **VICE CHAIR SIMS** – Just on the CEQA, the use of the Categorical Exemption. I
3 just quickly pulled that up. Can somebody walk us through the process of getting
4 to use of that? You know, it's stated for consistency this is applicable. I just
5 would like to hear Planning Staff's take on that. How you get there on that one?
6

7 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – For the cell towers, we look
8 at them by themselves, as well as on the site. So, due to the size of the
9 enclosure, we felt that it best fit under the New Construction as a Small Structure.
10 The other alternative for an exemption that possibly could have been used was
11 In-Fill, but we felt this was better.
12

13 **VICE CHAIR SIMS** – Yeah, I guess the word, probably the word I have it pulled
14 up here on my phone what that Reference Section out of the CEQA Guidelines
15 15303 New Construction or Conversion of Small Structures. I guess it's just
16 subjective is the word small. You know, I get the 190 square foot little equipment
17 building is small in relationship to the size of the actual building, but 60 foot
18 monopine may not be considered in some to be small. So I just that's been kind
19 of one of my things as a Planning Commissioner is the use of Categorical
20 Exemptions. I tend to find that small is that's a stretch in my opinion, but that's
21 just one Planning Commissioners opinion.
22

23 **CHAIR LOWELL** – Any other questions? One of the questions I had was on the
24 map itself. On the Site Plan, it shows....excuse me. The Zone Map shows that
25 there is a property line going north/south parallel to Redlands and between
26 Kimberly and Alessandro and it says an existing temporary chain link fence is to
27 be removed. On the Site Plan, it shows that fence on the property line, but this
28 shows the property line being larger. Was there a parcel merger? What's the
29 ultimate outcome of this because it looks like on this Site Plan the cell tower is
30 kind of crossing the property line?
31

32 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Right. Originally, before
33 when the Farmer's Market was approved there were four or five parcels. So
34 some of them were merged, I'm just not sure how many were merged or what's
35 shown on our current GIS but cell tower is on the same parcel as the Farmer's
36 Market, so that was part of.....
37

38 **CHAIR LOWELL** – That's not encroaching any setbacks or anything?
39

40 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Right. Since the parcel also
41 to the east is commercial and that was part of why the project is sited where it is
42 because it is on the same property. If you move the tower too far north, then it
43 would be actually on the neighboring parcel. That's one of the other reasons.
44

45 **PLANNING OFFICIAL RICK SANDZIMIER** – Chair and Members of the
46 Commission: I do have Vince Giron here from our Land Development

1 Department. He has some additional information and might be able to shed
2 some light on this with regard to the number of parcels.

3
4 **TRAFFIC ENGINEER VINCE GIRON** – Yes good evening Chair and fellow
5 Commissioners, Vince Giron with the Land Development Division. There were
6 four parcels previously on the existing Farmer’s Market site. There are two
7 parcels on either side, one on either side of the Farmer’s Market site. So, to
8 answer the question of the merger, there was a parcel merger. It was done a few
9 years ago and there were four parcels that were merged.

10
11 **CHAIR LOWELL** – Okay, so drilling down on that a little bit further, is the cell
12 tower (the enclosure) all contained on one parcel and what are the setbacks to
13 the property lines? I can’t quite see on this Site Plan.

14
15 **TRAFFIC ENGINEER VINCE GIRON** – Well I don’t see property lines on the
16 exhibits here. I’d have to see an exhibit where it shows the true property lines.

17
18 **COMMISSIONER BARNES** – Is A-1, is that all accurate? It appears to show a
19 property line, but I don’t....

20
21 **CHAIR LOWELL** – It’s right on top of it but then they have this one over here.

22
23 **COMMISSIONER BARNES** – Yeah, is that distinctive border the.....

24
25 **TRAFFIC ENGINEER VINCE GIRON** – It appears that the chain link fence
26 where that’s at and the westerly where it shows the property line is one parcel.
27 I’d have to....I can’t verify from these drawings whether or not that chain link
28 fence is on a property line.

29
30 **CHAIR LOWELL** – Yeah, I was just trying to verify the setbacks because I don’t
31 see dimensions on these plans.

32
33 **VICE CHAIR SIMS** – I can’t imagine that the Farmer’s Market.....

34
35 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – As far as setbacks for
36 commercial zoning, if anything comes in to the east, that property setback is zero
37 so it won’t be impacting. And then from Kimberly, the tower is 78 feet back,
38 which met the requirement of the tree needed to be as far back from the property
39 line as the height, so it’s actually a little further back than the 60 feet.

40
41 **CHAIR LOWELL** – And you don’t see any possible future dedication of right-of-
42 way from Kimberly Avenue?

43
44 **TRAFFIC ENGINEER VINCE GIRON** – At this moment, no. There is no future
45 dedication.

46

1 **CHAIR LOWELL** – It just looks like that next to the Farmer’s Market that they
2 dedicated right-of-way and on this parcel to the east they didn’t dedicate right-of-
3 way, so it seems like we’re kind of skirting the issue of the setback if we have to
4 dedicate the right-of-way in the future to put a new development in there.

5
6 **TRAFFIC ENGINEER VINCE GIRON** – If there is future development on the
7 vacant parcel to the east, we would require typically that they dedicate the same
8 amount of right-of-way.

9
10 **CHAIR LOWELL** – And, if that was the case, then the cell tower wouldn’t meet
11 the setback criteria that we just spoke about that it has to be set back the height
12 of the tower to the distance off the property line.

13
14 **TRAFFIC ENGINEER VINCE GIRON** – I don’t know what the setback is. I’m
15 going to have to defer to Planning.

16
17 **CHAIR LOWELL** – It is on the visible Dogleg.

18
19 **COMMISSIONER BARNES** – That’s 60 feet.

20
21 **CHAIR LOWELL** – That’s what I’m asking. I can’t quite tell on the Site Plan
22 because one is just 30 feet, so that’s 30 feet so.

23
24 **COMMISSIONER BARNES** – Yeah, it’s not 60 feet off the right-of-way now.

25
26 **CHAIR LOWELL** – I know these things are normally slam dunk, but I have some
27 issue with this one. I have some concerns.

28
29 **COMMISSIONER BARNES** – Is his comment about the setback, is that correct?

30
31 **PLANNING OFFICIAL RICK SANDZIMIER** – I’ve been told that the current
32 setback dimension, which isn’t legible at all on these plans was measured at 70
33 feet from the existing property line to the proposed tower. It does not take into
34 consideration any subsequent dedication of right-of-way for any expansion of
35 Kimberly Lane, but there was no expansion of Kimberly Lane assumed with
36 review of this particular project.

37
38 **COMMISSIONER BARNES** – And the setback he was referring to was from the
39 property line, not from the right-of-way?

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – From the property line at this
42 point, which is considered as same as the right.

43
44 **CHAIR LOWELL** – It’s one in the same right now.

45
46 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes.

1
2 **CHAIR LOWELL** – It’s got a little Dogleg. The future right-of-way, in my
3 understanding, would be up here.

4
5 **COMMISSIONER BARNES** – Right.

6
7 **CHAIR LOWELL** – And then it wouldn’t meet the setback criteria anyway. I
8 don’t know. I personally think that this specific site is a really small commercial
9 site and we’re trying to put something that requires a larger setback from
10 residences. And I understand the need for it, but I think there could be a better
11 location. For instance, a couple blocks away we have the World Logistics Center
12 coming down the pike and that would be a good spot because everybody hates
13 that spot anyway. That’s just my opinion. Anybody have any questions or
14 concerns?
15

16 **ALTERNATE COMMISSIONER NICKEL** – I have one concern perhaps
17 addressing the gentleman who spoke as our Agenda’s actually say the Applicant
18 requests a continuance for the Public Hearing for this item to the next Regular. I
19 understand that, but the Agenda actually says that. I mean, I could be wrong.
20 It’s on page 2. That’s in the Agenda that I received. It shows both items.
21

22 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I think you’re just looking at the
23 formatting Commissioner Nickel. At the bottom of page 2 where the No. 2 is, that
24 is where this item starts.
25

26 **ALTERNATE COMMISSIONER NICKEL** – Okay, alright.
27

28 **ASSISTANT CITY ATTORNEY PAUL EARLY** – If your reading above it, that is
29 attached to Item 1.
30

31 **ALTERNATE COMMISSIONER NICKEL** – Well it.....
32

33 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I think there is just probably not
34 enough space between the end of one and the beginning of two.
35

36 **ALTERNATE COMMISSIONER NICKEL** – Now, but if I continue over to page 3,
37 it says Farmer’s Market. If I continue reading my page.
38

39 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Correct.
40

41 **ALTERNATE COMMISSIONER NICKEL** – That this.....
42

43 **ASSISTANT CITY ATTORNEY PAUL EARLY** – That the action to continue is
44 attached to Item No. 1. There is no suggestion of a continuance on Item No. 2.
45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – If you look at the Agenda,
2 following the description of the project you'll get down to another section of Staff
3 recommendations, so the Staff recommendation is specific to Item No. 2.....
4

5 **ALTERNATE COMMISSIONER NICKEL** – Right, I know. That's.....
6

7 **PLANNING OFFICIAL RICK SANDZIMIER** – There are two of them. One is to
8 **CERTIFY** the environmental document and the second would be to **APPROVE**
9 the CUP. So, along that same format, you'll see that the recommendations
10 you're referring to refers to the first item.
11

12 **ALTERNATE COMMISSIONER NICKEL** – Alright.
13

14 **CHAIR LOWELL** – My concern is that, if something is developed on the eastern
15 portion of the Farmer's Market Lot, I know from experience we have to dedicate
16 right-of-way. If we dedicate right-of-way to the ultimate attempt of Kimberly, that
17 cell tower is going to be even closer to the right-of-way. I currently don't think
18 that the cell tower meets the current setbacks and it's going to be even closer in
19 the future. I wish there would be something that could be done as far as pushing
20 it back, but the Applicant said there was some issue with fire, landscaping,
21 access, whatnot. I think that the ultimate right-of-way should be taken into
22 consideration when placing the cell tower.
23

24 **ALTERNATE COMMISSIONER GONZALEZ** – I want to add to that. I think that,
25 maybe as the Chair said, more consideration should be taken into the whole site
26 because I see this site being fully developed at one time and maybe Staff and the
27 Applicant looks at the whole site as one whole and locates it in the best location
28 as best you can. Maybe further north it is more centered, but I don't know how
29 that impacts fire and other departments so.
30

31 **CHAIR LOWELL** – Commissioner Barnes.
32

33 **COMMISSIONER BARNES** – Could Staff clarify something for me? Is the
34 setback requirement in the easterly direction towards the residences same as the
35 setback requirement to the south towards the public right-of-way?
36

37 **PLANNING OFFICIAL RICK SANDZIMIER** – The setback requirement is 60
38 feet from the adjacent right-of-way to Kimberly Lane. If right now the current
39 setback to Kimberly Lane is 70 feet, if the future widening of Kimberly Lane was
40 10 feet or less, the pole would still satisfy the setback requirement. I don't have
41 enough information before me tonight to tell me that it would be 10 feet or less in
42 terms of that future dedication. The setback from the tower to the east towards
43 the adjacent residential development, I'll look it up real quick in terms of what the
44 setback requirement is unless Claudia knows off the top of her head.
45

1 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – For the tower, it is the same
2 meaning that the tower is 60 feet, so the setback from the eastern property line to
3 the tower would need to be whatever the height the tree was so 60 feet. If it
4 came in as a commercial, we would require 20 feet of landscaping and then most
5 likely parking unless they wanted to put the building back there and then the
6 setback would be based on the requirement for fire access around the building.

7
8 **COMMISSIONER BARNES** – Alright then, to alleviate the concern, could we
9 add a condition that it be located the appropriate setback from the ultimate right-
10 of-way from Kimberly to avoid it being noncompliant should Kimberly be
11 widened?
12

13 **PLANNING OFFICIAL RICK SANDZIMIER** – That would be fine. We could
14 absolutely entertain a condition of approval to that effect. I would ask the
15 Applicant to state if he has any objections or concerns to it, but I believe that
16 would meet the intent of the Zoning Code. It would meet the interest of the
17 Commissioners I’m hearing tonight, and it would be an opportunity to move the
18 project forward. In the absence of doing that, we could also continue the item
19 altogether and have Staff go back and work with the Applicant and try to identify
20 what the ultimate right-of-way for Kimberly Lane would be and then revise the
21 plans as necessary and bring those back. That would cost them money. But I
22 think you’ll accomplish the same thing by the approach you suggested, which is
23 just put a condition of approval which could be addressed as they put together
24 the actual improvement plans.
25

26 **CHAIR LOWELL** – Is the owner of the Farmer’s Market here tonight? I don’t
27 see any hands going up.
28

29 **PLANNING OFFICIAL RICK SANDZIMIER** – I don’t know.
30

31 **CHAIR LOWELL** – Okay, would the Applicant have any questions or want to
32 speak to that effect?
33

34 **APPLICANT DAIL RICHARD** – Again, this is Dail Richard with Verizon. Thank
35 you very much for allowing me to speak again. I understand the concerns about
36 the setback along with future development. It is a little tricky considering no one
37 knows when and to what extent that other Open Space will be developed. We
38 would be okay with a condition of approval that states that the final location be
39 setback a distance that would accommodate the codes of the dedication for
40 future right-of-way use as long as we could get the information in a timely
41 manner so we could continue on with this project.
42

43 **CHAIR LOWELL** – One of the only concerns that I have is that, if we move the
44 tower back, are there any existing doors on the back of the building that might be
45 blocked? So that might be something to take into consideration.
46

1 **COMMISSIONER BARNES** – I don't show any elevations here.

2
3 **APPLICANT DAIL RICHARD** – There may be some doors. That building
4 though is quite long, so it does allow us for quite a bit of room to play with if
5 necessary to accommodate any doors.

6
7 **CHAIR LOWELL** – Okay.

8
9 **COMMISSIONER BARNES** – There doesn't appear to be a door but.....

10
11 **CHAIR LOWELL** – Do we have any other questions or concerns or comments?
12 Would anybody like to make a motion?

13
14 **VICE CHAIR SIMS** – Before we make a motion, just for Commissioner
15 Discussion, I'm going to vote no on this one. I disagree that this is the use of the
16 CEQA Categorical Exemption. I think a monopine exceeds the term small. And I
17 also have concerns, you know, I didn't see the setback issue. I have concerns,
18 though, that this was posted to be in this location. We're going to do a change
19 on the fly here. We don't know where the access point will actually be, so I'm
20 going to vote no. My main objection is the use of the Categorical Exemption. A
21 monopine may be subjective, but I think that's larger than smaller so.

22
23 **CHAIR LOWELL** – One of the thoughts that I had is that you could put this
24 tower behind the trash enclosure. It would be in the center of the property. It
25 would be a lot further away from the residences, which would make some of the
26 neighbors happy. Anyway.....

27
28 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman, I would like to
29 suggest some of the discussion this evening and some of the fact there we're not
30 able to give you the precise information with regard to setback and the property
31 line, I think it would be prudent on our part as Staff to recommend to you that we
32 do continue this item to at least allow us to go back and confirm that the plans we
33 have before you are correct.

34
35 **CHAIR LOWELL** – Okay.

36
37 **PLANNING OFFICIAL RICK SANDZIMIER** – It doesn't hurt to be sure. In this
38 particular case, we can come back at the next Regular Meeting, which would be
39 October 22nd. I don't believe it would take that much longer to do it. I would not
40 want to delay the Applicant, but I think the slight delay in this particular case is
41 both a win/win for him and for us to get it right.

42
43 **CHAIR LOWELL** – Okay. I approve that. That's my idea. I like that a lot better.
44 Anybody want to motion to that effect?

45

1 **VICE CHAIR SIMS** – I’ll vote that. I’ll move that we continue this Item to the
2 next Regular-Scheduled Planning Commission Meeting on October 22nd.

3
4 **CHAIR LOWELL** – Motion and a second by Ray Baker. Two left to vote.

5
6 **COMMISSIONER BARNES** – Is that the right one?

7
8 **CHAIR LOWELL** – Yeah. It’s the right one, Conditional Use Permit. No but we
9 just motioned to continue.

10
11 **COMMISSIONER BARNES** – Okay.

12
13 **CHAIR LOWELL** – So the motion that we just made does not reflect what we’re
14 voting on with the screens up here, but we are voting to continue the item not this
15 one up here the Conditional Use Permit.

16
17 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Well it’s what you said. It is not
18 the computer that matters.

19
20 **CHAIR LOWELL** – Yes.

21
22 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – Chair Lowell, if
23 you’ll give me a minute and let me see if I’m able to change the motion so that
24 we’re making the proper motion.

25
26 **CHAIR LOWELL** – Okay.

27
28 **VICE CHAIR SIMS** – Put my vote in so I don’t have to touch the screen.

29
30 **CHAIR LOWELL** – She is going to fix it.

31
32 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – I’m going to go
33 ahead and clear your votes and then we will try it again.

34
35 **CHAIR LOWELL** – Perfect.

36
37 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – Okay. Go
38 ahead.

39
40 **CHAIR LOWELL** – Okay we are going back. We are voting on the Conditional
41 Use Permit, and we are voting to continue it but it still says the same up top.
42 Let’s just do a rollcall vote and save a headache.

43
44 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – Okay.
45

1 **CHAIR LOWELL** – We have a motion by Vice Chair Sims over here. Can you
2 repeat your motion?

3
4 **VICE CHAIR SIMS** – I move that we **CONTINUE** Conditional Use Permit PA15-
5 0009 until the next Regularly-Scheduled Planning Commission Meeting on
6 October 22nd.

7
8 **CHAIR LOWELL** – We have a motion by Commissioner Sims and a second by
9 Commissioner Baker. Can we have a rollcall vote please?

10
11 **COMMISSIONER GONZALEZ** – Yes

12
13 **COMMISSIONER KORZEC** – Yes

14
15 **COMMISSIONER BARNES** – Yes

16
17 **COMMISSIONER BAKER** – Yes

18
19 **COMMISSIONER NICKEL** – Yes

20
21 **VICE CHAIR SIMS** – Yes

22
23 **CHAIR LOWELL** – Yes. And do we have a Staff wrap-up on this item?

24
25
26 Opposed – 0

27
28
29 **Motion carries 7 – 0**

30
31
32 **PLANNING OFFICIAL RICK SANDZIMIER** – Just a quick one. Because you’re
33 continuing the item, it will come back but no new public noticing will be required.
34 But the public should be aware there will be an opportunity to reopen the Public
35 Comment period again, so it will basically be a redo of the Public Hearing. So we
36 will have a new Staff presentation and a new opportunity for Public Comment at
37 that time.

38
39 **CHAIR LOWELL** – Okay. Thank you very much.

- 40
41
42 3. Case: PA13-0032 – Plot Plan
43 PA13-0033 – Tentative Parcel Map 36606
44 PA13-0034 – Conditional Use Permit
45 P13-071 – Environmental Impact Report
46

1 Applicant: Kimley-Horn and Associates, Inc.
 2
 3 Owner: Walmart Real Estate Business Trust
 4
 5 Representative: Kimley-Horn and Associates, Inc.
 6
 7 Location: Southwest corner of Perris Boulevard and Gentian
 8 Avenue
 9
 10 Case Planner: Jeff Bradshaw
 11
 12 Council District: 4
 13
 14 Proposal: The South Moreno Valley Walmart project proposes a
 15 Plot Plan application for development of a retail store
 16 (Walmart) consisting of a total of 185,761 square feet
 17 and a single commercial outparcel. The development
 18 of the outparcel has been reviewed under a
 19 Conditional Use Permit application for either a gas
 20 station with 165 fueling pumps, a 2900 square foot
 21 convenience store, and a drive-through car wash, or
 22 as a 3500 square foot fast food restaurant with drive
 23 through and a 3200 square foot retail building.
 24 Development of the site will include an on-site
 25 detention basin and offsite roadway and utility
 26 improvements. The applicant is also seeking
 27 approval of Tentative Parcel Map No. 36606 to
 28 subdivide the project site into two parcels. Approval
 29 of this project will require certification of an
 30 Environmental Impact Report.
 31
 32

33 **STAFF RECOMMENDATION:**

34
35 Staff recommends that:

- 36
- 37 1. The Planning Commission **APPROVE** Resolution No. 2015-26 and
- 38 thereby:
- 39 a. **CERTIFY** that the Environmental Impact Report (EIR) for the South
- 40 Moreno Valley Walmart project (Attachments 9 and 10) has been
- 41 completed in compliance with the California Environmental Quality
- 42 Act; and
- 43 b. **ADOPT** the Findings and Statement of Overriding Considerations
- 44 regarding the Final EIR for the South Moreno Valley Walmart
- 45 project, attached hereto as Exhibit A to Resolution 2015-26; and

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- c. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed South Moreno Valley Walmart project, attached hereto as Exhibit B to Resolution 2015-26.
- 2. The Planning Commission **APPROVE** Resolution No. 2015-27 and thereby:
 - a. **APPROVE** Tentative Parcel Map 36606 (PA13-0033), subject to the attached conditions of approval included as Exhibit A to Resolution 2015-27.
- 3. The Planning Commission **APPROVE** Resolution No. 2015-28 and there by:
 - a. **APPROVE** Plot Plan PA13-0032, subject to the attached conditions of approval included as Exhibit A to Resolution 2015-28.
- 4. The Planning Commission **APPROVE** Resolution No. 2015-29 and there by:
 - a. **APPROVE** Conditional Use Permit PA13-0034, subject to the attached conditions of approval included as Exhibit A to Resolution 2015-29.

CHAIR LOWELL – That moves us onto the third and final item for tonight’s meeting. We have four different resolutions. We have Case PA13-0032, a Plot Plan; PA13-0033, a Tentative Parcel Map for Parcel Map 36606; PA13-0034, a Conditional Use Permit; P13-071, an Environmental Impact Report. The Applicant is Kimley-Horn and Associates. The owner is Walmart. The Case Planner is Mr. Jeff Bradshaw. Do we have a Staff Report on this item?

PLANNING OFFICIAL RICK SANDZIMIER – There is. Before I allow Jeff Bradshaw, the Project Manager on this particular project to speak on it, I do want to say a warm welcome for a project that has been in the works for quite a while. We’re happy that we’ve got to the point tonight for a Public Hearing on a pretty substantial project in the Perris and Gentian area of the City. Thank you.

ASSOCIATE PLANNER JEFF BRADSHAW – Thank you and good evening Chair Lowell and Members of the Planning Commission. The item before you this evening includes three applications as described in the title to the Staff Report. Presented to you for your consideration this evening are applications for a Tentative Parcel Map, a Plot Plan, and a Conditional Use Permit. Approval of this project would require certification of an Environmental Impact Report and the Environmental Impact Report and the project applications are presented to you this evening for you review and for final action. I kind of made the jobs of the media folks difficult this evening with a whole series of separate exhibits, but if we could start with the aerial we can display that first and we can kind of show you what the surrounding area is like. The project is located on the west side of Perris Boulevard between Gentian Avenue and Santiago Drive. The project site

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1 is currently zoned community commercial. The land uses to the north include
2 vacant R5 zoned land that has been approved for single-family development
3 along with existing single-family track homes further to the north. South of the
4 project site is vacant R30 zoned land. There is an existing Home Depot store.
5 And then as you go further south at the intersection of Perris and Iris, there is
6 existing commercial development there (a service station and a large shopping
7 center). Land uses to the west of the project include vacant single-family zoned
8 land again, some R30 zoned land, and existing single-family track homes further
9 to the west on the opposite side of Indian Street. The proposed retail store is a
10 permitted use in the Community Commercial Zone and the project as designed
11 and conditioned would be compatible with existing and planned uses in the
12 vicinity of the project site with the implementation of required mitigation. And,
13 again as designed and conditioned, the operation of this proposed use Staff
14 would expect that to integrate smoothly with the surrounding neighborhood and
15 to also be supportive of both existing and future development in this area. If we
16 could switch to the other slides, I wanted to provide some information on the
17 project applications. The Applicant proposes to subdivide the project site, which
18 is comprised of approximately 21 acres. Tentative Parcel Map 36606 would
19 propose to subdivide the site into two development parcels and one lettered lot.
20 The map is conditioned to record reciprocal access easements for shared access
21 between parcels one and two and the property again is zoned Community
22 Commercial and the intended purpose for these two parcels would be for future
23 retail development. Parcel one is the largest of the parcels. It is located on the
24 north portion of the site. It is approximately 19 acres in size. This is the parcel
25 located at the southwest corner of Gentian and Perris. It is triangular in shape. It
26 is bounded on the north by Gentian, on the east by Perris Boulevard, on the west
27 by the California Aqueduct, and on the south by a portion of Santiago Drive. And
28 this is the site that is intended for the 185,761 square foot Walmart building.
29 Parcel two is an outparcel. It is located to the south at the northwest corner of
30 Santiago Street and Perris Boulevard. It is one acre in size. It is a rectangular
31 shaped piece and this is intended as a future site for retail stand-alone
32 development of some type. There is a Conditional Use Permit proposed for this
33 site, and I will provide some additional information on that as we get to the
34 description of the Conditional Use Permit. There is a lettered lot proposed at the
35 southeast corner of Gentian and the California Aqueduct. This is a triangular
36 shaped piece. It is approximately 0.85 acre in size and this portion of the site is
37 not really conducive for use as parking or any other retail use and conditioned
38 going forward to be maintained by the developer as a landscaped area. The Plot
39 Plan application proposed for this development was the application that guided
40 the design and review of the proposed Walmart store. Again, that is a facility that
41 is proposed to be 185,761 square feet in size. In addition to the main store
42 building, other ancillary uses in the operation of the store would include the truck
43 docks and the loading facilities, a garden center with outdoor sales, trash
44 compaction, organic waste, recycling, and bale and pallet storage areas and
45 those would all occur along the north side of the building. The overall site design
46 would allow for parking for 829 parking spaces and 42 bicycle parking spaces,

1 which would satisfy the City’s requirements for parking for both bicycles and
2 vehicles. The store does propose to operate for 24 hours. It will offer general
3 merchandise and grocery sales, as well as alcohol beverage sales, and it is
4 important to note that the sale of alcohol is a permitted use with the operation of
5 a grocery store. The site also accommodates a water quality storm water
6 detention basin. This is on parcel one and this basin is designed to
7 accommodate the storm water and water quality requirements for both parcel
8 one and parcel two. The Walmart site also includes a segment of multiuse trail
9 that would be required to be built on the north side of Santiago. This would
10 provide an east/west pedestrian connection from Perris Boulevard to a future
11 regional trail connection most recently identified as the Juan Bautista De Anza
12 Trail, and this is a trail segment that in our Master plan of trails would be built
13 within the California Aqueduct alignment. Access to the project site is proposed
14 from Perris Boulevard, Gentian Avenue, and Santiago Drive. The Perris
15 Boulevard access would be restricted to right in and right out access only. This
16 would result from the installation of the required landscape median of Perris
17 Boulevard. Additional access would come from single driveways, one on
18 Gentian Avenue and the other on Santiago Drive. Both of those
19 intersections...the intersections at Gentian and Santiago will both be developed
20 as lighted intersections and that is a requirement and condition of the project to
21 provide that infrastructure. The Staff having worked with the Applicant was able
22 to ensure that the site design of the project is consistent with our Code. It
23 satisfies requirements in our Municipal Code for setbacks, lot coverage, parking,
24 the design of the drive, interior circulation parking, driveways, pedestrian access
25 and landscape, as well as satisfying requirements for public improvements. The
26 project as designed and conditioned satisfies all of those requirements. In terms
27 of design, Staff worked with the Applicant and the architect to ensure that all
28 sides of the building included an architectural treatment. When you look at the
29 way the building is sited on this property, it ends up being visible on all four sides.
30 And it was important to Staff to work with the Applicant to make sure that all four
31 sides received architectural treatment to make it an attractive building. The
32 primary building materials are concrete masonry block. There is split-face block
33 integrated into the design. There are primarily brown earth tones with cultured
34 stone treatments on the columns and entrances. Building treatments would also
35 include cornices on tower features with metal canopies and metal awnings. The
36 loading docks, as I mentioned, are located on the north side of the building. Staff
37 has worked with the Applicant through design to screen that activity from where
38 it’s going to be visible from Gentian Avenue and to further screen it from the
39 future residential development to the north that would occur on the north side of
40 Gentian. That is done with a combination of screen walls and some dense
41 landscape that’s required to be planted in that plantar area along the south side
42 of Gentian. In addition to standard landscape treatment for the project site,
43 which would include street trees and parking lot landscape, the Planning Staff
44 has also worked with the developer to again provide a tree row along the north
45 side of the building for screening purposes and along the front as well. In the
46 large centers, it can be a challenge sometimes to be able to integrate landscape

1 into the design where you have parking and pedestrian access and other things
2 competing for that same space and Walmart worked with us to provide some
3 trellis structures and some landscape planters along the front elevation as well.
4 It should be noted that the developer has been conditioned to install landscape
5 within that lettered lot and maintain that for the life of the project. The required
6 water quality basin walls will be landscaped and maintained by the developer.
7 The third application proposed with this project is the Condition Use Permit,
8 which is proposed for the development of the second parcel or the outparcel.
9 And the Conditional Use Permit includes an A and a B option for that one acre.
10 The A option proposes a gas station with 16 fueling stations and a convenient
11 store. The B option proposes a 3500-square-foot fast food restaurant with drive-
12 thru with a separate retail building. The environmental analysis of the project
13 consideration was given to both these uses with the determination that the gas
14 station was most likely to result in the greatest impacts and so the analysis
15 focused on and examined impacts under that scenario, which from a
16 conservative approach would anticipate the greatest potential impacts to that
17 outparcel. Staff had a chance to work with the Applicant on the site design for
18 both those options and those are included in the Staff Report. In the attachments
19 that you have, there is an A and a B option in the Site Plans that show the
20 potential layout for either the gas station scenario or the fast food scenario. And
21 currently there is not an identified tenant or developer for either of those uses, so
22 building elevations were not provided or required for review at this time. That's
23 not unusual for master plan-type development and for the benefit of the Planning
24 Commission and the public as well before development of either of those uses
25 would occur there would be a separate review required. The standard procedure
26 for that would be to submit an application to Staff for a Staff review of a Plot Plan
27 that would not require additional notice or hearing. At the Planning Official's
28 discretion, that could be returned to the Planning Commission for their review. In
29 the event that the site is developed in the future and the proposed use is
30 substantially different from what would be approved through this proposal, that
31 would require that the application the application be returned here as an
32 Amended Conditional Use Permit and the Planning Commission would have the
33 opportunity to review both the new design and any potential impacts that might
34 not have been previously examined under the Environmental Impact Report.
35 This project did require, as I stated, the preparation of an Environmental Impact
36 Report. That process started in 2014. Staff worked with the environmental
37 consulting firm of Applied Planning in the preparation of an initial study and a
38 Notice of Preparation of an Environmental Impact Report was circulated to the
39 public in March 2014. There was a comment period of 30 days that ran from
40 March 28th to April 28th of that year with a public meeting that was held on April
41 16th at City Hall to elicit public comment with regards to the direction or scope
42 that the Environmental Impact Report should take. Following that meeting, Staff
43 worked with the environmental consultant to prepare a draft Environmental
44 Impact Report and following a series of reviews of that document the draft was
45 completed and available for public review for a 45 day period that began in April
46 2015. That ran for 45 days from April 20th through June 4th of 2015 and that was

1 made available for public review here at the City Hall, at the library, and was
2 posted on the City’s website as well. The draft was sent to all reported state and
3 local agencies, as well as interested parties that had indicated interest in seeing
4 that document. As a result of that effort, the City did receive seven comment
5 letters in response to the distribution of that document. At that same time, we did
6 receive some comment letters that weren’t specific to the Environmental Impact
7 Report but were residents opinions about the Walmart project itself and so those
8 responses were prepared for the seven comment letters but not for the emails
9 that spoke to their opinion about the project. Those emails were provided to you
10 in a separate attachment to the Staff Report in Attachment 14. Staff had a
11 chance to then work with the Applied Planning in the preparation of responses to
12 those seven comment letters. The Final Impact Report, including the response
13 to comments, was circulated for public review on September 24th of this year.
14 The document was recirculated to those that had commented, as well as those
15 agencies that had requested and any individuals that had requested to see a
16 copy of it and again made available for public review here at the City, at the
17 library, and at the City’s website. The analysis of the Walmart project identified
18 that there were instances where there were the potential for impacts under
19 various categories, and as a result of that, Mitigation Measures were prepared to
20 reduce those project specific and cumulative impacts and those were for the
21 categories of traffic and circulation, air quality, noise, hydrology and water quality,
22 geology and soils, biological resources, cultural resources, and hazards and
23 hazardous materials. Any other categories of potential impacts that were
24 evaluated in the EIR were considered to be less than significant and did not
25 require Mitigation Measures. Mitigation Measures have been proposed and
26 those are available for review in the Staff Report, both in the Final EIR, as well as
27 the Mitigation Monitoring Program and that was included as an attachment to the
28 Resolution presented to you this evening for making findings in support of the
29 Final EIR. Some of the Mitigation Measures included were intended to reduce
30 the environmental impacts to make more feasible, and where the impacts could
31 not be reduced to a less than significant level for the categories of traffic and
32 circulation and air quality, the adoption of the Statement of Overriding
33 Considerations is recommended for this evening. There was a letter submitted to
34 the City today, and I believe you have a copy of that available to you. It is a hard
35 copy of a letter submitted by So-Cal Environmental Justice Alliance. In that
36 letter, they identify their concerns or they challenge rather the adequacy or the
37 completeness of the Mitigation Measures proposed specifically for traffic and
38 circulation and air quality and Staff has had a chance to review the letter and we
39 just wanted to make it clear that we don’t agree with the content of the letter.
40 Staff is confident that the Final Impact Report and that the Mitigation Measures
41 are complete and adequate and that they do appropriately address the impacts
42 that have been identified under the two categories of traffic and circulation and
43 air quality. And, in fact, the Staff Report included a section on both of those
44 categories with an explanation of the Mitigation Measures that are proposed. We
45 do acknowledge that the impacts under those two categories in some instances
46 cannot be reduced to less than a significant level. But mitigation has been

1 implemented again to the extent where feasible, and I just wanted to share two
2 sections from the Staff Report that I think respond to that comment letter. The
3 Traffic Analysis, as prepared for the project, indicated that even with the
4 implementation of Mitigation Measures that impacts to the levels of service at
5 certain local intersections and roadway segments would remain cumulatively
6 significant and unavoidable. Additionally, the project would result in cumulative
7 impacts to regional transportation infrastructure. I think it's important to note that
8 again in the case where the project is contributing traffic to already deficient
9 intersections or roadway segments that the mitigation in place is to pay their fair
10 share or impact fees through the County's TUMF program and the City's DIF.
11 And, by paying their fair share, CEQA recognizes this as an acceptable or
12 reasonable form of mitigation where their existing conditions in the project is
13 contributing additional impacts to those areas. Under the category of air quality,
14 the Air Quality Analysis prepared for the project indicated that even with the
15 implementation of Mitigation Measures that impacts to air quality would occur as
16 construction source and operational source emissions would exceed applicable
17 Air Quality Management District's thresholds for (NOX). Project impacts are
18 significant on an individual basis and would therefore contribute to cumulatively
19 significant air quality impacts within a nonattainment area. Again, this speaks to
20 some of those issues raised in this letter by So-Cal Alliance. Additionally, since
21 the land use designation for the project site changed from R5 to Community
22 Commercial in 2013, it is no longer consistent with the District's Air Quality
23 Management Plan that was adopted by South Coast Air Quality Management
24 District in 2012. Because of this change, findings cannot be made for the project
25 to demonstrate consistency with the criteria and requirements of that air quality
26 management plan. Therefore, the project would be inconsistent with the AQMP
27 criteria's one and two resulting in termination of the impacts and this regard
28 would be considered to be potentially significant. Again, the Final EIR and the
29 Mitigation Measures identify those instances where feasible the project would
30 mitigate for their contribution to impacts in a situation where in our own basin or
31 already in a nonattainment area. So, in those instances again where projects
32 impacts can't be reduced to less than significant, the California Environmental
33 Quality Act does allow for the decision-making body to consider a Statement of
34 Overriding Considerations and Findings and that is what Staff is recommending
35 this evening. Findings have been prepared and the criteria or the requirement in
36 this is that the decision-making body be able to balance the economic, legal,
37 social, technological or other benefits of a project against its unavoidable
38 environmental impacts, and findings that have been prepared in support of this
39 documentation. Staff feels like those are complete and adequate for the project
40 as proposed. Those findings have been presented to you this evening in the
41 Staff Report as Exhibit A attachment to the Staff Report. That was an awful lot of
42 information. Staff is prepared to answer any questions that you might have for
43 either the project design or the environmental document that was prepared for
44 the project. Ross Geller with Applied Planning is also available to answer
45 questions if you have anything related to the projects environmental

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1 documentation, and I know the Applicant's team is here as well to answer any
2 questions for you. Thank you.

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – And I wanted to say thanks to Jeff
5 also for that thorough Staff presentation. I just wanted to add in, I started off the
6 presentation that this would be a warm welcome to the City, and I wanted to
7 highlight why that is in light of the Statement of Overriding Considerations
8 recommendation that Staff is bringing to the Commission this evening. I think it's
9 important to indentify that the Walmart project, the one-acre parcel, it's proximity
10 to the Regional Trail System are all things that I think are going to help with that
11 particular area of the City. The improvement of the property, which we
12 understand Walmart is ready to move forward within a timely fashion if they are
13 able to get to the next level of development, would improve the property tax
14 revenue that comes into the City. There is a sale's tax revenue that comes into
15 the City. There is a synergy between this land use and the planned land uses
16 adjacent, which are some residential developments, which over the last year
17 since I've been here we've been working closely with to find out how we can
18 stimulate that sort of development in this area. We believe that this sort of a
19 project will help that along. The synergy also created between the Walmart
20 center, the one acre parcel of additional retail development coupled with Home
21 Depot Center, which is just down south of the project helps the Home Depot
22 Center be successful because you get additional activity and traffic in that
23 particular area. So, for these things and these benefits to the community, that's
24 the reason we're asking the Planning Commission to consider that there are
25 some significant impacts that cannot be mitigated to less than significance. But
26 these other benefits economic and social to the community outweigh those
27 impacts, and in our recommendation that is why we are recommending this
28 project and recommending the environmental document Statement of Overriding
29 Consideration. Thank you.

30
31 **CHAIR LOWELL** – Thank you very much. I'm assuming we all have a lot of
32 questions. I'll start off with a nice easy one. In reading one of the Mitigating
33 Measures on the EIR, it says that they are supposed to pay their fair share of
34 fees towards to the Eastbound 60 Sunnymead off-ramp roundabout. There's
35 going to be....do we have anymore information about this roundabout?

36
37 **TRAFFIC ENGINEER MICHAEL LLOYD** – Good evening Chair and
38 Commissioner's, Michael Lloyd with Public Works Department. The City
39 received a Highway Safety Improvement Program Grant from Caltrans a couple
40 of years ago, I believe, and has initiated a project in conjunction with Caltrans
41 because it is an off-ramp to the freeway system. That project is ongoing. We're
42 in a phase of that project development known as Intersection Control Evaluation
43 or ICE for short and part of that evaluation is the type of traffic control obviously,
44 so whether it's a roundabout or a traffic signal. So we're trying to wrap up that
45 report, but as of right now it looks like what would be recommended from this
46 report is a roundabout and then it's up to Caltrans to come to the same

1 conclusion and then move forward with the project and construct it. So, it's early
2 in the I would call it, in the planning phase (the PAED phase) because we also
3 have to go through an environmental document. But it is in the works to get
4 some additional traffic control at this particular location and a roundabout is being
5 considered.

6
7 **CHAIR LOWELL** – That would be at the end of the off-ramp?
8

9 **TRAFFIC ENGINEER MICHAEL LLOYD** – That's correct. Oh, excuse me.
10 This is the entry ramp to the Eastbound 60. I apologize. So it's on the east.....
11

12 **CHAIR LOWELL** – It's on the east side of Perris?
13

14 **TRAFFIC ENGINEER MICHAEL LLOYD** – It's on the east side of Perris. That
15 is correct.
16

17 **CHAIR LOWELL** – Okay. I'll defer my questions. Does anybody else have any
18 questions?
19

20 **COMMISSIONER BARNES** – Changing subjects a little. Lot A, which is to be
21 landscaped I guess for the life of the project, was there consideration to
22 incorporate that as some type of a way point in the trail system since it is right
23 adjacent to it?
24

25 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes. Staff actually had quite a
26 bit of internal discussion about that, as well as discussion with the Applicant.
27 Through that discussion, they are prepared and willing to make that available.
28 The timing isn't right now for the City to accept it. There were some advantages
29 to allowing that to remain with the developer for the current period of time and so
30 the condition is written more specifically to guide the maintenance of it until a
31 point in the future when the City might be prepared to accept it for that purpose.
32 And, until that trail is built within that Aqueduct alignment, it's premature I guess
33 for the City to take on the maintenance obligation and the cost and all that to
34 make that part of a larger park system.
35

36 **COMMISSIONER BARNES** – Would it be appropriate to include some type of a
37 mechanism that would guarantee that the City would be able to get that when it
38 needed it or wanted it?
39

40 **ASSOCIATE PLANNER JEFF BRADSHAW** – We looked at a number of
41 options that way and again there were some advantages to the City not
42 accepting that in a formal process at this time. The disadvantages primarily were
43 again liability, cost, maintenance, obligations to the City sooner than it was an
44 actual park. I think it is important too to note that commercial developers don't
45 have any responsibility or requirement to provide any kind of a park and so, if
46 that were to occur, it would need to be done at either the City's expense or

1 through some other funding mechanism not in any way that would require
2 anything of this developer. And, again, the City is just not prepared to do that at
3 this time and this seemed to be the best way to hold in reserve I guess for future
4 use without burdening either the developer or the City with any kind of a current
5 obligation.

6
7 **COMMISSIONER BARNES** – Okay.

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – If I can just add a little bit. On it's
10 own to try and get a piece, while it looks attractive and it provides some benefits
11 that we want to keep open, I don't believe to answer your question specifically it
12 is necessary to lock that down in place today. There are other things on the
13 other side of the trail that might be coming in with the residential development
14 and when that comes in it makes more sense and we will continue to work with
15 our Community Services Staff and at that point then it might be more important to
16 lock it down when it's got a more meaningful presence.

17
18 **COMMISSIONER BARNES** – Okay. Thank you.

19
20 **CHAIR LOWELL** – And, for clarity, it's part of the conditions of approval P2,
21 talking about how the lot is dedicated so...

22
23 **COMMISSIONER BARNES** – Yeah, it's a revokable offer.

24
25 **CHAIR LOWELL** – Vice Chair Sims pointed that out to me too.

26
27 **COMMISSIONER BARNES** – Okay, thank you.

28
29 **CHAIR LOWELL** – Commissioner Korzec.

30
31 **COMMISSIONER KORZEC** – I have a question on the So-Cal Environmental
32 Justice Alliance letter. I think it's a great project. I think that neighborhood really
33 could use that project. But the question that I have and something that concerns
34 me is the traffic and circulation impacts. They are pointing out that these
35 improvements may not be paid or the improvements not finished at the start of
36 the projects operation. The impact regarding improvements at 38 intersections
37 while the project is under construction must be studied. Can you address that a
38 little bit more for me because that's a frightening thought that 32 intersections are
39 impacted, the money might not be there, and where does that leave the rest of us
40 in the City that want to commute through that area?

41
42 **ASSOCIATE PLANNER JEFF BRADSHAW** – I'll try and give you my best
43 nontechnical expert answer and then, if that's incomplete, I think Ross Geller is
44 prepared to provide some additional detail on it or maybe even Michael Lloyd.
45 The analysis, I'll flip to this exhibit, but I might be getting out of my depth as we
46 get to this exhibit. The analysis was done in a very complete and thorough way.

1 And those 38 intersections include areas outside of the City’s jurisdiction
2 including intersections within the City of Perris, as well as Caltrans jurisdictions.
3 The project the way it’s designed and conditioned, more specifically conditioned
4 in the Mitigation Measures that are in place, would require that all of the projects
5 direct impacts to an intersection or a roadway segment are mitigated and dealt
6 with before the store opens and operations begin. There are instances where
7 there are intersections or roadway improvements where the levels of service are
8 underperforming or deficient as they exist today or in the analysis maybe they will
9 be underperforming in the future until those improvements are made. The
10 project contributes additional traffic to specific locations where that is the case
11 and under CEQA we couldn’t fairly burden them with resolving or already existing
12 or future conditions, so the mitigation is for them to contribute their fair share to
13 reducing those impacts or their fair share of the cost towards resolving those
14 impacts. And the letter is correct. The environmental also bears out that there is
15 no guarantee that those improvements would occur before the project opens and
16 that’s the distinction. If there is something more to add to that, I’d allow Michael
17 maybe to jump in.

18
19 **PLANNING OFFICIAL RICK SANDZIMIER** – I’d like to add a little bit. One of
20 the purposes for the allowance of the Statement of Overriding Considerations
21 and CEQA is not only have we identified the impact, and we have identified a
22 Mitigation Measure that holds this developer responsible for satisfying his
23 requirement to CEQA to mitigate his impacts but there is also a standard that
24 says you can’t obligate a developer to pay more than their fair share. The
25 mitigation has to be appropriate and balanced with the level of impact. And so,
26 when you’re dealing with regional transportation systems and when you’re
27 dealing with Caltrans or you’re dealing with another city like the City of Perris,
28 even if their obligation was a high percentage. Say it was 80% and we gave 80%
29 of the money to Caltrans and said okay we gave you 80% to do the intersection
30 or the on-ramp or the mainline improvements to our freeway, there is no
31 guarantee that the City or the developer can make that agency do that
32 improvement. They may say well we have to come up with the other 20% or stop
33 part of our planning at this time, and so the same thing could happen in the City
34 of Perris. So the protection of the Statement of Overriding Consideration is not
35 saying we’re ignoring the impact, it’s allowing that the development can continue
36 to proceed so that it’s not held hostage. And so that allows for the area to
37 continue to work together on these regional benefits, and so if the percentage of
38 contribution is small, they are obligated to it in fair share. If it is a little higher,
39 they are still obligated to it. And, if it were 100%, they would still be obligated to it
40 and there still could be a Statement of Overriding Considerations in there. So I
41 just wanted to make sure you understood that. I would like to still offer Michael
42 Lloyd, our Traffic Engineer who is present, if he has any additional insight, and
43 then the developer. Apparently Jeff had introduced him, so I didn’t want to cut
44 him off if he has something to add also.

45

1 **TRAFFIC ENGINEER MICHAEL LLOYD** – Thank you. I did want to provide
2 some clarification to the letter. As you mentioned, it references 38 study
3 intersections. What the letter fails to mention is that the 38 study intersections
4 that required mitigation was identified under City General Plan Build-out. That's
5 an important distinction because, unless the entire City builds out except this one
6 parcel, it's hard to imagine how this would be the last parcel in the City to build
7 out and it would be potentially providing these level of impacts while the project is
8 under construction. So hopefully that doesn't muddy the picture but it provides
9 some clarification. In terms of maybe providing a little bit better picture from a
10 timing perspective, the Traffic Study provided a 2018 project build-out versus City
11 build-out, so in the year 2018 it was estimated the project would be completed. It
12 identified 18 study intersections that would be impacted under the cumulative
13 analysis. Of those 18, six of those locations have since been improved so there
14 are things going on across the City to make improvements. There are a couple
15 of additional locations where the improvements are in the planning process so
16 they will be put in place, and then there are several other locations where what's
17 driving the need for the improvement is the adjacent project to it. And case and
18 point, one of the studied intersections identified was Cactus at Graham and what
19 drove the need for improvements there was the March LifeCare Project. So as
20 that project comes on, those improvements would be put in place. So, yes, the
21 38 seems very overwhelming, but I did want to state that that was for the City's
22 General Plan Build-out Analysis and the way the study was conducted it basically
23 assumed the City is going to be built out to its full land use plan. But none of the
24 street system has been built out. It's a very conservative analysis so that it
25 positions itself to be defensible. It doesn't assume things in terms of future
26 improvements that may or may not be funded. So hopefully that sheds some
27 light and provides some better clarity in terms of what those impacts may or may
28 not be.

29
30 **CHAIR LOWELL** – Thank you very much. Do we have any other questions for
31 Staff before we move onto the Applicant's presentation?
32

33 **COMMISSIONER BAKER** – I have one here. Hey Jeff, where you talk about
34 less than 115,000 volts on that transmission line, that one that runs on the east
35 side of Perris, that's 115,000?
36

37 **ASSOCIATE PLANNER JEFF BRADSHAW** – Is that a reference to a condition
38 of approval?
39

40 **COMMISSIONER BAKER** – Well I'm wondering where you're going to bury that
41 line along Perris Boulevard like you did at Home Depot?
42

43 **ASSOCIATE PLANNER JEFF BRADSHAW** – If it's less than 115 KV then
44 they'd be required to do the undergrounding as a standard requirement I believe.
45

46 **COMMISSIONER BAKER** – Is that right?

1
2 **TRAFFIC ENGINEER VINCE GIRON** – Yes, Commissioner Baker. Jeff that is
3 correct. If it is less than 115, it will be required to be undergrounded and
4 those.....

5
6 **COMMISSIONER BAKER** – Is it less than 115,000?

7
8 **TRAFFIC ENGINEER VINCE GIRON** – Yes.

9
10 **COMMISSIONER BAKER** – Okay.

11
12 **TRAFFIC ENGINEER VINCE GIRON** – Yes, yes. Those lines will be required to
13 be undergrounded.

14
15 **COMMISSIONER BAKER** – Got it, thanks. Now one other question I had here
16 it was on some anagrams that I didn't totally understand. Let me get to that right
17 quick. It has to do with water quality like this SARWQCB. What does that stand
18 for?

19
20 **CHAIR LOWELL** – Santa Ana Regional Water Quality Group.

21
22 **COMMISSIONER BAKER** – Is that what that is? Okay. And then this RCFC, is
23 that something to do with Riverside County Flood Control?

24
25 **TRAFFIC VINCE GIRON** – That's correct. Riverside County.

26
27 **COMMISSIONER BAKER** – Okay. I just wanted to clear that up.

28
29 **VICE CHAIR SIMS** – I did have a question on the water quality basin just from
30 a....there is one property owner right now that owns the two parcels plus the
31 lettered lot, correct?

32
33 **TRAFFIC ENGINEER VINCE GIRON** – That's correct.

34
35 **VICE CHAIR SIMS** – So the detention pond on the Grading Plan shows the
36 potential future gas station or the other option, the other commercial space (fast
37 food space). It appears that that area would also drain over to the pond as well,
38 to the detention basin. So how does that work with a gas station. You know, I
39 would worry if those become separate ownerships but they are sharing that same
40 use and there was a gas spill that this became a water quality issue. How do
41 they maintain indemnification on that, or is that something between the property
42 owners?

43
44 **TRAFFIC ENGINEER VINCE GIRON** – Yes good evening Commissioner Sims.
45 To answer that, when the parcel two comes in for it about specific development
46 for a gas station, there will be a separate review for their water quality. If it goes

1 above and beyond what's already proposed here, then no requirements will be
2 implemented at that time. There will be a condition. It's a general condition
3 whether it's through CCNR's or separate mechanism (separate instrument)
4 where there will be an agreement among...well, at this point, the single property
5 owner will have to execute an agreement (a Drainage Maintenance Agreement if
6 you will) so that parcel two can always drain to that detention basin/infiltration
7 basin. So there are mechanisms or conditions in place that will require that to be
8 addressed.

9
10 **CHAIR LOWELL** – In my experience with water quality basins, drywells are kind
11 of on the bottom end of the water quality because they can sometimes be
12 misconstrued as a direct injection well. Is there any issue with this water quality
13 basin and the drywell?

14
15 **TRAFFIC ENGINEER VINCE GIRON** – We did have it reviewed by our outside
16 consultant, and they have given their approval for the preliminary Water Quality
17 Management Plan.

18
19 **CHAIR LOWELL** – Has Flood Control had a look at this one yet?

20
21 **TRAFFIC ENGINEER VINCE GIRON** – They were noticed and their
22 requirements were for the storm drain line in Perris Boulevard.

23
24 **CHAIR LOWELL** – Alright and there wasn't any benefit to doing like an
25 extended detention basin with a sand filter or anything like that? I'm a little leery
26 of the direct injection drywells. It has potential, like Commissioner Sims was
27 saying, that if you do have some sort of toxic chemical spill it goes into the
28 ground water a lot more quickly.

29
30 **TRAFFIC ENGINEER VINCE GIRON** – Well there is a hierarchy of best
31 management practices that can be implemented. And one of the first hierarchy is
32 for, the first level I should say is infiltration. And, extended detention if you will, is
33 actually at the bottom of that hierarchy meaning it's the least desired. And they
34 were able to substantiate that they can infiltrate by use of these drywells, and so
35 that would've been the first requirement of any project to go down the list and
36 sort of show that you can or cannot use the first requirement on that list (that
37 hierarchy). So what they presented here was approved by our consultant and
38 thereby the City as well.

39
40 **CHAIR LOWELL** – Alright, I appreciate it. Thank you.

41
42 **TRAFFIC ENGINEER VINCE GIRON** – Sure.

43
44 **CHAIR LOWELL** – Any other questions for Staff before we move onto the
45 Applicant? Going once, going twice, okay. At this time, I would like to invite the
46 Applicant up to the podium for their presentation.

1
2 **APPLICANT DONOVAN COLLIER** – Good evening Mr. Chairman, honorable
3 Commissioners. My name is Donovan Collier. I am here on behalf of Walmart
4 stores. We'd like to thank Staff for all their hard work on this project over the last
5 two years and the excellent presentation this evening. We have worked very
6 closely with them over the last two years and believe with their guidance and
7 input we've come up with a project that Walmart is very proud of. We think it will
8 be an asset to the community at this location. We really don't have anything to
9 add to the presentation this evening. However, we do have our Development
10 Team here in force to hopefully respond to any questions, concerns, or
11 comments that the Commission or the Staff has of us. So, as of now, we will sit
12 down and let the Public Hearing commence. Thank you.

13
14 **CHAIR LOWELL** – Don't go too far away. I've got a couple questions.

15
16 **APPLICANT DONOVAN COLLIER** – We're here.

17
18 **CHAIR LOWELL** – So this Walmart is going in the center of the City, well center
19 of three other Walmart's.

20
21 **APPLICANT DONOVAN COLLIER** – That's correct.

22
23 **CHAIR LOWELL** – One's a supercenter. One used to be a regular Walmart that
24 is now a supercenter that's right next to an abandoned Walmart, and there is one
25 about three miles south. So basically, from this new Walmart, you're no further
26 than four miles away as the crow flies from three other Walmart's. Is there really
27 a need for a fourth Walmart?

28
29 **APPLICANT DONOVAN COLLIER** – Well, based on the market analysis that
30 Walmart does, I mean they've chosen this site and they go through a very careful
31 market analysis in determining spacing and locations for stores. So I anticipate
32 that this would've just fallen into one of those additional market areas. So, from
33 that standpoint, yeah I believe that everybody at Walmart believes this is a good
34 location and a necessary location in this market.

35
36 **CHAIR LOWELL** – Okay my personal bias is I don't particularly care for
37 Walmart but that is just my personal bias. I just think that it's inundating this area
38 with the same, a lot of the same. It's just really close to other Walmart's. I mean
39 granted we need grocery stores and we have various different grocery stores
40 throughout town, but it just seems like these large huge warehouses of shopping
41 centers are just kind of like overwhelming the City. Can anybody....okay, are all
42 the existing buildings in the foreseeable future going to remain occupied?

43
44 **APPLICANT DONOVAN COLLIER** – As far as I know, yes. I mean this is a
45 new....

1 **CHAIR LOWELL** – It's not like over off Day Street where there was a huge store
2 right next to it.

3
4 **APPLICANT DONOVAN COLLIER** – No this is a new store. This is a brand
5 new store. This is not a relocation of an existing store. This is a brand new store
6 so all of the existing Walmart's in the City of Moreno Valley, City of Riverside,
7 City of Perris to the south are remaining.

8
9 **CHAIR LOWELL** – Thank you. Anybody have any other questions or comments
10 for the Applicant?

11
12 **COMMISSIONER KORZEC** – Well I also am not a Walmart shopper myself.
13 But I understand the demographics of the people that shop at Walmart and I
14 know there's a circumference in area where you will draw people, and I do
15 believe this project is in your demographic in that area. You are also close to the
16 base, and I know they have 7000 civilian employees there who probably will also
17 frequent this on their lunch hour, on their way home to commute. So, even
18 though I'm not a particular shopper of Walmart, I do understand your
19 demographics and how you approach a certain community. So I personally don't
20 think it's too many Walmart's. I think this is a good location for one.

21
22 **CHAIR LOWELL** – Okay. I have a question.

23
24 **COMMISSIONER BAKER** – That technically is just the second Walmart in
25 Moreno Valley, right?

26
27 **CHAIR LOWELL** – That is technically correct. We just have one.

28
29 **APPLICANT DONOVAN COLLIER** – Yeah, we just have one right now.

30
31 **COMMISSIONER GONZALEZ** – How are your outreach efforts to the local
32 community to Moreno Valley? Can you just describe or elaborate how that has
33 occurred and continues to occur?

34
35 **APPLICANT DONOVAN COLLIER** – Absolutely. I'd like to invite Phil Serghini,
36 the Walmart Public Affairs up to handle that question.

37
38 **APPLICANT PHIL SERGHINI** – Good evening, Phil Serghini with Walmart. We
39 are planning first of all to have an open house forum for everyone in that
40 neighborhood especially. What we'll do is we'll find a space and we'll invite
41 everybody in to talk to all of our experts one-on-one about the project. We'll be
42 bringing people from Walmart as well. And then, other than that, we just have
43 direct mail pieces to the community as well just to let them know about the
44 process, about the store, and various information sent to them. That's pretty
45 much it.

1 **COMMISSIONER BAKER** – I’ve got one question for you. I know you sent that
2 brochure out a number of months ago to the people in that area. How many of
3 those cards did you get back in showing interest?

4
5 **APPLICANT PHIL SERGHINI** – We had about 700.

6
7 **COMMISSIONER BAKER** – That’s what I thought.

8
9 **APPLICANT PHIL SERGHINI** – Yeah, thank you.

10
11 **CHAIR LOWELL** – Any other questions for the Applicant before I move on? I
12 don’t see anybody’s hand going up, so thank you very much.

13
14 **APPLICANT PHIL SERGHINI** – Thank you.

15
16 **CHAIR LOWELL** – If there is anybody in the audience interested in speaking on
17 this item please remember to fill out a Speaker Slip, and if you haven’t done so
18 already, please do so. It should be one of the, I believe it’s a green slip and
19 please fill it out and provide it to our recording secretary. At this point in time, do
20 we have any Speaker Slips?

21
22 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – Chair, we have
23 two Speaker Slips and two additional with a note saying not speaking, so I’m not
24 sure if they’ve changed their mind since they’ve submitted their Speaker Slip.
25 But, if they want to, we do have the Speaker Slip for them.

26
27 **CHAIR LOWELL** – Alright, I see another one coming up. They don’t show up
28 on my que over here. Could you call the first one up, please?

29
30 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – So the first one
31 we have is Ehab Mosaad followed by Patricia Webster.

32
33 **CHAIR LOWELL** – Thank you. Also, I don’t have a timer up here. Could you
34 run a timer for me please? Thanks. The microphone is right next to you. There
35 you go.

36
37 **SPEAKER EHAB MOSAAD** – I have been living here with my family in Moreno
38 Valley for 11 years, and I think this is the best development in our area. Where I
39 live, we have the corporate yard, which is an eyesore so why not bring a
40 business that will bring you money and be good for our community. The Walmart
41 that is on Moreno Beach Drive is about 20 minutes away. The Walmart that is by
42 Costco area is 25 minutes away. The Walmart that is in Perris is over 20
43 minutes away, so they are not close to each other. This would be a perfect place
44 to bring jobs to our neighborhood community. It’s an awesome idea to have it
45 here. It will bring jobs, like I said, clean up the area, and bring a lot of revenue to
46 the area. I see a lot of corporate businesses that are popping up left and right.

1 They are clogging up the freeways, so why not bring something that is very
2 important to our area that will serve the people. I am one of the Walmart
3 shoppers. I work at Kaiser Permanente. I have a good income, but I like
4 shopping at Walmart. They have affordable prices, they are good to the people,
5 and we need it in our City. Thank you.

6
7 **CHAIR LOWELL** – Thank you very much. Could you re-announce the next
8 person, Grace?

9
10 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – It is Patricia
11 Webster followed by Joe Meyer.

12
13 **CHAIR LOWELL** – I don't see anybody coming up. There we go. Okay, thank
14 you.

15
16 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – Joe Meyer.

17
18 **SPEAKER JOE MEYER** – Good evening Commissioners. My name is Joe
19 Meyer. My company is Pacific Retail Partners, and I stood before this
20 Commission 10 years ago as a joint developer of the Walmart at Moreno Beach
21 and the 60. To this day, we still own that center. We own everything around the
22 Walmart and I'm proud to say that we're 100% leased, which is very unusual in
23 this retail environment. We'll be joint developing this project with them for the
24 balance of the project. And I just wanted to relay that the concern about having
25 maybe too many Walmart's in the area. We would be definitely opposed to this
26 project if it was pulling people out of our project, but having worked with Walmart
27 for 20 years and joint developed with them and done almost 100 projects, we
28 know what the number of people in this South Market that when we identified it. I
29 helped work on that. It is definitely sustainable, and we're excited to bring more
30 retailers to the front out-lots. I wish I had them today. Unfortunately, people
31 oppose projects and use the law to slow us down and we don't get to build our
32 buildings sometimes for several years that is why we don't have the retailers
33 today. But we're anxious to come back to you on the out-lots, and I think what
34 you'll see between us and Home Depot now is a real synergy as a retail corridor
35 and environment there. I think you'll see more activity hopefully maybe from us
36 on some of those other parcels too, so I encourage you to approve this project
37 and we're just thankful that it's finally here after all the time that we've spent. So,
38 if you have any questions for me on my project and how it relates, I'm happy to
39 answer to those. So thank you for your consideration.

40
41 **CHAIR LOWELL** – Thank you very much. Next speaker please.

42
43 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – I don't have
44 anymore unless someone, I believe there is someone here representing So-Cal
45 Environmental Justice Alliance if they want to speak?

1 **CHAIR LOWELL** – Anybody else want to speak on this item? I don't see any
2 hands going up. Okay, well the Public Comments portion is now closed. And
3 that moves us onto our Commissioner Comments. Would any Commissioners
4 like to make a comment or have questions?

5
6 **VICE CHAIR SIMS** – I had a question on the, when I was flipping through the
7 information, I left my book on this at work today accidentally. But did I get it right
8 that the project will have an impact of \$541,000 approximately to the general
9 fund? Was that accumulative or is that an annual influx of general fund money?

10
11 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't know about the property
12 tax, but I can tell you that a Walmart of this size would produce \$400,000 to
13 \$600,000 annually in sales tax revenue to the City.

14
15 **CHAIR LOWELL** – Is there anyway slate that to crossing guards? I like that
16 idea.

17
18 **VICE CHAIR SIMS** – It mentioned somewhere in the documentation that it was
19 \$541,000 of.....

20
21 **COMMISSIONER BARNES** – Overriding Considerations.

22
23 **VICE CHAIR SIMS** – Of part of the Overriding Considerations. And the other
24 thing that caught my eye was it estimates 300 to 320 jobs that would be
25 generated from this site and that is substantial, and I think that it is a great
26 project.

27
28 **CHAIR LOWELL** – Any other questions, comments, or concerns? One of the
29 requirements of the Planning Comments was landscaping the median on Perris
30 Boulevard or the median on Perris Boulevard. Is that going to be landscaped or
31 it is going to be concrete?

32
33 **ASSOCIATE PLANNER JEFF BRADSHAW** – It would be a landscaped
34 median.

35
36 **CHAIR LOWELL** – Okay, and what's the proximity to the nearest recycled water
37 line? Do we know if there is one in that area?

38
39 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't believe so, but I couldn't
40 actually tell you where the nearest one is.

41
42 **CHAIR LOWELL** – I know that's an Nissan question. Yeah, I would like to see
43 that landscaped and not concrete. I know Nissan is almost on the verge of being
44 done, and it looks like it's going to be mostly concrete. I think some drought
45 tolerant plants would like a lot nicer than red concrete. And the screen walls for
46 the loading docks. I remember you saying something about that, but I didn't

1 quite catch how they are going to be screened from the residence and from the
2 neighboring properties.

3
4 **ASSOCIATE PLANNER JEFF BRADSHAW** – Okay, let's see if we can go back
5 to the Exhibit. There's loading docks at both corners of the north elevation of the
6 building. The western set of loading docks are screened off of the drive aisle
7 with a wall that's immediately adjacent to the docks. The eastern set of docks is
8 screened with a screen wall that's actually on the north side of that drive aisle
9 and that wall would wrap around the where you see the not quite a cul-de-sac but
10 you see a circular shape in the drive aisle there for turnaround for the large
11 vehicles at the northeast corner of the site.

12
13 **CHAIR LOWELL** – How tall are those walls going to be?

14
15 **ASSOCIATE PLANNER JEFF BRADSHAW** – They are 10 foot tall walls. They
16 wrap again starting in alignment with the eastern set of docks. They wrap around
17 the curb. They follow the shape of that circular turn and they come south almost
18 to the corner of the building, so they would screen the view from traffic going
19 north and south along Perris Boulevard, as well as the traffic on Gentian. So, in
20 addition to those screen walls, the condition is for the landscape to include a tree
21 row and dense or heavy vegetation within that planter area between the building
22 and Gentian. The additional screening that would benefit the project would occur
23 also within the short landscaped median that you see there in Gentian itself
24 where you'd have in terms of mitigating the activity, the noise, and anything that
25 might be visible from offsite from the backyards to those future homes, you have
26 the width and separation of Gentian. You have a median at Gentian. You'd have
27 the parkway landscaped along the north side of Gentian at the rear of those
28 homes, all of that occurring in addition to what the project itself is required to
29 provide.

30
31 **CHAIR LOWELL** – Roger. So the 10 foot block walls are going to be pretty
32 heavily screened by landscaping, so the walls themselves won't make an
33 eyesore.

34
35 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes, there would be landscape
36 along the outside of the wall along the Perris landscaped planter area, as well as
37 Gentian.

38
39 **CHAIR LOWELL** – And that is going to be privately maintained also?

40
41 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes. The entirety of the
42 landscape for this project would the responsibility of the owner.

43
44 **CHAIR LOWELL** – Okay, and then moving down the line on these delivery
45 trucks. Are they going to have any kind of a plug-in for their refrigerated trucks?
46 I know some of our previous distribution warehouses that have come in front of

1 us have to have no longer than 10 minutes of idling, and if they are going to be
2 idling longer than that, they have to have plug-ins.

3
4 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't recall if that was a
5 particular mitigation for this project. If you could give us a moment to check the
6 mitigation, we can review that for you.

7
8 **CHAIR LOWELL** – Perfect, I'd appreciate it.

9
10 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't recall that specifically for
11 this project.

12
13 **CHAIR LOWELL** – Yeah, I didn't catch it in there. That's why I am asking.

14
15 **ASSISTANT CITY ATTORNEY PAUL EARLY** – The idling restrictions are
16 actually codified in the code and would apply to any user across the entire City,
17 so whether or not they are conditioned to install any of these, the same idling
18 restrictions would apply to them.

19
20 **CHAIR LOWELL** – Well given that it's not a distribution warehouse, the odds of
21 having a lot of trucks in here idling for a long period of time might not be high
22 odds. But it still might be a nice requirement to put on that they have the option
23 to plug-in refrigerated trucks.

24
25 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I believe the Municipal Code
26 Section specifies 5 minutes as the maximum idling time.

27
28 **CHAIR LOWELL** – Alright. So I know that you said the Municipal Code requires
29 no more than 5 minutes of idling time, but that means they just have to shut off
30 the trucks. But, if there is a refrigerated truck, will there still be a plug provided
31 for them to plug in the truck? That's kind of what I was going for.

32
33 **ASSOCIATE PLANNER JEFF BRADSHAW** – I'm looking at the Mitigation
34 Measures. I don't see that now, but the Code requires that additionally the idling
35 is limited to no longer than 5 minutes as a Mitigation Measure as well. I don't see
36 anything yet on the plug-ins for the refrigerated trucks.

37
38 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And those restrictions apply to
39 refrigeration units as well, not just the trucks themselves.

40
41 **CHAIR LOWELL** – The truck itself. Does anybody else have any questions,
42 comments, or concerns?

43
44 **ALTERNATE COMMISSIONER GONZALEZ** – I just want to say it's a good
45 project. It meets, you know, the needs of Moreno Valley as far as job creation

1 and the social and local infrastructure it's going to provide, so I do shop at
2 Walmart and I like the project.

3
4 **CHAIR LOWELL** – Yeah I live pretty close to a Walmart, actually walking
5 distance, and inevitably once or twice a week a police helicopter is hovering over
6 Walmart with a light on chasing somebody to or chasing somebody from the
7 Walmart over off Moreno Beach. And it's becoming more and more redolent and
8 it concerns me. You drive through the parking lot and the light standards are
9 damaged, tagged, and broken. There are oil stains on the ground. The type of
10 cliental that specific store draws is not exactly some place you want to be at 11
11 o'clock at night if you need a gallon of milk. I personally don't think it is the kind
12 of cliental or the kind of store after-hours that you'd want to visit. That's my
13 personal opinion. Do we have any other....did you find that on the plug-ins or
14 anything?
15

16 **ASSOCIATE PLANNER JEFF BRADSHAW** – I'm looking at Mitigation Measure
17 4.4.4, which is Planning Condition 95 in the....there's three sets of conditions and
18 so I apologize. It's page 393 of the packet. There's a number of Mitigation
19 Measures here identified specifically for the purpose of energy efficiency, and it
20 lists a series of bullets that are examples of the types of things that could be
21 done. It includes, actually here it says, installation of electrical hookups at the
22 loading dock areas, so it is there as a Mitigation Measure.
23

24 **CHAIR LOWELL** – Okay, I appreciate it. Okay, with that said, I believe we have
25 four Resolutions we have to vote on independently. Is that the case?
26

27 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes, that is correct.
28

29 **CHAIR LOWELL** – So, with that said, Grace you said that you were going to so
30 something so I could click on it and vote on the Resolutions independently.
31

32 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – The first
33 Resolution should be up for your voting.
34

35 **CHAIR LOWELL** – Okay, let me try to find my paperwork so I know what we're
36 voting on. Would anybody like to make a motion on Resolution No. 1, which is
37 Resolution 2015-26? I have no way of clicking on the vote over here, Grace.
38 What is this? We'll just do it by rollcall. There we go.
39

40 **VICE CHAIR SIMS** – I motioned if somebody wants to second.
41

42 **CHAIR LOWELL** – I think we should do a rollcall. I think it would be a little
43 easier. Go ahead, make a motion if you'd like.
44

45 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – Chair Lowell, it
46 looks like it's up for you to go ahead and start voting.

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CHAIR LOWELL – Okay.

ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO – Do you see it on your screen?

CHAIR LOWELL – Yes ma’am.

ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO – Okay.

VICE CHAIR SIMS – So this is the Resolution No. 2015-26, right?

CHAIR LOWELL – Yes.

VICE CHAIR SIMS – Okay, so I would make a motion that the Planning Commission **APPROVE** Resolution No. 2015-26 and thereby (A) certify that the Environmental Impact Report for the South Moreno Valley Walmart project has been completed in compliance with CEQA; (B) **ADOPT** the Findings and Statements for Overriding Considerations regarding the Final EIR for the South Moreno Valley Walmart project attached as Exhibit A to Resolution 2015-26; (C) **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed South Moreno Valley Walmart project attached as Exhibit B to Resolution 2015-26.

CHAIR LOWELL – We have a motion by Vice Chair Sims. Do we have a second?

ALTERNATE COMMISSIONER GONZALEZ – I’ll second that.

CHAIR LOWELL – Perfect. Oh wait, Erlan motioned, whatever.

VICE CHAIR SIMS – I’ll second that.

CHAIR LOWELL – Perfect. There were go. Okay, so we have a confusing motion and second by various people. Go ahead and click your vote. Okay, there we go. All votes have been cast. Vote passes 6-1.

Opposed – 1

Motion carries 6 – 1

Minutes Acceptance: Minutes of Oct 8, 2015 7:00 PM (APPROVAL OF MINUTES)

1 **CHAIR LOWELL** – That moves us onto the second item, which is Resolution
2 2015-27. Would anybody like to make a motion? And the vote is available on
3 our machines.

4
5 **ADMINISTRATIVE ASSISTANT GRACE ESPINO-SALCEDO** – There it is.

6
7 **VICE CHAIR SIMS** – Well I’m hot. I am on a roll. I’ll go. I recommend to make
8 a motion that the Planning Commission **APPROVE** Resolution No. 2015-27,
9 which is approving Tentative Parcel Map 36606, PA13-0033 subject to the
10 attached conditions of approval included as Exhibit A to Resolution 2015-27.

11
12 **CHAIR LOWELL** – Okay we have a motion by Commissioner Sims and a
13 second by Mr. Baker. We are waiting on Commissioner Nickel. Okay, all votes
14 have been cast. And this motion passes 6-1.

15
16
17 Opposed – 1

18
19
20 **Motion carries 6 – 1**

21
22
23 **CHAIR LOWELL** – Moving onto the third Resolution 2015-28. Would anybody
24 like to motion? Oh, motioned by Commissioner Barnes.

25
26 **COMMISSIONER BARNES** – I know. There is a first time for everything. I’d
27 like to make a motion that the Planning Commission **APPROVE** Resolution No.
28 2015-28 and thereby approve Plot Plan PA13-0032 subject to the attached
29 conditions of approval included as Exhibit A to Resolution 2015-28.

30
31 **CHAIR LOWELL** – We have a motion by Commissioner Barnes. Do we have a
32 second? We have a second by Commissioner Korzec. And all votes have been
33 cast. And this Resolution passes 6-1.

34
35
36 Opposed – 1

37
38
39 **Motion carries 6 – 1**

40
41
42 **CHAIR LOWELL** – This moves us onto the fourth Resolution, which is 2015-29.
43 Would anybody like to motion?

44
45 **ALTERNATE COMMISSIONER GONZALEZ** – I’ll motion.

1 **CHAIR LOWELL** – We have a motion by Commissioner Gonzalez.

2
3 **ALTERNATE COMMISSIONER GONZALEZ** – I want to motion that the
4 Planning Commission **APPROVE** Resolution No. 2015-29 and thereby
5 **APPROVE** Conditional Use Permit PA13-0034 subject to the attached conditions
6 of approval included as Exhibit A to Resolution 2015-29.

7
8 **CHAIR LOWELL** – We have a motion by Commissioner Gonzalez and we have
9 a second by Commissioner Nickel. Please cast your vote. All votes have been
10 cast. Again, this fourth Resolution passes 6-1. Do we have a Staff wrap-up on
11 this item?

12
13
14 Opposed – 1

15
16
17 **Motion carries 6 – 1**

18
19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – We do. We appreciate the
21 Commission entertaining the separate motions this evening. The importance of
22 that is that the approval for the Tentative Tract Map, the Plot Plan, and the
23 Conditional Use Permit are all appealable. Applications they can be appealed to
24 the City Council. The filing of an appeal on a Tentative Tract Map is 10 days, so
25 10 days from the date of the hearing that appeal can be filed and should be
26 directed to the City Council through the Community Development Director. The
27 appeal on the Plot Plan or the Conditional Use Permit should be filed within 15
28 days of the action and is also addressed to the City Council and filed through the
29 Community Development Director. Any appeal that is filed would be scheduled
30 for a hearing before the City Council within 30 days or thereabouts, as close as
31 possible. And the environmental document action this evening that was
32 supporting all three of those specific applications. If an appeal was to be filed,
33 the appeal should be specific to any issues or interests with the environmental
34 document as well. Thank you.

35
36
37 **PLANNING COMMISSIONER COMMENTS**

38
39 **CHAIR LOWELL** – Thank you very much. Are there any Commissioner
40 Comments? I have one. I'd like to express some deep sympathy and
41 condolences to our absent Commissioner Ms. Meli Van Natta. She experienced
42 a death in her family and it's never good, so our deepest sympathy and my
43 condolences go out to her and I'm keeping her in our thoughts and prayers
44 tonight.

1 **ADJOURNMENT**

2
3
4 **CHAIR LOWELL** – With that said, this concludes our meeting. Our meeting is
5 adjourned until our next Regular Meeting, which is October 22nd, 2015, at 7:00
6 PM. Thank you very much and have a good night.
7

8
9 **NEXT MEETING**

10 *Next Meeting: Planning Commission Regular Meeting, October 22nd, 2015 at*
11 *7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick*
12 *Street, Moreno Valley, CA 92553.*
13
14
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24 _____
25 Richard J. Sandzimier
26 Planning Official
27 Approved
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_____ Date

39 _____
40 Brian R. Lowell
41 Chair
42

_____ Date

Minutes Acceptance: Minutes of Oct 8, 2015 7:00 PM (APPROVAL OF MINUTES)

1 CITY OF MORENO VALLEY PLANNING COMMISSION
2 REGULAR MEETING
3 CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET
4

5 Thursday, October 22nd, 2015, 7:00 PM

6
7
8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentleman. I would like to call the
11 October 22nd, 2015 Regular Meeting of the Planning Commission to order. The
12 time is 7:03 PM. We do have two absentees up here. Commissioner Ramirez
13 has an excused absence and Commissioner Baker has an excused absence.
14 With that noted, could we have the rollcall please?
15

16
17 **ROLL CALL**
18

19 **Commissioners Present:**

20 Alternate Commissioner Nickel
21 Commissioner Korzec
22 Commissioner Van Natta
23 Alternate Commissioner Gonzalez
24 Commissioner Barnes
25 Vice Chair Sims
26 Chair Lowell
27

28 **Staff Present:**

29 Rick Sandzimier, Planning Official
30 Paul Early, Assistant City Attorney
31 Grace Espino-Salcedo, Permit Technician
32 Jeff Bradshaw, Case Planner
33 Guy Pagan, Senior Engineer
34

35
36 **PLEDGE OF ALLEGIANCE**
37

38 **CHAIR LOWELL** – Would anyone like to motion to approve the Agenda for
39 tonight's meeting? Oh, I'm one step ahead. We need to have the Pledge of
40 Allegiance. Commissioner Gonzalez is going to lead us in the Pledge of
41 Allegiance tonight. Thank you.
42

43
44 **APPROVAL OF THE AGENDA**

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Approval of Agenda

CHAIR LOWELL – Thank you for that. Now, would anyone like to motion to approve tonight’s Agenda? Let’s see if we can do a vote on that. There we go. We have a motion by Vice Chair Sims and a second by Commissioner Van Natta. Let’s vote. We are waiting on Commissioner Korzec.

COMMISSIONER KORZEC – I keep pushing it.

CHAIR LOWELL – There we go. It passes unanimously, 7-0. Awesome. Ah, I crack me up.

Opposed – 0

Motion carries 7 – 0

CONSENT CALENDAR

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

CHAIR LOWELL – So that moves us onto our Consent Calendar of which we don’t have any.

APPROVAL OF MINUTES

None

CHAIR LOWELL – Next is approval of Minutes, which again we do not have any.

PUBLIC COMMENTS PROCEDURE

Any person wishing to address the Commission on any matter, either under Public Comments section of the Agenda or scheduled items or public hearings, must fill out a “Request to Speak” form available at the door. The completed

Minutes Acceptance: Minutes of Oct 22, 2015 7:00 PM (APPROVAL OF MINUTES)

1 form must be submitted to the Secretary prior to the Agenda item being called by
2 the Chairperson. In speaking to the Commission, member of the public may be
3 limited to three minutes per person, except for the applicant for entitlement. The
4 Commission may establish an overall time limit for comments on a particular
5 Agenda item. Members of the public must direct their questions to the
6 Chairperson of the Commission and not to other members of the Commission,
7 the applicant, the Staff, or the audience. Additionally, there is an ADA note.
8 Upon request, this Agenda will be made available in appropriate alternative
9 formats to persons with disabilities in compliance with the Americans with
10 Disabilities Act of 1990. Any person with a disability who requires a modification
11 or accommodation in order to participate in a meeting should direct their request
12 to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to
13 the meeting. The 48-hour notification will enable the City to make reasonable
14 arrangements to ensure accessibility to this meeting.

15
16 **CHAIR LOWELL** – And now we’re onto the Public Comments portion of the
17 meeting.

18
19
20 **NON-PUBLIC HEARING ITEMS**

21
22 **None**

23
24 **CHAIR LOWELL** – Moving on, we have Non-Public Hearing Items, which we do
25 not have any.

26
27
28 **PUBLIC HEARING ITEMS**

- 29
- 30 1. Case: PA15-0009 (Conditional Use Permit)
- 31
- 32 Applicant: Verizon Wireless
- 33
- 34 Owner: Shinder Kaur and Parmjit Singh
- 35
- 36 Representative: SAC Wireless (Dail Richard)
- 37
- 38 Location: 14058 Redlands Boulevard (Farm Market)
- 39
- 40 Case Planner: Claudia Manrique
- 41
- 42 Council District: 3
- 43
- 44 Proposal: Applicant request for continuance of PA15-0009
- 45 (Conditional Use Permit) to the November 12th, 2015
- 46 Planning Commission Meeting for a proposed new

1 Wireless Communication Facility (WCF) with a 60 foot
2 monopine.
3

4 **CHAIR LOWELL** – Which moves us onto the Public Hearing Items. The first
5 Public Hearing Item is Case No. PA15-009, a Verizon Wireless cell tower and the
6 Case Planner is Claudia Manrique. Do we have a....
7

8 **PLANNING OFFICIAL RICK SANDZIMIER** – We do. We have a quick update.
9 There will be no Staff presentation this evening on this particular item. This item
10 was before the Commission at the last meeting and the Commission asked to
11 continue the item to this meeting. Subsequent to that, the Applicant's
12 representative (or the consultant) had asked that this item be further continued to
13 November 12th. They are still trying to get a hold of Verizon to make sure that
14 they've got proper authorization to do the additional investigation that the
15 Commission was interested in. It is my understanding, as of today, that that
16 representative is still trying to work with Verizon. I've talked with Claudia and so
17 we will continue to push them to do what they need to do so that they can be
18 here on November 12th. But, at this time, they've asked for the item to be
19 continued to November 12th. We're supportive of that action at this time.
20

21 **CHAIR LOWELL** – Alright. Do we need to take an action on that or can we
22 just....do we vote on continuing the item?
23

24 **PLANNING OFFICIAL RICK SANDZIMIER** – You should take an action so that
25 we don't have to notice it again.
26

27 **CHAIR LOWELL** – Okay.
28

29 **PLANNING OFFICIAL RICK SANDZIMIER** – So you're accepting the
30 recommendation to continue it.
31

32 **CHAIR LOWELL** – Okay, I motion to continue the item to November 12th, 2015,
33 meeting. You are now able to vote. Waiting on Commissioner Korzec.
34

35 **COMMISSIONER KORZEC** – It's still not....
36

37 **CHAIR LOWELL** – You didn't hold your head right. Okay, so the motion passes
38 7-0. So that item has been continued to November 12th.
39

40
41 Opposed – 0
42

43
44 **Motion carries 7 – 0**
45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – Was there any.....okay, it shows
2 that the Commissioner Van Natta made the motion and you seconded it. Is that
3 correct?
4

5 **CHAIR LOWELL** – Yeah actually I motioned it. She seconded it but the buttons
6 were pushed backwards.
7

8 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.
9

10 **CHAIR LOWELL** – I don't know if that's an issue.
11

12 **PLANNING OFFICIAL RICK SANDZIMIER** – It'll be what you've done and not
13 what the computer shows. Thanks.
14

15 **CHAIR LOWELL** – Alright. Okay, so I don't think we need to take any other
16 action on that. So the item has been continued to November 12th, 2015. That
17 moves us onto our second item, which is PA15-0028, a Tentative Parcel Map No.
18 36468. The Applicant is Continental East Fund III, LLC. The Case Planner is
19 Mr. Jeff Bradshaw.
20

- 21
- 22 2. Case: PA15-0028 – Tentative Parcel Map 36468
23
24 Applicant: Continental East Fund III, LLC
25
26 Owner: Continental East Fund III, LLC
27
28 Representative: Continental East Fund III, LLC
29
30 Location: Northwest corner of Lasselle Street and Krameria
31 Avenue
32
33 Case Planner: Jeff Bradshaw
34
35 Council District: 4
36
37 Proposal: Tentative Parcel Map No. 36468 proposes to create a
38 three parcel subdivision for finance purposes for
39 property located within the approved 217 unit
40 Continental Villages Project. The three parcels
41 correspond to the three distinct residential product
42 types located within the project. The Finance Map
43 does not include any proposed development.
44
45
46

1 **STAFF RECOMMENDATION:**

2
3 Staff recommends that the Planning Commission **APPROVE** Resolution No.
4 2015-24, and thereby:

- 5
6 1. **CERTIFY** that the project will not have a significant effect on the
7 environment and is therefore exempt from the provisions of California
8 Environmental Quality Act (CEQA), as a Class 15 Categorical
9 Exemption, as a Minor Land Division, per CEQA Guidelines Section
10 15315; and
11
12 2. **APPROVE** PA15-0028 (Tentative Parcel Map) based on the findings
13 contained in this resolution, and subject to the attached conditions of
14 approval included as Exhibit A.
15

16
17 **PLANNING OFFICIAL RICK SANDZIMIER** – I'd like to introduce Mr. Jeff
18 Bradshaw, our Planner on this, and we do have the Applicant present this
19 evening as well.
20

21 **CASE PLANNER JEFF BRADSHAW** – Thank you Chair Lowell and Members
22 of the Planning Commission. The application presented to you this evening is for
23 a proposal for a three parcel Finance Map. It is for property located on the 19
24 acres at the northwest corner of Lasselle and Krameria as indicated on the
25 Exhibit on display. The proposal is to create this subdivision for finance
26 purposes only. The property was previously entitled through an action by the
27 Planning Commission. This prior project was approved at this location in
28 November of 2002 for a 217 unit project referred to as the Continental Villages
29 project. That was a project that included a combination of residential product
30 types. They approved, at that time, was a portion of the site to be developed as
31 detached single-family residences on small lots, clustered units that would have
32 been developed around courtyards, and multiple-family apartments. The
33 proposed parcels, three parcels of this Finance Map, would match the
34 boundaries of those three distinct residential product types from that original
35 approval. The project, through review by Staff, Staff has ensured and
36 determined that the design of this Finance Map conforms to all of the
37 development standards (the applicable standards of the Moreno Valley Ranch
38 Specific Plan) where it is located. It is also consistent with the requirements of
39 the City's Municipal Code, and it is important to note that the Finance Map does
40 not include any proposed development nor would approval of this Finance Map
41 afford any development rights. It is for finance purposes only. Future
42 development with any of the parcels within this map would be required to be in
43 conformance with that original project, with the Continental Villages project. It
44 was approved by the Planning Commission under a prior action. If the developer
45 elected to do something different within the property, that would require separate
46 review and separate approval under completely different applications And they

1 would go through that process, and it would be reviewed under its own merits. In
2 the review of the project, Staff looked at the potential environmental impacts of
3 this proposed subdivision and determined that it qualified and satisfied rather all
4 of the criteria for a Categorical Exemption. And it would be Staff's
5 recommendation that the Planning Commission recognize that the project is
6 exempt from the provisions of the California Environmental Quality Act as a
7 Class 15 Categorical Exemption as a Minor Land Division. Standard Public
8 Hearing Notice was completed for this project with a 10-day notice appearing in
9 the paper, as well as notices being provided to all owners of record within 300
10 feet of the site and the site was also posted. As of this evening, I did receive two
11 phone calls in response to those noticing efforts. Both residents had questions
12 about the Finance Map to better understand what is being proposed. They both
13 stated, restated rather, their opposition to the original project, and there were
14 some concerns with the City's criteria with how far away from a project we
15 provide notice. They felt like 300 feet was not adequate. With that, Staff would
16 recommend the following actions to the Planning Commission that they
17 **APPROVE** Resolution No. 2015-24 certifying that the project will not have a
18 significant effect on the environment and is exempt from the provisions of the
19 California Environmental Quality Act as a Class 15 Categorical Exemption and
20 additionally **APPROVE** Tentative Parcel Map No. 36468 based on the findings
21 contained in the Resolution and subject to the conditions of approval attached to
22 that Resolution. That concludes my report. I'd be happy to answer any
23 questions that you might have.

24
25 **CHAIR LOWELL** – Thank you for that. Do we have any questions for Staff
26 before we ask the Applicant up?
27

28 **COMMISSIONER BARNES** – Yeah, I have one question.
29

30 **CHAIR LOWELL** – Commissioner Barnes, go ahead.
31

32 **COMMISSIONER BARNES** – I do have one question on LD6. Is it in conflict
33 with P8 or do they imply different things because P8 says no development until a
34 Future Map, a Conditional Use Permit, or a Master Plan for development
35 whereas LD6 says that a Future Map must be processed? So it seems like there
36 is no possible development without a Future Map.
37

38 **CASE PLANNER JEFF BRADSHAW** – I'll try and provide a response if I could
39 and then I'll let Land Development respond to their condition if you will. If you
40 look at the section of the Code that discusses finance maps, it anticipates a
41 couple of different scenarios. Typically, you would see I believe the chronology
42 you would see the Finance Map created first with development that might then
43 follow later showing some specific concept or design plan for those distinct
44 parcels. In this case, the development has already been approved, and they are
45 now asking for the opportunity to create distinct parcels. So, I believe, P8 and
46 LD6 are accurate in they are trying to cover both of those scenarios. There is the

1 possibility again that the underlying entitlement is never developed and they
2 decide to come forward with a different concept, which would then be reviewed
3 through our process to ensure compliance with our Code. I don't know if Land
4 Development has anything they wanted to offer for LD6.

5
6 **COMMISSIONER BARNES** – Well I understand that, but even if the existing
7 approved development is to move forward, based on that condition, they would
8 still have to do another map because it says a future map for development must
9 be processed. It seems...

10
11 **CASE PLANNER JEFF BRADSHAW** – I don't believe the intent is to require a
12 distinct map and so I will look to Land Development for some clarification on that.
13 There is no requirement for the City to do a third map if you will for development
14 at this location.

15
16 **COMMISSIONER BARNES** – That's the way I would read LD6. To me, it says
17 another map is required before they can get any development permits.

18
19 **SENIOR ENGINEER GUY PAGAN** – This is Guy Pagan with Land
20 Development. I'll have to go back and double check, but if I'm not mistaking,
21 Resolution for Finance Maps that was approved some time earlier this year. The
22 statement that is put in there is exactly the statement that was part of that
23 resolution.

24
25 **PLANNING OFFICIAL RICK SANDZIMIER** – Well I'll try and shed some light on
26 it. It is actually correct the way that the condition is written. Both conditions are
27 correct. This particular project was actually in play at the time that the Finance
28 and Conveyance Map Ordinance was put in place and there was actually some
29 consideration give to this particular project because, as Mr. Bradshaw has
30 already indicated, typically you'd want to see a Finance and Conveyance Map
31 done prior to any sort of a land division already haven taken place. So the note
32 on the map is actually correct. I should say the language in LD6 is correct, and
33 when they come in for the development, what we would be then confirming is
34 that the map that was already previously approved is confirmed to still be
35 accurate so you still would go through a process to say there was an approved
36 map put in place. It may sound awkward. It may look awkward, but that is in fact
37 what was intended. And so, if they make a change to that map and they have to
38 come in for a modification or revision to that map, then we would be approving
39 another map for those development purposes. So it sounds a little convoluted. I
40 can appreciate the Commissions questions and concerns, but we do believe that
41 it is correct.

42
43 **COMMISSIONER BARNES** – Okay.

44
45 **CASE PLANNER JEFF BRADSHAW** – In my providing a background, I maybe
46 didn't do as complete a job of explaining what the underlying entitlement

1 includes, so just for reference purposes this is the map that was approved with
2 that original Continental Villages project. And that, I believe, is the map that is
3 being referred to here in LD6 that development cannot occur as an outcome of
4 this Finance Map unless there is an actual Development Map recorded. The
5 Tentative Map that would correspond to this condition is this map, so.....

6
7 **COMMISSIONER BARNES** – So this map that exists is the future map that will
8 exist?

9
10 **CASE PLANNER JEFF BRADSHAW** – That’s correct.

11
12 **COMMISSIONER BARNES** – That’s crystal clear to me.

13
14 **CASE PLANNER JEFF BRADSHAW** – Back to the future.

15
16 **CHAIR LOWELL** – Along that same note, LD5, it says that the developer shall
17 protect downstream properties from damage caused by alternation of drainage
18 patterns, i.e., concentration or diversion of flows. Protection shall be provided by
19 constructing adequate drainage facilities, including but not limited to modifying
20 existing facilities by securing a drainage easement. But, everywhere else in
21 these conditions, it says no work can be done. But we’re telling them they have
22 to do work.

23
24 **COMMISSIONER BARNES** – I didn’t prompt him to ask that.

25
26 **SENIOR ENGINEER GUY PAGAN** – This statement is basically to put the
27 Owner or the Applicant on notice that anything that’s done within the property
28 that may change the drainage pattern, such as going out and testing the
29 property, that may change the drainage pattern. And they are responsible to
30 ensure that any change to that drainage pattern does not do any harm to
31 downstream any development that exists. So, if they go out and do work other
32 than a development of the property itself, they need to make sure that whatever
33 they do doesn’t change that drainage pattern and causes damage to anything
34 that is downstream of the property.

35
36 **CHAIR LOWELL** – Okay, so it’s not referring to actual development. It’s
37 referring to anything that goes on with the property.

38
39 **SENIOR ENGINEER GUY PAGAN** – Correct.

40
41 **CHAIR LOWELL** – Do we have any other questions for Staff before I move on?
42 Vice Chair Sims.

43
44 **VICE CHAIR SIMS** – So mine is regarding on the conditions of approval, P4,
45 which just it seems to be the Financial Map has a three year time on it and then it
46 expires. Is there any conflict with the three years on this not lining up with the

1 prior three approvals, whatever PA11-025 through PA11-027? Are those
2 consistent? Because it would just seem like, I don't know what the statutes are
3 for Financing Maps per the Subdivision Map Act, but it would seem like you'd
4 want to have this run concurrent with the length of time for the previous
5 approvals.

6
7 **CASE PLANNER JEFF BRADSHAW** – They are distinct. The life afforded to
8 the map would be the same as the Development Map, so by our statute is
9 consistent or it matches the Subdivision Map Act, so a total of eight years. So,
10 the three years is the initial approval. There would be opportunities for
11 extensions through our process and possibly extensions if the State offered
12 those again like they have over the last couple of years. The Finance Map is not
13 a requirement for development. It was something that was a choice that was
14 made by the developer. And so, to date, there has not been an effort to pair
15 those. The Development Map would run on its own life or its own terms. And I
16 don't know if Rick has anything additional he wanted to add.

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – The only thing I would say is,
19 along the lines of the discussion we had a little bit earlier, they do run their own
20 course for their own three years. Say the previous approval expires. You can
21 still have the Finance and Conveyance Map approval in place and it almost is
22 effectively then having the Finance and Conveyance Map in advance of actually
23 having a development approval for the site. So the owner of the property still has
24 the opportunity to sell the properties off for finance and conveyance purposes
25 and then each of those individual properties, which are indicated in the
26 conditions, would come in for subsequent approvals. So it is covered.

27
28 **CHAIR LOWELL** – Any other questions for Staff before we move on? No?
29 Okay, I'd like to invite the Applicant up to speak.

30
31 **APPLICANT ALEX RAMIREZ** – Good evening. I am Alex Ramirez and I am
32 here on behalf on Continental East. We just first would like to thank Staff. They
33 have been very helpful with this process and everything they've stated is
34 accurate. We would just like to be on record and clarify that we are not looking to
35 change any conditions, any entitlements to the property. This is clearly, as Staff
36 has reiterated, just a financial tool. It is used throughout the State of California at
37 various cities. We recently used it in Marietta as a tool to provide additional
38 financing for our future development of the same projects that we're not changing
39 any conditions on or entitlements. Having said that, we do appreciate the
40 concern of citizens, but we'd like to have them be assured that we are not
41 seeking to change the project. What was approved is what we will submit, and
42 we will submit a Final Map (a final approval) once we get to that position. If there
43 are any other questions, we'd be open to receive them through contacting our
44 company or through our Legal Staff.

1 **CHAIR LOWELL** – Thank you very much. Do we have any questions for the
2 Applicant? Commissioner Gonzalez, do you still have any questions?

3
4 **ALTERNATE COMMISSIONER GONZALEZ** – That was earlier.

5
6 **CHAIR LOWELL** – Alright. Do we have any questions for the Applicant? No?
7 Okay. Grace, do we happen to have any Public Speaker Slips, any Comment
8 Slips?

9
10 **PERMIT TECHNICIAN GRACE ESPINO-SALCEDO** – I have not received any
11 Speaker Slips.

12
13 **CHAIR LOWELL** – Okay. With that said, do we have any Commissioner
14 Comments or Discussion? I don't see anybody raising their hands. So, with that,
15 would anybody like to motion the item? Okay, so we have a motion by
16 Commissioner Van Natta and a second by Commissioner Korzec. Place your
17 vote. Please cast your vote.

18
19 **VICE CHAIR SIMS** – We're no longer reading into the record the motion? Is
20 that a requirement or are we just.....

21
22 **COMMISSIONER VAN NATTA** – Do we still read in the motion?

23
24 **ASSISTANT CITY ATTORNEY PAUL EARLY** – There is no requirement that
25 you read it verbatim. I know that some Commissioners and some
26 Councilmember's prefer that, but if you're not making any changes to it, you can
27 simply reference what was included in the Staff Report that you move to
28 **APPROVE** as recommended by Staff and that would cover the entire thing as
29 written.

30
31 **COMMISSIONER VAN NATTA** – Okay then I move to **APPROVE** Resolution
32 No. 2015-24 as recommended by Staff.

33
34 **CHAIR LOWELL** – And do you still second that Commissioner Korzec?

35
36 **COMMISSIONER KORZEC** – Sure, absolutely.

37
38 **CHAIR LOWELL** – So motion by Commissioner Van Natta and seconded by
39 Commissioner Korzec. All votes have been cast. Motion passes 7-0. Do we
40 have a Staff wrap-up on this item?

41
42
43 Opposed – 0

44
45
46 **Motion carries 7 – 0**

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PLANNING OFFICIAL RICK SANDZIMIER – This item is appealable. For any interested party that would be interested in appealing the project, they can make that appeal to the City Council within 15 days of your action this evening. That appeal should be directed to the attention of the Community Development Director. If an appeal is filed, it would be scheduled for a hearing before the City Council within 30 days. I’m sorry, 10 days. It’s a map.

OTHER COMMISSIONER BUSINESS

CHAIR LOWELL – Thank you very much. That moves us onto Other Commissioner Business. Do we have any other Commissioner Business?

PLANNING OFFICIAL RICK SANDZIMIER – None.

CHAIR LOWELL – How about our Joint Study Session this upcoming Thursday?

PLANNING OFFICIAL RICK SANDZIMIER – We have a Joint Study Session, which is still in the process of being set up through the City Clerk’s office. You will be notified of the final Agenda we expect tomorrow, but since that hasn’t been set yet, we’d still be asking you to adjourn your meeting to the next Regular Meeting of November 12th. But the Study Session that you’re referencing is a Study Session that has been contemplated for next Thursday night, and it would include possibly three items. Those three items would be a discussion about Vineyard Zoning. It would be on Hillside Residential Ordinance and Development, and the third one would be a discussion about the Nissan Corridor Study, which has been under works for the last year.

CHAIR LOWELL – Perfect. Thank you very much.

PLANNING COMMISSIONER COMMENTS

CHAIR LOWELL – Do we have any Planning Commissioner Comments? I don’t see anybody’s hands.

COMMISSIONER VAN NATTA – I just have one.

CHAIR LOWELL – By all means, Commissioner Van Natta.

COMMISSIONER VAN NATTA – I just wanted to express my appreciation to the Staff and the Planning Commission for all their condolences on my mother’s

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1 passing and that I appreciated all the cards and the flowers. Thank you very
2 much.

3
4 **CHAIR LOWELL** – You’re welcome. Any other comments?

5
6 **ALTERNATE COMMISSIONER NICKEL** – I just wanted to say that
7 Commissioner Baker and myself attended Walmart’s open house down at Vista
8 Verde Middle School. It was fairly well attended. The only item of contention
9 was the City’s Trucking Map, so that was the only thing. The residents seemed
10 very happy about it.

11
12 **CHAIR LOWELL** – Last call for comments. Nobody?

13
14
15 **ADJOURNMENT**

16
17 **CHAIR LOWELL** – Okay, with that said, the Planning Commission Regular
18 Meeting we are not adjourning to our next Regular Meeting, which is November
19 12th, 2015 at 7:00 PM right here in the City Council Chambers. Thank you very
20 much and have a good night.

21
22
23 **NEXT MEETING**

24 *Next Meeting: Planning Commission Regular Meeting, November 12th, 2015 at*
25 *7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick*
26 *Street, Moreno Valley, CA 92553.*

27
28
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34 _____
35 Richard J. Sandzimier
36 Planning Official
37 Approved

_____ Date

38
39
40
41
42
43
44 _____
45 Brian R. Lowell
46 Chair

_____ Date

1 **CITY OF MORENO VALLEY PLANNING COMMISSION**
2 **REGULAR MEETING**
3 **CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET**
4

5 **Thursday, November 12th, 2015, 7:00 PM**

6
7
8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentleman. I would like to call the
11 Regular-Scheduled Meeting of the Planning Commission to order. The date is
12 Thursday, November 12th, 2015. The time is 7:04 PM and rollcall first. I'm sorry
13 my brain just skipped a beat. Grace, could we have rollcall please?
14

15
16 **ROLL CALL**
17

18 Commissioners Present:

- 19 Commissioner Ramirez
- 20 Commissioner Korzec
- 21 Commissioner Van Natta
- 22 Commissioner Baker
- 23 Commissioner Barnes
- 24 Vice Chair Sims
- 25 Chair Lowell
- 26 Alternate Commissioner Nickel
- 27 Alternate Commissioner Gonzalez

28
29
30 Staff Present:

- 31 Rick Sandzimier, Planning Official
- 32 Paul Early, Assistant City Attorney
- 33 Darisa Vargas, Senior Administrative Specialist
- 34 Grace Espino-Salcedo, Permit Technician
- 35 Claudia Manrique, Associate Planner
- 36 Gabriel Diaz, Associate Planner
- 37 Jeff Bradshaw, Associate Planner
- 38 Michael Lloyd, Traffic Engineer
- 39 Vince Giron, Traffic Engineer
- 40 Paul Villalobos, Fire Safety Specialist

41
42
43 **PLEDGE OF ALLEGIANCE**
44

Minutes Acceptance: Minutes of Nov 12, 2015 7:00 PM (APPROVAL OF MINUTES)

1
2 **CHAIR LOWELL** – I am also here. I noticed that Ms. Espino-Salcedo is not
3 reading rollcall, so could you introduce yourself so I know who you are?
4

5 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Darisa Vargas.
6

7 **CHAIR LOWELL** – Vargas.
8

9 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, Chairman: Chairman
10 and Members of the Commission, with us assisting tonight is Darisa Vargas.
11 She is a Senior Administrative Specialist in our group. The reason she is here
12 tonight is we are going through a little transition. At the last meeting, I was going
13 to announce that Grace has been promoted to a new position as a technician, so
14 she will be working more with the public directly helping issue permits and taking
15 new applications in. She has done an excellent job for me over the years that
16 I've been here, and she has done a great job for the City, so we are glad that we
17 are keeping here. But she will be in a new capacity and that will be, it's already
18 effective, so that's why Darisa's here. We have also extended an offer to a new
19 administrative specialist to replace Grace and that person will be rotated in as we
20 get her up to speed on the systems and everything else, so we will introduce her
21 at that time. Thank you.
22

23 **CHAIR LOWELL** – Thank you very much and welcome aboard. At this time, I'd
24 like to ask Commissioner Ramirez to lead us in the Pledge of Allegiance.
25

26 **APPROVAL OF THE AGENDA**

27 **Approval of the Agenda**

28
29
30
31
32 **CHAIR LOWELL** – Thank you very much. Would anyone like to motion to
33 approve tonight's Agenda?
34

35 **COMMISSIONER VAN NATTA** – I'll move.
36

37 **CHAIR LOWELL** – We have a motion by Commissioner Van Natta and a
38 second by Commissioner Baker. I do not have the option to vote on my machine
39 yet, so should we just do a rollcall vote?
40

41 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Go ahead and
42 check again. You should have the ability now.
43

44 **CHAIR LOWELL** – Alright. Oh, I had to expend. There we go. So if we could
45 have Commissioner Van Natta motion and then Commissioner Baker second.

1 Perfect, now we can vote. Waiting on Commissioner Korzec. Perfect, thank you
2 very much. The Agenda passes 7-0. Awesome, we can have a meeting.

3
4
5 Opposed – 0
6
7

8 **Motion carries 7 – 0**
9

10
11 **CONSENT CALENDAR**
12

13 *All matters listed under Consent Calendar are considered to be routine and all*
14 *will be enacted by one rollcall vote. There will be no discussion of these items*
15 *unless Members of the Planning Commission request specific items be removed*
16 *from the Consent Calendar for separate action.*
17

18 **CHAIR LOWELL** – Which moves us onto our Consent Calendar. I do not
19 believe we have any Consent Calendar items tonight. Do we have any Consent
20 Calendar items?
21

22 **PLANNING OFFICIAL RICK SANDZIMIER** – There are none.
23
24

25 **APPROVAL OF MINUTES**
26

27 **None**
28
29

30 **PUBLIC COMMENTS PROCEDURE**
31

32 *Any person wishing to address the Commission on any matter, either under*
33 *Public Comments section of the Agenda or scheduled items or public hearings,*
34 *must fill out a “Request to Speak” form available at the door. The completed*
35 *form must be submitted to the Secretary prior to the Agenda item being called by*
36 *the Chairperson. In speaking to the Commission, member of the public may be*
37 *limited to three minutes per person, except for the applicant for entitlement. The*
38 *Commission may establish an overall time limit for comments on a particular*
39 *Agenda item. Members of the public must direct their questions to the*
40 *Chairperson of the Commission and not to other members of the Commission,*
41 *the applicant, the Staff, or the audience. Additionally, upon request, this Agenda*
42 *will be made available in appropriate alternative formats to persons with*
43 *disabilities in compliance with the Americans with Disabilities Act of 1990. Any*
44 *person with a disability who requires a modification or accommodation in order to*
45 *participate in a meeting should direct their request to Guy Pagan, our ADA*
46 *Coordinator, at (951) 413-3120 at least 48 hours prior to the meeting. The 48-*

1 *hour notification will enable the City to make reasonable arrangements to ensure*
2 *accessibility to this meeting.*

3
4 **CHAIR LOWELL** – Perfect. That moves us onto the Public Comments
5 procedure. Before I jump into the Public Comments, do we have any Public
6 Comments as of yet?

7
8 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – I haven't
9 received any Speakers.

10
11 **CHAIR LOWELL** – Okay, then I will offer. If anybody would like to comment on
12 anything that is not on the Agenda, please do so by filling out one of the green
13 papers and give it to our clerk. But I don't think we have any, so I will skip that
14 formality. With that said, I would like to open the Public Comments portion of the
15 meeting. I don't think we have any Public Comments, so I would like to close it.

16
17
18 **NON-PUBLIC HEARING ITEMS**

19
20 **None**

21
22
23 **CHAIR LOWELL** – That moves us onto our Non-Public Hearing Items, which
24 again I don't think we have any.

25
26 **PLANNING OFFICIAL RICK SANDZIMIER** – There are none.

27
28
29 **PUBLIC HEARING ITEMS**

- 30
31 1. Case: PA15-0000 (Conditional Use Permit)
32 Applicant: Verizon Wireless
33 Owner: Shinder Kaur and Parmjit Singh
34 Representative: SAC Wireless (Dail Richard)
35 Location: 14058Redlands Boulevard (Farm Market)
36 Case Planner: Claudia Manrique
37 Council District: 3
38 Proposal: Applicant request continuance of PA15-0009
39 (Conditional Use Permit) to the December 10th, 2015,
40
41
42
43
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45
46

1 Planning Commission meeting for a proposed new
2 Wireless Communication Facility (WCF) with a 60 foot
3 monopine.
4

5
6 **STAFF RECOMMENDATION:**
7

8 Staff recommends that the Planning Commission take the follow action:
9

- 10 1. **APPROVE** the applicant's request for a continuance of this item to the
11 Planning Commission's December 10th, 2015, public hearing agenda.
12

13
14 **CHAIR LOWELL** – Then that moves us onto our first Public Hearing Item, which
15 is Case No. PA15-0009, a Conditional Use Permit by Verizon Wireless, and the
16 Case Planner is Claudia Manrique.
17

18 **PLANNING OFFICIAL RICK SANDZIMIER** – On this particular one, the
19 recommended action this evening is actually to continue the item until December
20 1st, so what we're looking for from the Planning Commission this evening would
21 just simply be a request to support the continuance. The continuance came in at
22 the request of the Applicant. The Applicant is Verizon. This item was considered
23 by the Planning Commission back on October 8th, and since that time, Verizon
24 representatives have been working with Verizon to see if they can develop some
25 alternatives to the project to be brought back from the Planning Commission's
26 consideration. And they were just not able to get that done before this evenings
27 meeting, so they've asked for the continuance to one more meeting out, which
28 would be December 10th. Did I say 1st? Yeah, December 10th.
29

30 **COMMISSIONER VAN NATTA** – Yes you did.
31

32 **CHAIR LOWELL** – Okay. We have a unique situation on this specific item.
33 One of our Planning Commissioner rules states that whoever is seated up here
34 for the original hearing of the item is the body that will hear the item throughout
35 all continuances and all subsequent meetings. So the question that I have that
36 we need to discuss amongst ourselves is do we need to have those seven
37 people up here to vote on the continuance, or can the seven people seated up
38 here vote to continue the item? So that's one of the questions that we have to
39 discuss. I consulted the attorney and he says that there is no precedence.
40 There are no rules stating what we have to do, so at this moment in time I'd like
41 to ask the Planning Commission if we have any comments or questions or what
42 we think we should do so we don't set our rules.
43

44 **COMMISSIONER VAN NATTA** – Out of an abundance of caution, in this case it
45 may not make a difference, but on another case it might. So I think we should

1 stick with our procedure of allowing whoever was here when the case was
2 opened to vote on any continuances or anything to do with the matter.

3
4 **CHAIR LOWELL** – We’ve heard from Commissioner Van Natta. Does anybody
5 else have any comments or weight on this?

6
7 **COMMISSIONER RAMIREZ** – I wasn’t here, so I completely agree with
8 Commissioner Van Natta.

9
10 **CHAIR LOWELL** – The item that I’m concerned about is that it’s just a
11 continuation and we’re not discussing the items, so there wouldn’t be any lack of
12 continuity. So, we have two people saying that the alternates should be seated
13 to vote on the continuation. Do we have any other input?

14
15 **VICE CHAIR SIMS** – I would concur.

16
17 **COMMISSIONER VAN NATTA** – And we are the two people that weren’t here.

18
19 **CHAIR LOWELL** – Exactly.

20
21 **VICE CHAIR SIMS** – I would concur. We should make the rules for our
22 alternate policy.

23
24 **COMMISSIONER BARNES** – Okay.

25
26 **VICE CHAIR SIMS** – Just let’s stick to it.

27
28 **COMMISSIONER BARNES** – I agree.

29
30 **CHAIR LOWELL** – Okay, so we I guess let’s make a vote on that. Well before
31 we do that, we’ll have to motion on that. But the thing that I was going to add
32 onto that is that, if we’re going to have the alternates seated for every
33 subsequent meeting where there could be a continuation or any other discussion,
34 we need to also address the fact that what if those alternates are not here and
35 we have a full body here?

36
37 **COMMISSIONER VAN NATTA** – Well then you have an alternate to the
38 alternate.

39
40 **CHAIR LOWELL** – We would just have a hold?

41
42 **COMMISSIONER VAN NATTA** – No.

43
44 **CHAIR LOWELL** – So we would just vote where it would be six people?
45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – In that particular case, my
2 recommendation would be that you seat the Commissioner’s that were here for
3 the hearing and, if an alternate is not present, that’s just an empty seat because
4 you would still have a quorum.

5
6 **CHAIR LOWELL** – Right, correct.

7
8 **PLANNING OFFICIAL RICK SANDZIMIER** – So that way you don’t introduce
9 anybody else to that.

10
11 **CHAIR LOWELL** – So that person would then, by default, just abstain?

12
13 **PLANNING OFFICIAL RICK SANDZIMIER** – Right.

14
15 **COMMISSIONER VAN NATTA** – No they would just.....

16
17 **PLANNING OFFICIAL RICK SANDZIMIER** – No, no, no.

18
19 **COMMISSIONER VAN NATTA** – They would just step down.

20
21 **CHAIR LOWELL** – They wouldn’t have the option to vote at all.

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – They just wouldn’t participate in
24 that particular night of the meeting. If they came back another night, they could
25 resume their seat if it was still ongoing as long as they brought themselves up to
26 speed on whatever was discussed at the meeting by either listening to the tapes,
27 reading the minutes and those sorts of things, which we’ve talked about.

28
29 **CHAIR LOWELL** – We’d default back to our regular rules of getting them up to
30 speed.

31
32 **PLANNING OFFICIAL RICK SANDZIMIER** – Right.

33
34 **CHAIR LOWELL** – Perfect. With that said, is there any specific language that
35 the City Attorney would like to see in this motion or do we just give general
36 direction to the attorney to come up with an item to present to us next time.

37
38 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yes, it’s just a procedural
39 matter. You can just give general direction right now as a motion to how you
40 want to handle continuances. In this case, it sounds like the consensus is
41 leaning towards treating them the same way as you would treat a hearing. And,
42 what I would do, is I would go back and formalize that into the Rules of
43 Procedure and bring that back to the later date for formal action.

44
45 **COMMISSIONER VAN NATTA** – I believe it’s already in the Rules of
46 Procedure.

1
2 **ASSISTANT CITY ATTORNEY PAUL EARLY** – The hearings are but how to
3 handle.....

4
5 **CHAIR LOWELL** – Continuations.....

6
7 **ASSISTANT CITY ATTORNEY PAUL EARLY** – A continuation.....

8
9 **CHAIR LOWELL** – But we’re not actually discussing anything.

10
11 **ASSISTANT CITY ATTORNEY PAUL EARLY** – That’s a unique situation we
12 have.

13
14 **COMMISSIONER VAN NATTA** – Yeah but a continuation if, okay.....

15
16 **CHAIR LOWELL** – It’s just.....

17
18 **COMMISSIONER BARNES** – It’s an action on the item.

19
20 **CHAIR LOWELL** – It’s just something that’s not specifically laid out, so that’s
21 what we were just trying to put an (I) on that dot or cross that (T). That’s all we’re
22 trying to do.

23
24 **ASSISTANT CITY ATTORNEY PAUL EARLY** – It’s not set forth in there, and it
25 doesn’t go to the due process concerns that raised the original desire to have the
26 same Commissioner’s sit throughout the hearing. I wouldn’t have those legal
27 concerns if this body wanted to say that, for purposes of continuing a matter, it
28 could be any seven Commissioners. It doesn’t have to be the same ones, but I
29 did have those concerns as far as substantively continuing a hearing to another
30 date. The actual substantive issues being heard wanting to be the same.

31
32 **COMMISSIONER VAN NATTA** – Actually I think, if you’re continuing something,
33 you could continue a meeting. You could’ve had a lot of discussion on it and
34 then continued it to another night, or you could have no discussion on it and
35 continue it to another night. It’s still a continuance. It’s still an action on the item.

36
37 **COMMISSIONER BARNES** – I agree.

38
39 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And that’s what we’re getting
40 direction from you as a body here for at this point.

41
42 **CHAIR LOWELL** – That’s what we’re trying to decide right now as how we want
43 to handle it, and I think we’re all in agreement that.....

44
45 **COMMISSIONER VAN NATTA** – Okay.

1 **CHAIR LOWELL** – I think we’re all in agreement that whoever was seated
2 should be up here also to discuss any continuation.

3
4 **COMMISSIONER VAN NATTA** – Um-hum.

5
6 **CHAIR LOWELL** – And, with that said, do we want to have the formality of
7 inviting the alternate Commissioner’s up here to sit down just to make a vote to
8 jump back down, or can we....

9
10 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes.

11
12 **CHAIR LOWELL** – Okay.

13
14 **COMMISSIONER VAN NATTA** – Let’s do that.

15
16 **CHAIR LOWELL** – And, with that said, during rollcall we didn’t ask if they were
17 here. Could you ask rollcall of the alternates also please?

18
19 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Commissioner
20 Nickel, Commissioner Gonzalez?

21
22 **CHAIR LOWELL** – Okay they didn’t speak into the microphones but they both
23 said present.

24
25 **PLANNING OFFICIAL RICK SANDZIMIER** – Let me offer an alternative. Since
26 they are both seated behind us at a dais and they are participating in the meeting
27 with all the ability to communicate, it’s up to just if you want to go through the
28 formality of.....

29
30 **CHAIR LOWELL** – It’s just a formality.

31
32 **PLANNING OFFICIAL RICK SANDZIMIER** – Of switching the seats, but they
33 are seated right at this point.

34
35 **CHAIR LOWELL** – I think I’m okay if they’re okay just making a motion from
36 there and the two that are seated up here will just abstain and not discuss.

37
38 **ALTERNATE COMMISSIONER GONZALEZ** – We’re good.

39
40 **CHAIR LOWELL** – Okay, so I think the City Attorney has directions to write up
41 some language and bring back to us next meeting?

42
43 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yeah, I’ll bring up some
44 clarification language at the next meeting.

45

1 **CHAIR LOWELL** – Okay, with that said, would anybody like to motion on
2 continuing the item until next meeting? The motion is available if anybody would
3 like to click on it. So we have a motion by Commissioner Barnes. Would
4 anybody like to second that motion? And we have a second by Commissioner
5 Korzec, so we have the ability to vote. Now the question I have is they don't
6 have a computer in front so I think we might want to take a rollcall vote.

7
8 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yeah, you have two. You
9 might want to take orally.

10
11 **CHAIR LOWELL** – This failed but it didn't fail yet.

12
13 **COMMISSIONER KORZEC** – Yes

14
15 **CHAIR LOWELL** – For clarity, Commissioner Van Natta and Commissioner
16 Ramirez were not seated.

17
18 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Oh, those were
19 the two. Okay, got it. I'm sorry. I apologize for that. Okay, let's start that over.
20 So Commissioner Korzec was not at that meeting?

21
22 **COMMISSIONER KORZEC** – No, I was.

23
24 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – You were at
25 that meeting? So Commissioner Ramirez was not?

26
27 **CHAIR LOWELL** – Commissioner Ramirez was absent and Commissioner Van
28 Natta was absent.

29
30 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Got it, okay.

31
32 **COMMISSIONER KORZEC** – Yes

33
34 **COMMISSIONER BAKER** – Yes

35
36 **COMMISSIONER BARNES** – Yes

37
38 **COMMISSIONER GONZALEZ** – Yes

39
40 **COMMISSIONER NICKEL** – Yes

41
42 **VICE CHAIR SIMS** – Yes

43
44 **CHAIR LOWELL** – Yes, so the item passes 7-0.

1 Opposed – 0

2
3
4 **Motion carries 7 – 0**

5
6
7 **CHAIR LOWELL** – And that was very confusing, but I think we have better
8 direction for moving forward.

9
10 **PLANNING OFFICIAL RICK SANDZIMIER** – Now one more last formality,
11 before you go to the next item, you want to indicate on the record that you're
12 resuming the original two Commissioner's back up and now the alternates are
13 excused.

14
15 **CHAIR LOWELL** – Okay, so as Mr. Sandzimier said, that the alternates are no
16 longer seated and we are now back to our original body with Commissioner Van
17 Natta and Commissioner Ramirez. That was very confusing, but I think we're on
18 track now. So we're going to move to Item No. 2. So, just for clarification, the
19 PA15-0009 Conditional Use Permit has been continued to the December 10th
20 meeting.

- 21
- 22
- 23 2. Case: PA14-0038 General Plan Amendment
- 24
- 25 Applicant: City of Moreno Valley
- 26 Owner: Not applicable
- 27
- 28 Representative: Planning Division
- 29
- 30 Location: City-wide
- 31
- 32 Case Planner: Gabriel Diaz
- 33
- 34 Council District: City-wide
- 35
- 36 Proposal: Energy Efficiency General Plan Amendment
- 37
- 38

39 **STAFF RECOMMENDATION:**

40
41 Staff recommends that the Planning Commission **APPROVE** Resolution No.
42 2015-30 entitled

43
44 A RESOLUTION OF THE Planning Commission OF THE CITY OF Moreno
45 Valley RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A
46 GENERAL PLAN AMENDMENT (ENERGY EFFICIENCY GENERAL PLAN

1 AMENDMENT) (PA14-0038), WHICH IS INTENDED TO ASSIST THE CITY IN
2 ACHIEVING COMPLIANCE WITH ASSEMBLY BILL 32 AND SENATE BILL 375,
3 BOTH STATE INITIATIVES AIMED AT REDUCING GREENHOUSE GAS
4 EMISSIONS IN CALIFORNIA

5
6 and thereby:

- 7
8 1. **CERTIFY** that the proposed General Plan Amendment is exempt from
9 the provisions of the California Environmental Quality Act (CEQA)
10 Guidelines, per Section 15061 (b)(3); and
11
12 2. **RECOMMENDS CITY COUNCIL APPROVAL** of General Plan
13 Amendment PA14-0038 based on the findings contained in Planning
14 Commission Resolution 2015-30.
15

16
17 **CHAIR LOWELL** – And that moves us onto Item No. 2, which is PA14-0038, a
18 General Plan Amendment. The Case Planner is Gabriel Diaz.
19

20 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, I'd like to introduce Gabriel
21 Diaz. Gabriel is an Associate Planner here in the Community Development
22 Department. Gabriel has been working on this project for the last couple of
23 years, so he is well versed in the item and we are pleased to have him here
24 tonight. Thanks.
25

26 **ASSOCIATE PLANNER GABRIEL DIAZ** – Thank you Chairman and
27 Commissioner's. We are here to present the Energy Efficiency Strategic Plan
28 Phase 3 Task for a General Plan Amendment. This consists of an update to the
29 conservation element of the City's General Plan to include a detailed discussion
30 of energy efficiency. The proposed General Plan Amendment Task provides an
31 overview of larger context of energy efficiency policy and the City's approved
32 Energy Efficiency Climate Action Strategy and Greenhouse Gas Analysis. The
33 Final General Plan document will provide useful information that can be
34 integrated into the planning efforts used by the general public, private
35 developers, City Staff, or other governmental entities. In the development of the
36 Proposed General Plan Amendment, City Staff researched other cities that
37 incorporated energy efficiency into their general plans. The local cities included
38 the City of Chula Vista, Palm Desert, Riverside, and City of Perris were all
39 researched. Each of these cities approaches their General Plan framework
40 differently, so Planning Staff developed Section 7.6.3 Energy Efficiency within the
41 existing framework of the City's General Plan. Staff identified various past,
42 current, and potential policies and practices that further energy efficiency and the
43 reduction of greenhouse gas in the Proposed General Plan Amendment. We did
44 conduct public outreach. We presented this to the Environmental Historical
45 Preservation Board on November 9th and held a public outreach meeting on
46 November 2nd. We tried to obtain input from the public. Staff explained the work

1 that has gone into this General Plan Amendment. There was some public there,
2 and there was positive feedback on energy efficiency. The direction was given
3 by the public for the City to use energy efficiency on the City's webpage as a
4 marketing tool and that it would be more prominent on the City's webpage.
5 Outside review agency, this is funded through Southern California Edison, so this
6 General Plan Amendment language had to be reviewed by them. And, as
7 reviewed and proposed, they approved. There was also public notification on
8 this public hearing item. We put this in the Press Enterprise on October 31st in a
9 one-eighth placement because it's for the entire City. No public comment to
10 report. Nobody has called. Environmentally, Planning Staff has reviewed the
11 request in accordance with the California Environmental Quality Act Guidelines
12 and has determined that the activity does not have the potential to result in a
13 significant effect on the environment. Therefore, it is exempt from CEQA as
14 provided for in Section 15061(b)(3) of the CEQA Guidelines. Staff
15 recommendation is that the Planning Commission **APPROVE** Resolution 2015-
16 30 and therefore **CERTIFY** that the Proposed General Plan Amendment is
17 exempt from CEQA and recommend that the City Council **APPROVE** the
18 General Plan Amendment PA14-0038 based on the findings within the Planning
19 Commission Resolution. This concludes Staff presentations, and we're open for
20 any comments.

21
22 **CHAIR LOWELL** – Thank you very much. Since we don't have an
23 applicant.....well let me back up. Do we have any questions for Staff before I
24 move onto to comments? Since we don't have an applicant, we're just going to
25 move onto the public hearing I guess. Do we have any Public Speaker Slips on
26 this considering we have a packed audience? Okay, so the Public Comments
27 portion is now closed. That moves us onto Commissioner Discussions. Do we
28 have any questions, comments, or concerns? Don't everybody jump up at once.
29 It seems pretty cut and dry, but one of the questions that I do have is that it says
30 that this is for environmental or greenhouse gases and LEED certification. But
31 I'm reading through the document and it just looks like a history of the City. What
32 specific items are changing or being added that I'm missing out on?

33
34 **ASSOCIATE PLANNER GABRIEL DIAZ** – Well the new section I believe is
35 supposed to be highlighted in red, which is Section 7.6.3 (Energy Efficiency).
36 That's the part that we're adding to the General Plan.

37
38 **CHAIR LOWELL** – I got a black and white copy, so I didn't see that. Let me
39 check it.

40
41 **ASSOCIATE PLANNER GABRIEL DIAZ** – And I guess we did forget.

42
43 **CHAIR LOWELL** – And then one of the other question's I have is that we're
44 being asked to certify that this is exempt from CEQA. I don't see how this is
45 even a CEQA issue.

46

1 **PLANNING OFFICIAL RICK SANDZIMIER** – Right, that’s precisely the point.
2 The section that Mr. Diaz read off is actually a General Rule Exemption. The
3 General Rule is, if the project doesn’t qualify as a project, then it’s exempt.
4

5 **CHAIR LOWELL** – Okay, so that’s what we’re saying is that it’s not a project.
6 We’re not doing anything but we’re just, hey it’s exempt, and it’s a formality.
7

8 **PLANNING OFFICIAL RICK SANDZIMIER** – Correct.
9

10 **CHAIR LOWELL** – Okay, with that said, I don’t see anybody else raising their
11 hands for questions or comments.
12

13 **VICE CHAIR SIMS** – Yes, the way I understand there was grant money the City
14 received for this \$109,000?
15

16 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Yes.
17

18 **VICE CHAIR SIMS** – So there is some more product than this one added to the
19 General Plan?
20

21 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Yeah.
22

23 **VICE CHAIR SIMS** – It sounded as if the utilization of the funding went toward
24 creating of collateral information being used for customers or citizenry to
25 understand how to implement energy efficiency in their homes, correct?
26

27 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Yes.
28

29 **VICE CHAIR SIMS** – Okay. Well I just think that’s important for the public that
30 watches this that there was \$109,000 and there was a couple of years of work
31 that went into it and there are very minor modifications in red if you were just to
32 look at what this is. So you may just want to expand on the four points of what
33 the money actually went to.
34

35 **CHAIR LOWELL** – I agree.
36

37 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Alright, Task 1 was a redesign of
38 forms and handouts to create new informational material for Energy Efficiency
39 Code Requirements and we’re planning on redoing our building forms trying to
40 put some Green Code in there. And then Task 2 developed standards for City
41 structures to match LEED certification. We’re working on that. We’re trying to
42 make new City structures try to meet the LEED certification, which is the above
43 the normal Title 24 items and Chris Ormsby is working on that one. The update
44 to the General Plan is actually Task 4, and I’m working on that and that’s what
45 we present to you. And, along with that, we are working with Southern California
46 Edison because they have to approve all our work and we are getting reimbursed

1 for the hours that we are spending on these energy efficiency items. And we're
2 also going to develop a new Municipal Code Amendment for density bonuses as
3 just another option, and I think it's for residential developments that exceed State
4 Energy Codes. And we're looking at multifamily and that was actually one of our
5 public hearing items or outreach items that we had last week and then this week.
6 Both Chris and I worked on those two tasks.

7
8 **VICE CHAIR SIMS** – Yeah and so I just, you know, I'm glad you kind of clarified
9 what the things were. Out of the tasks that went into this, you know, having gone
10 through the LEED certification on some buildings we had that's not a small
11 undertaking. So I don't know how that's going to be implemented if that's going
12 to be a requirement for new structures to meet a minimum LEED certification
13 because that's a cost implication for new development. So I don't know how that
14 factors in.

15
16 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Right. The LEED certification we're
17 using now is for just City buildings.

18
19 **VICE CHAIR SIMS** – Okay.

20
21 **ASSOCIATE ENGINEER GABRIEL DIAZ** – We're not asking developers to go
22 that route.

23
24 **VICE CHAIR SIMS** – Okay.

25
26 **ASSOCIATE ENGINEER GABRIEL DIAZ** – The density bonus, that's another
27 option that people have. We're not asking them to do energy efficiency to get
28 you know, it's just like low-income housing. You get that extra density or senior
29 housing you get that extra density and multifamily. So the third option will be
30 adding to that section.

31
32 **VICE CHAIR SIMS** – So is that going to be, I mean, and that seems one of the
33 other the density bonus. Is that going to be like a subcategory of a Code where it
34 says you're supposed to have X number of units per acre or something like that?
35 And if you do X, Y, and Z on the energy efficiency you can get an additional unit
36 or how does that work?

37
38 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Yes, we're going through the
39 process. That's one of the items that will come before you, so when we get to
40 that point, we'll know a little better.

41
42 **VICE CHAIR SIMS** – Okay.

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – Let me try and provide some
45 clarification. Of the tasks that Mr. Diaz has indicated, the update of the forms is
46 an administrative task so that will not be coming back to the Planning

1 Commission. It is done administratively. With regard to the standards for what
2 development regulations would apply to City facilities or City structures to try to
3 bring them up to a LEED certification, that would also be on the administrative
4 side in terms of regulatory documents so that would not come to the Planning
5 Commission. The General Plan Amendment that you're hearing this evening is a
6 document that comes through you for a recommendation as an advisory body to
7 the City Council. From here, it will go to the City Council and then, as Mr. Diaz
8 has indicated, Mr. Ormsby is working on the Municipal Code or the Development
9 Code Amendment, which is the regulatory framework that does goes into our
10 Zoning Code which is required to be reviewed by the Planning Commission. So
11 we will be coming back to you with a separate item on that, and then that will
12 ultimately go to the City Council for their approval. The other tasks that weren't
13 touched on but are funded through the grant are the administrative procedures in
14 terms of the monthly meetings and coordination of what's going on between the
15 Staff and Edison. Then also we have an obligation to complete this effort before
16 the end of this calendar year, but then we have a period of time to actually
17 complete the document and report it out. And I believe that extends until March
18 31st. Is that correct? So that kind of completes the rest of the task, but you will
19 be seeing the Development Code Amendments and the density bonus issues
20 we'll have that spelled out for you in an actual Staff Report. We haven't finalized
21 that yet, so I don't have anymore details at this time.

22
23 **ASSOCIATE ENGINEER GABRIEL DIAZ** – Thanks.

24
25 **CHAIR LOWELL** – Commissioner Barnes.

26
27 **COMMISSIONER BARNES** – Yeah, just so I'm clear on this, this is the first step
28 in the process that will make some changes to the Municipal Code. Ultimately,
29 will we be requiring a higher standard of development than we currently require?
30 Is that the ultimate result of this multistep process?

31
32 **PLANNING OFFICIAL RICK SANDZIMIER** – Well the ultimate objective is to
33 provide some incentives to actually have a higher standard, but it's not going to
34 be a mandate at this point. There will be certain things where the developer has
35 a choice. Such as, right now, affordable housing has density bonus provisions
36 but it only applies if somebody wants to try and take advantage of the density
37 bonus provisions in the Code. It's not a mandate. It's a framework that allows
38 people the options. But our overall objective in working in a program like this and
39 putting the policies into the General Plan is because we want to be a more green
40 or sustainable community, and we want the infrastructure that's developed and
41 the facilities that are developed to actually follow that goal and so.....

42
43 **COMMISSIONER BARNES** – Okay so we're not, we're not.....

44
45 **PLANNING OFFICIAL RICK SANDZIMIER** – We'd like to achieve that but it's
46 not strong armed.

1
2 **COMMISSIONER BARNES** – We’re not changing the baseline, we’re adding
3 incentive potentials that would allow them to get some gain if?
4

5 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes.
6

7 **COMMISSIONER BARNES** – Okay, alright.
8

9 **VICE CHAIR SIMS** – Yeah, it’s like the way I would understand it, you would
10 get enticed. Either there is an incentive to.....
11

12 **COMMISSIONER BARNES** – Right.
13

14 **VICE CHAIR SIMS** – To go ahead and spend extra bucks to get the energy and
15 by covering that cost you’d get another unit to spread your cost down.
16

17 **COMMISSIONER BARNES** – Yeah, you spend extra money, you get.....I
18 understand. Alright, thank you.
19

20 **CHAIR LOWELL** – Any other questions or comments? No? Would somebody
21 like to motion? We have a motion by Commissioner Van Natta and we have a
22 second by Commissioner Korzec. Now, I know it’s a formality, but do we need to
23 read the motion?
24

25 **ASSISTANT CITY ATTORNEY PAUL EARLY** – There is no need to read the
26 whole motion, but there should be some indication by the original mover what
27 their moving. If they are moving to approve the stated recommendations of the
28 Staff Report, that would be sufficient, but we do need to know what is being
29 moved.
30

31 **CHAIR LOWELL** – It’s right there if you want it.
32

33 **COMMISSIONER VAN NATTA** – I’m moving that we **APPROVE** Resolution No.
34 2015-30 as recommended by Staff.
35

36 **CHAIR LOWELL** – Is that sufficient? Okay, so we have a motion to approve by
37 Commissioner Van Natta. Do you still second that motion?
38

39 **COMMISSIONER KORZEC** – I second it.
40

41 **CHAIR LOWELL** – Okay, so let’s continue the vote. You’re too early.
42

43 **VICE CHAIR SIMS** – I would have changed it if I would’ve known that.
44

1 **CHAIR LOWELL** – Oh, man. We are waiting on Commissioner Baker. There
2 you go. Try it again. All votes have been cast. Perfect, so it looks like the item
3 has passed 7-0. Do we have a Staff wrap-up on this item?
4

5 Opposed – 0
6
7

8 **Motion carries 7 – 0**
9

10
11 **PLANNING OFFICIAL RICK SANDZIMIER** – This is a General Plan
12 Amendment, which is a legislative act which requires the City Council's ultimate
13 approval, so this will be taken before the City Council in the coming month.
14

15 **CHAIR LOWELL** – Perfect.
16
17

- 18 3. Case: PA15-0004 – (Conditional Use Permit)
19
20 Applicant: El Pollo Loco, Inc., c/o Armet, Davis, Newlove, &
21 Associates
22
23 Owner: Professor's Fund IV, LLC
24
25 Representative: Armet, Davis, Newlove, & Associates
26
27 Location: West side of Perris Boulevard and approximately 550
28 feet south of John F. Kennedy Drive
29
30 Case Planner: Jeff Bradshaw
31
32 Council District: 4
33
34 Proposal: Conditional Use Permit for El Pollo Loco drive-through
35 restaurant
36
37

38 **STAFF RECOMMENDATION:**
39

40 Staff recommends that the Planning Commission **APPROVE** Resolution No.
41 2015-31, and thereby:
42

- 43 1. **ADOPT** a Mitigated Negative Declaration for Conditional Use Permit
44 PA15-0004, pursuant to California Environmental Quality Act (CEQA)
45 Guidelines; and
46

- 1 2. **APPROVE** Conditional Use Permit PA15-0004 based on the findings
2 contained in this resolution, and subject to the attached conditions of
3 approval included as Exhibit A.
4
5

6 **CHAIR LOWELL** – That moves us onto Item No. 3, which is PA15-0004, a
7 Conditional Use Permit for El Pollo Loco. The Case Planner is Mr. Jeff
8 Bradshaw.
9

10 **PLANNING OFFICIAL RICK SANDZIMIER** – Well I'm happy to introduce
11 Associate Planner Jeff Bradshaw for this item. This is an important project to the
12 City. It's an important project just for us because it provides the opportunity for
13 additional job creation, also some retail development, and the retails sales is an
14 economic development interest of the City. So, with that, I'd like to introduce
15 Jeff.
16

17 **ASSOCIATE PLANNER JEFF BRADSHAW** – Thank you. Good evening Chair
18 Lowell and Members of the Planning Commission. Conditional Use Permit
19 PA15-0004 proposes the development of a 2995-square-foot fast-food restaurant
20 with a drive-through on a 0.66 acre parcel. This is the site located on the west
21 side of Perris Boulevard and approximately 500 feet south of John F. Kennedy
22 Drive. The site, let me back up. An aspect of the project includes a proposal by
23 the Applicant to modify two existing parcels that total 4.54 acres and that would
24 be done via a lot line adjustment. And, with approval of the lot line adjustment,
25 the two new parcels would be.....the lot line adjustment would result rather in a
26 3.88 acre parcel and the 0.66 acre parcel, which is proposed as the site for the
27 restaurant. The development of this proposal would require the installation of a
28 new driveway, which would be located at the southernmost portion of the site, as
29 well as the undergrounding of overhead utility lines and the construction of the
30 detention basin that would be located on the adjacent 3.88 acre parcel. So, as
31 you refer to your Site Plan, the basin is located immediately adjacent to the
32 restaurant site but on the adjoining parcel. The Staff had an opportunity to work
33 with the developer on the layout of the restaurant and the project is designed and
34 conditioned and satisfies all of the municipal requirements for this type of
35 development. It satisfies the requirements for commercial development, as well
36 as the specialized or unique standards for fast-food restaurants. It satisfies our
37 requirements for circulation, parking, landscape, and setbacks as well. So, as a
38 conditional use, this project has been reviewed by Staff and satisfied in most
39 instances exceeds the standards required for this type of development. On initial
40 study, a Mitigated Negative Declaration was prepared for this project to examine
41 the potential for this project having impacts on the environment. Public notice of
42 the document was published in the newspaper 20 days in advance of tonight's
43 hearing and made available to the public. As of this evening, Staff had not
44 received any comments, phone calls, any kind of a response at all from the
45 public about this project. And that would include notification going to those
46 homeowners located immediately adjacent to the site. Through the preparation

1 of the initial study, it was recommended that two Mitigation Measures be
2 implemented for this project to address potential impacts under the category of
3 traffic and circulation and Staff has had an opportunity to work with the consultant
4 that prepared the Traffic Analysis in the weeks and days leading up to tonight's
5 hearing. And there's two memos provided to you this evening that are specific to
6 some new information that Staff was able to review. With this additional
7 information, it was determined that the project does not have a direct impact on
8 the northbound Perris left turn-pocket as originally described in the initial study.
9 So no direct impact but it was determined that there is still a cumulative impact to
10 that left turn-pocket. So, what's recommended to you this evening, is a change
11 to the Mitigation Measure to require a fair share contribution from the developer
12 towards addressing the impacts examined in the Traffic Study and that would be
13 different than what was originally proposed to you. But Staff has had a chance to
14 look at this new information and feels comfortable making that recommendation
15 to you and so what's presented to you as changes to Condition P29, which also
16 results in similar changes to Condition TE8 and the deletion of Condition TE12,
17 as well as a revision to Mitigation Measure TRA1, which is in the Mitigation
18 Monitoring Program. So we had an opportunity to again work with the consultant
19 in the analysis of this new information. At the same time, we were also able to
20 work with the developer and in conversations with them this afternoon they were
21 comfortable with the revised language. They are here this evening, so they'd be
22 prepared to speak to you about that as well. And, just for the record, I was going
23 to read in this revised language. The condition would now read to accommodate
24 additional u-turn traffic contributed by the project at the intersection of Perris
25 Boulevard and John F. Kennedy Drive. The project applicant shall pay to the
26 City their fair share contribution of 15% of the total cost to increase the
27 northbound Perris Boulevard and John F. Kennedy Drive left turn-pocket lane.
28 The total cost is estimated at \$100,000, which covers all soft costs as well as
29 construction costs. Again the noticing efforts for this project were standard and
30 consistent with our requirements of the environmental documentation, the
31 availability rather of the initial study was published in the newspaper 20 days in
32 advance of this meeting. The site was posted and notices of tonight's hearing
33 were provided to the public 10 days in advance of the meeting and no response
34 at all from the public to any of those efforts. With that, Staff would recommend
35 that the Planning Commission **APPROVE** Resolution No. 2015-31 adopting a
36 Mitigated Negative Declaration for the project as amended and **APPROVE** the
37 Conditional Use Permit subject to the attached conditions of approval as
38 amended. That concludes my report, and I'd be happy to answer any questions
39 that you might have.

40
41 **CHAIR LOWELL** – Thank you very much. Does anybody have any questions
42 for Staff before we move on?
43

44 **COMMISSIONER VAN NATTA** – No I think my question is probably better
45 directed at the Applicant. I'll wait.
46

1 **CHAIR LOWELL** – One of the questions I do have is could you expand upon
2 how you came to the Mitigated Negative Declaration for the CEQA?
3

4 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes. The results of the Traffic
5 Study, I'll give you my layman's version and then I'll ask Michael Lloyd to maybe
6 provide a more technical answer. The results of the Traffic Study indicated the
7 potential for an impact at that left turn-pocket and so the initial recommended
8 mitigation was the requirement of lengthening the median, and in addition to that,
9 the payment of DIF and TUMF fees. With the new information, it was determined
10 that there was no direct impact and so that requirement for the full median at this
11 time (at the operational stage or occupancy of the project) was no longer a
12 requirement. But, more appropriately, the cumulative impacts were more
13 appropriately mitigated with this revised Mitigation Measure. And I probably
14 muddled that enough, but I'll turn it over to Michael.
15

16 **TRAFFIC ENGINEER MICHAEL LLOYD** – Good evening Chair and
17 Commission Members, Michael Lloyd with Public Works Department. I really
18 don't have a whole lot to add to what Jeff said. He was accurate in his
19 description. The initial submittal of the Traffic Study, Staff deemed that we felt
20 there was a direct impact so we placed the Mitigation Measure and condition of
21 approval for the project applicant to reconstruct the northbound left turn lane.
22 Subsequently, we received additional analysis and information from their traffic
23 engineer, and we agreed with the findings and that changed our assessment and
24 felt it was more appropriate that it was a cumulative impact not a direct impact.
25 Therefore, a fair share contribution was the appropriate means to mitigate. The
26 reason we felt a fair share contribution was appropriate is payment of DIF and
27 TUMF do not take care of retrofitting or reconstruction modification of raised
28 medians.
29

30 **CHAIR LOWELL** – Thank you very much.
31

32 **COMMISSIONER VAN NATTA** – Okay I do have a question then. Sorry. In
33 what I was reading, it was saying that there was going to be just a right in/right
34 out because of the median. So is that, are you saying that's not going to be the
35 case?
36

37 **ASSOCIATE PLANNER JEFF BRADSHAW** – No. That would remain the case.
38 The concern raised in the analysis was that the length of the left turn lane wasn't
39 sufficient under the cumulative analysis when the project is operating and all the
40 other additional traffic at General Plan Build-out would be factored in as well.
41 The current lane length would not be adequate at that point, so the access to that
42 driveway for northbound traffic would require a u-turn at the intersection and that
43 has not changed.
44

45 **COMMISSIONER VAN NATTA** – Okay because that was the other part of that.
46 That means that, if you're going north on Perris, you can't turn in there.

1
2 **ASSOCIATE PLANNER JEFF BRADSHAW** – Without going all the way to the
3 intersection and taking advantage of the light and making a u-turn to go back.

4
5 **COMMISSIONER VAN NATTA** – Going back down.

6
7 **ASSOCIATE PLANNER JEFF BRADSHAW** – That’s correct.

8
9 **COMMISSIONER VAN NATTA** – Okay and the entries, I’m seeing two
10 driveways here.

11
12 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes.

13
14 **COMMISSIONER VAN NATTA** – Either one is an entry for the drive-through?

15
16 **ASSOCIATE PLANNER JEFF BRADSHAW** – There is an existing drive. This
17 is oriented to the side, so north is the right-hand-side of the Exhibit.

18
19 **COMMISSIONER VAN NATTA** – Right.

20
21 **ASSOCIATE PLANNER JEFF BRADSHAW** – There is an existing driveway
22 that would be a shared access with the O’Reilly’s that is under construction that
23 would give access to the entry to the drive-through.

24
25 **COMMISSIONER VAN NATTA** – Okay.

26
27 **ASSOCIATE PLANNER JEFF BRADSHAW** – The traffic would circulate
28 around the building and have the opportunity to exit either at the new driveway or
29 the existing driveway to the north.

30
31 **COMMISSIONER VAN NATTA** – Or they could also come in through the new
32 driveway and go through the parking lot to.....

33
34 **ASSOCIATE PLANNER JEFF BRADSHAW** – That’s correct too.

35
36 **COMMISSIONER VAN NATTA** – To access it.

37
38 **ASSOCIATE PLANNER JEFF BRADSHAW** – That’s correct.

39
40 **COMMISSIONER VAN NATTA** – Okay. I think my concern here is backing up
41 either into O’Reilly’s parking lot or stopping on Perris Boulevard because of the
42 line to the drive-through much like what we have with In-N-Out north of the
43 freeway.

44
45 **CHAIR LOWELL** – What do you mean? In-N-Out is so speedy.

1 **COMMISSIONER VAN NATTA** – Yeah.

2
3 **CHAIR LOWELL** – There is never a line there.

4
5 **COMMISSIONER VAN NATTA** – You can't even drive through there, yeah.

6
7 **ASSOCIATE PLANNER JEFF BRADSHAW** – We looked at the City's
8 requirements for stacking distance at all those points. It is in very close proximity
9 with the two uses next to each other. But, I believe following the review, we were
10 able to satisfy the City's requirements for both stacking within the drive-through,
11 as well as the stacking that might be required as you enter the site at both
12 driveways.

13
14 **COMMISSIONER VAN NATTA** – Well I have a question. Doesn't In-N-Out also
15 meet the City's requirements?

16
17 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't know about that approval
18 given the age of it.

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – Well let me attempt to answer that
21 one. In-N-Out was built a while back but you should be aware it won't be coming
22 to the Planning Commission, but we are actually working with In-N-Out on a fix to
23 that particular condition off of Hemlock at Pigeon Pass. The age of In-N-Out, I'm
24 not sure exactly of when it was approved. It's likely that it was approved under
25 the standards that were in place at that time. Also, In-N-Out was developed on
26 one parcel in which they don't have enough room to extend the drive-through and
27 now they've acquired the land to the....

28
29 **COMMISSIONER VAN NATTA** – West.

30
31 **PLANNING OFFICIAL RICK SANDZIMIER** – To the west and so now they have
32 the ability because of the additional land to fix that condition. In this particular
33 situation, El Pollo Loco the analysis that was conducted was reviewed by our
34 Transportation Staff. It has been reviewed by us. We look at the length of the
35 drive-through and for us in that analysis it did not present the same sort of impact
36 that you'd experience at In-N-Out. But In-N-Out is notorious for the long drive-
37 through. So every In-N-Out I've ever been to in every community seems to be
38 exactly the same, so it's just a different demand. And they also, I believe, have
39 smaller dining facilities at many In-N-Out's. The one we have here actually has a
40 nice sit-down restaurant component, so maybe that's not why but I just know that
41 In-N-Out is operated differently than other drive-through.

42
43 **COMMISSIONER VAN NATTA** – So for the stacking on this, they can come in
44 through either driveway?

45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – The expectation, as Mr. Bradshaw
2 has indicated, would be they would come into the first driveway, which is the
3 shared driveway between O’Reilly’s and El Pollo Loco and then they would make
4 their move over into the drive-through. But they could go down to the other
5 entrance and then switch back and come into the drive-through. I think that
6 would be counter intuitive for the driver, but if there was a condition as you’ve
7 identified, it’s likely that would be the result if they saw the traffic was backing up.
8 They may and then we’d have to monitor that. I’d like to ask Michael Lloyd if he
9 has any additional thoughts on this and then the Applicant when they come up
10 may also be able to shed some light on what they were thinking as they laid it
11 out.

12
13 **TRAFFIC ENGINEER MICHAEL LLOYD** – Michael Lloyd again with Public
14 Works. No, Planning covered anything I could’ve added.

15
16 **CHAIR LOWELL** – Well I know from my experience that El Pollo Loco that their
17 drive-through is pretty quick, so I don’t think it should be too much of an issue. I
18 know we have two more people waiting to speak, but I had a question. There is
19 a 100 foot speaker setback for the drive-through speaker to the south.

20
21 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes.

22
23 **CHAIR LOWELL** – But there is not one to the west. What was that property to
24 the west zoned? Is that commercial?

25
26 **ASSOCIATE PLANNER JEFF BRADSHAW** – It’s also neighborhood
27 commercial.

28
29 **CHAIR LOWELL** – So neighborhood commercial?

30
31 **ASSOCIATE PLANNER JEFF BRADSHAW** – Um-hum.

32
33 **CHAIR LOWELL** – And there is no required setback for that because it could be
34 another store or something else?

35
36 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yes.

37
38 **CHAIR LOWELL** – Okay.

39
40 **ASSOCIATE PLANNER JEFF BRADSHAW** – The 100 foot separation is from
41 residential zoning.

42
43 **CHAIR LOWELL** – Similarly, the drainage basin to the west of the property line
44 looks like some of the portion of the property is draining to the west into that
45 basin. Is there an easement recorded or a joint agreement that they are allowed
46 to drain across the property line?

1
2 **ASSOCIATE PLANNER JEFF BRADSHAW** – I believe with the lot line
3 adjustment, the easements are being recorded as an extension of that process
4 but I'll defer to Vince Giron on that one.

5
6 **CHAIR LOWELL** – That was actually one of my next questions that it says the
7 lot line adjustment says future, so I was curious was that meant.

8
9 **ASSOCIATE PLANNER JEFF BRADSHAW** – It is but the lot line adjustment is
10 not a requirement for this development. They could come in and develop and
11 only develop this portion of the site and the rest could remain just a remainder of
12 undeveloped area. But the owner, I believe, is motivated to build to create the
13 separate ownership, be able to offer the transaction of this site and still have the
14 other area available under separate ownership. I'll defer to....

15
16 **PLANNING OFFICIAL RICK SANDZIMIER** – Can we put the Exhibit up that
17 shows where the existing lot lines are? There is another Exhibit that shows the
18 whole.....

19
20 **ASSOCIATE PLANNER JEFF BRADSHAW** – Oh, you want the aerial
21 photograph?

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – Yeah, the aerial will probably be
24 fine. Just for the benefit of those Commissioner's that may not have the same
25 engineering background as some of the other Commissioner's I just wanted to be
26 able to show you. If you look at the red area on the site, that's where the El Pollo
27 Loco is expected to be built. The dark black lines that you can see are the
28 configuration of the underlying property lines. It's the one line, probably if I went
29 up there and pointed at it, or maybe Jeff can point at it in which the lot line
30 adjustment is being considered. So essentially you move this lot line, you put
31 your finger on the lot line that exists. Jeff, go up further a little higher. The one
32 that's going, yeah, right there. The lot line that goes from the point where his
33 finger is across is the lot line that will be moved down to form a new border for
34 the red parcel. That's not required because El Pollo Loco would still be built on
35 an existing parcel that's a legal parcel. It's just the lot line helps the underlying
36 property owner for other reasons, and so I just wanted to add in that additional
37 clarification.

38
39 **CHAIR LOWELL** – Okay, in drilling down that a little bit further, this basin off to
40 the west I don't see any overflow. Where would that overflow go should we have
41 a 100-year storm or a flash flood? Would it just inundate the parking lot? Is
42 there some sort of a structure or maintained outlet to prevent things from eroding
43 away or getting flooded?

44
45 **TRAFFIC ENGINEER VINCE GIRON** – Good evening Chair and fellow
46 Commissioner's, Vince Giron with Land Development Division. There is a

1 requirement for a spillway emergency overflow and the site generally drains
2 southwest/southeast currently. Down at the southerly end of the I guess the
3 vacant parcel, what will be the vacant parcel, there will be a spillway where that
4 is required and it will travel along the southerly property line of the El Pollo Loco
5 site. There is also a proposed storm drain that will be coming from the detention
6 basin and tying into the storm drain on Perris Boulevard.

7
8 **CHAIR LOWELL** – Is that an existing condition? Is that emergency spillway is
9 that something that needs to be conditioned or is it already in here or is that just
10 a general requirement?

11
12 **TRAFFIC ENGINEER VINCE GIRON** – That’s a very standard requirement for
13 any kind of detention basin that there is an emergency spillway.

14
15 **CHAIR LOWELL** – I was just double checking on the plans. It shows that area,
16 that strip of land, but it didn’t say spillway so I was just trying to clarify that.

17
18 **TRAFFIC ENGINEER VINCE GIRON** – There’s a couple ways to handle it too.
19 They can put another storm drain and overflow within their top of the storm drain
20 like a hat to the whistle, so there’s a couple ways.

21
22 **CHAIR LOWELL** – Perfect, I appreciate it.

23
24 **TRAFFIC ENGINEER VINCE GIRON** – Yeah.

25
26 **CHAIR LOWELL** – And let me see who else is ready to speak. So we have
27 Commissioner Sims, Vice Chair Sims please.

28
29 **VICE CHAIR SIMS** – I had the same concern that Commissioner Van Natta had
30 about the stacking between the more northerly entrance. Could that one just, do
31 we actually even need that one? So you just have the one southerly entrance.
32 You don’t have the approach coming in between O’Reilly’s and El Pollo?

33
34 **ASSOCIATE PLANNER JEFF BRADSHAW** – It is an existing driveway already
35 approved with the prior development that’s occurred out there. And so, in this
36 case, the lower half it’s a shared access. It’s existing and would be reciprocal of
37 shared access between this site and the O’Reilly’s site to the north.

38
39 **VICE CHAIR SIMS** – Well I understand that but that doesn’t mean it does have
40 to be like that. I guess I tend to believe that Perris is a major north/south
41 thoroughfare through the City, and that could be a real potential cluster. It could
42 be an irritant to the people coming in O’Reilly’s or leaving O’Reilly’s, people trying
43 to go down Perris Boulevard, if you cued up everybody trying to make a right turn
44 into the driveway there. At least if you would direct them, and I agree it might be
45 a little counterintuitive, you’d have to have some additional signage in one of
46 these landscaped areas. But, if you could get folks to come in at the southerly

1 entrance, then you'd have more off street queueing to get into the
2 driveway....into the what do you call the thing where you go?
3

4 **COMMISSIONER BARNES** – Drive-through.
5

6 **VICE CHAIR SIMS** – Drive-through, yeah.
7

8 **PLANNING OFFICIAL RICK SANDZIMIER** – The short answer to
9 Commissioner Sims question is absolutely there could be some consideration to
10 close that driveway and look at a different alternative. The impracticality we
11 would not want to do that without some consideration of all the other
12 stakeholders, O'Reilly's and the property owner and CVS and Family Dollar.
13 That has not been a consideration up to this point, and I think looking at it I think
14 it may actually present some additional challenges if we did close it off because
15 we may be looking at unintended consequences where the folks that want to
16 leave O'Reilly would now be crossing over the parking lot that is El Pollo Loco.
17 And, if people were coming into the south entrance, they would be backtracking
18 to get to the drive-through and now you have an inherent conflict of two cars
19 going in a different direction. So we would have to look at it, but those are the
20 things that we'd want to consider. At this point, I'd also like to get the input from
21 the Applicant. The way the parcel is developed is the Applicant is entitled to this
22 smaller portion of the site, and I'd have to understand what his negotiations have
23 been with the overall property owner and the other businesses at the time. So
24 they may be able to shed some additional light on this.
25

26 **VICE CHAIR SIMS** – Yeah just at Iris and Perris, which is another commercial
27 center just south of here, there is Carl Jr. There is a Del Taco. There is a KFC,
28 but it's all internal. All the queueing has all stacked up and you don't.....all the
29 queueing to get into those things are all internal. It's a different setup of course.
30 This is a one off development, but you know it would be not good to create
31 another In-N-Out situation right here at a major intersection.
32

33 **ASSOCIATE PLANNER JEFF BRADSHAW** – One of the additional design
34 challenges, if you will, is our Code. Specifically the section for fast-food
35 restaurants requires two points of access for this type of development and so that
36 was one of the challenges as we worked here was how to satisfy that
37 requirement. And then I didn't know if Michael had anything he wanted to add
38 from transportation.
39

40 **CHAIR LOWELL** – Yeah and then you also have to figure out that these
41 applications are independent of one another. So, should O'Reilly fail, we still
42 need two points of access for El Pollo Loco and vice versa.
43

44 **ASSOCIATE PLANNER JEFF BRADSHAW** – That's correct.
45

1 **CHAIR LOWELL** – So it might be something we want to look at later on down
2 the line when the site gets a little bit more developed like with another parcel
3 being developed. But I completely agree with everybody up here and I
4 completely agree with Staff, so it's kind of a quandary. I know we're getting a
5 little off topic but Commissioner Barnes you still have some questions. Are you
6 done?

7
8 **COMMISSIONER BARNES** – No. The points of access were addressed so.

9
10 **CHAIR LOWELL** – Commissioner Van Natta, do you have a question for Staff
11 or can we move to the Applicant? If you have a question for Staff, the floor is
12 yours.

13
14 **COMMISSIONER VAN NATTA** – Yes I have just one additional question here.
15 Isn't the problem going to be with them coming in from Perris Boulevard on the
16 northbound entrance. When that's also an exit, where are they going to que that
17 isn't going to block people who are exiting?

18
19 **PLANNING OFFICIAL RICK SANDZIMIER** – Do you want to take that one,
20 Michael?

21
22 **TRAFFIC ENGINEER MICHAEL LLOYD** – I guess I'm not following the line of
23 thought. Could you repeat it one last time for me?

24
25 **COMMISSIONER VAN NATTA** – Okay they are coming in on the northbound
26 entrance.

27
28 **TRAFFIC ENGINEER MICHAEL LLOYD** – Um-hum.

29
30 **COMMISSIONER VAN NATTA** – Okay, they have to cross over the exit?

31
32 **TRAFFIC ENGINEER MICHAEL LLOYD** – Correct.

33
34 **COMMISSIONER VAN NATTA** – To get to the drive-through.

35
36 **TRAFFIC ENGINEER MICHAEL LLOYD** – Yes.

37
38 **COMMISSIONER VAN NATTA** – Okay, so that's where they are going to que
39 up in the exit blocking people from either parking lot?

40
41 **COMMISSIONER BARNES** – If two or three people were exiting, you couldn't
42 get into the drive-through because the exiting people would.....

43
44 **TRAFFIC ENGINEER MICHAEL LLOYD** – Right.

45

1 **COMMISSIONER BARNES** – Essentially block your access to the drive-
2 through.

3
4 **TRAFFIC ENGINEER MICHAEL LLOYD** – Right, right.

5
6 **COMMISSIONER VAN NATTA** – And if you're queued up to drive-through.....

7
8 **COMMISSIONER BARNES** – You couldn't get out.

9
10 **COMMISSIONER VAN NATTA** – Then people there wouldn't be able to get out.

11
12 **CHAIR LOWELL** – Well, if you look at the map, there are places for seven cars
13 to que before you get to the speaker. And, the eighth one, will be sitting at the
14 speaker. So, unless you're anticipating having 12 people waiting to order, I don't
15 think we're going to run into that issue.

16
17 **VICE CHAIR SIMS** – I see it everyday at In-N-Out.

18
19 **TRAFFIC ENGINEER MICHAEL LLOYD** – Correct.

20
21 **CHAIR LOWELL** – Well In-N-Out is a totally different piece.

22
23 **COMMISSIONER VAN NATTA** – No it isn't because the El Pollo Loco that used
24 to be up there on Sunnymead Boulevard, I'd go there quite often and be waiting
25 in line 20 to 30 minutes to get through and there would be 10 to 12 or more cars
26 queued up there to go through. And that was one where you actually get off the
27 road down and through the parking lot and come back in around to que.

28
29 **PLANNING OFFICIAL RICK SANDZIMIER** – I appreciate Commissioner Van
30 Natta's concern. And, if we look only at the drive-through which does have
31 adequate que, that's not going to be the critical factor. The critical factor will be
32 the people exiting from O'Reilly. So, if you get two or three cars, it's only two or
33 three cars that keep the incoming cars from getting into the drive-through. So
34 you can have a completely empty drive-through and still have people that can't
35 get there because of them exiting from O'Reilly. I think it can be fixed if we look
36 at it with the Applicant during the development stage. I don't think it has to hold
37 up the approval tonight if the inclination is for the Commission to support it. It
38 may be designating a no stopping or something on the site like you see in the
39 front of fire stations where it just says keep this area clear. There may be a need
40 to do something like that. So we can look at it. I'll ask Michael if he has any
41 thoughts on it, but I do appreciate the concerns you're bringing up.

42
43 **TRAFFIC ENGINEER MICHAEL LLOYD** – The only thing I can add is, typically
44 for a auto-parts store such as O'Reilly which is going in, the traffic generated is
45 very low. That's just what we find based upon trip generation studies for this type
46 of use. So I would not anticipate a large number of vehicles at least from the

1 O'Reilly trying to exit and interfering with vehicles trying to enter and patronize
2 the El Pollo Loco. I have a hard time envisioning that with the use, the auto-part
3 store. The Dollar Store that's located to the north of that has a shared driveway
4 with the CVS that they would take advantage of. So I understand the concern,
5 and I don't want to give the impression that it's not legitimate. It is. But, in our
6 assessment of the site the way we tried to lay it out, this was the most efficient
7 because we did go through some iterations in terms of how things should line up
8 and this was the most efficient.

9
10 **CHAIR LOWELL** – Do we have any other questions for Staff? Okay, I'd like to
11 invite the Applicant up.

12
13 **APPLICANT STEVEN SHAW** – Good evening, I'm Steven Shaw with Armet,
14 Davis, Newlove Architects. Rather than my usual sales pitch, I'll probably focus
15 on some of the issues you guys raised but first I'd like to thank Jeff. In more than
16 15 years of doing expediting and permitting, he has been one of the more helpful
17 planners I've ever worked with. The development and creation of the parcel
18 added a little additional work to this job, and he has been a big help pushing it
19 through and getting everything moving. One concern, we talked about the
20 driveways for quite a while. We went through a number of Site Plans because
21 originally we looked at one driveway and there was the requirement for the two.
22 The other problem is, at the top on the west side, you can see a driveway shown.
23 The back is an empty dirt lot, and I think it's going to be an easement that'll be
24 recorded that that will be for access to that back lot in the future. So you can see
25 there, so the dirt part to the left as you look at it there, that driveway (our
26 southern driveway) will handle traffic that goes to that back lot down the road. So
27 that driveway would be the only point of access and we're the only driveway
28 serving the El Pollo Loco to the restaurant and to the back. So that was one of
29 the concerns when we came up with this two driveway solution. And also a
30 delivery truck with the two driveways makes it easier for a delivery truck to come
31 in. I know transportation had a question about that, and I'm thrilled to hear that
32 there were 12 cars in a que at an El Pollo Loco. We would absolutely love to
33 have In-N-Out's business but that's very atypical. The most I've seen is 10, so
34 12 is a record number for us. So I can say it's funny. Every time I go to these
35 now, the In-N-Out question comes up because they've set the precedence now
36 for drive-through queueing, and there store in Palm Desert has more than 26
37 queues and they are still backed up. So I understand if you've seen that, and I
38 appreciate the concern but we've found 8 to 10 cars is the most that we've ever
39 seen. So we felt with the number of iterations we did with the Site Plan that this
40 kind of addressed everybody's concerns.

41
42 **CHAIR LOWELL** – What's your typical wait time from person driving on the
43 property to person driving off property?

44
45 **APPLICANT STEVEN SHAW** – There are numbers. Having been to both, my
46 personal experience is we're about half of what In-N-Out usually is. I probably

1 eat at In-N-Out more than I do at El Pollo Loco. Don't tell anybody there. They
2 do serve, I think it's...there's numbers. I think it's in the three minute range and
3 In-N-Out depends. What they've started doing is the little portable menus at the
4 drive-through because they've had so many problems at all their locations with
5 the queuing and that speeds up their service quite a bit. But you're still talking
6 about 15 to 20 cars, so even at half the time if we have 10, it's about the same.
7 So it is a faster service and I was actually just at the trade show out in the desert
8 and they've got new headsets coming. They've got new ordering. There's a lot
9 of things being employed to even speed up service because that's become an
10 issue at all these restaurants is speed of service. Everybody wants it faster, so
11 they are employing a number of techniques right away (new technology and
12 things to get things moving even faster).

13
14 **CHAIR LOWELL** – Does anybody have any questions for the Applicant?
15 Commissioner Ramirez.

16
17 **COMMISSIONER RAMIREZ** – What about the possibility of having two
18 windows? One for paying and one for pick-up?

19
20 **APPLICANT STEVEN SHAW** – We don't have the space. It's a prototypical
21 restaurant. Doing a pay window would take up quite a bit of room in the back of
22 house where the kitchen is, and we just don't have the floor space for it. And, in
23 terms of the speed, it's the preparation of the food. The paying for us really
24 wouldn't increase, it wouldn't get the customers through much faster.

25
26 **CHAIR LOWELL** – Any other questions for the Applicant?

27
28 **COMMISSIONER BARNES** – Not really a question but an observation. It's not
29 a perfect solution, but I think to a certain degree the market place punishes In-N-
30 Out for their long lines. I mean, I don't go there.

31
32 **CHAIR LOWELL** – I second that.

33
34 **COMMISSIONER BARNES** – You know, so again.

35
36 **CHAIR LOWELL** – Twenty-two minutes for a hamburger is way too long.

37
38 **COMMISSIONER BARNES** – Yeah, so again it's not a perfect solution. But I
39 think there are some market forces that probably make this okay.

40
41 **CHAIR LOWELL** – Market yeah.

42
43 **APPLICANT STEVEN SHAW** – The other thing too that I've seen when they get
44 busy, you know especially at lunch and most especially at dinnertime their family
45 meals are their biggest seller. When the que line is even at six or seven cars,
46 people just park in a space and walk in. So it's not, if the que line.....Now at In-

1 N-Out, typically there aren't that many parking spaces so it's not as much of an
2 option. This has plenty of parking, so I think it'd be easy enough that if
3 somebody saw a que line backed up there, they'd just park in one of the spaces
4 and go in. That's my opinion and that's what I've seen in the past but.....

5
6 **CHAIR LOWELL** – I'd like to play that game and see if I can beat the drive-
7 through.

8
9 **APPLICANT STEVEN SHAW** – Yeah, I know. Me too. Try and look in the store
10 and see how long it is inside and yeah I know.

11
12 **CHAIR LOWELL** – I would try to see which car would pull behind and then see if
13 I could beat them out.

14
15 **APPLICANT STEVEN SHAW** – Yeah, yeah.

16
17 **CHAIR LOWELL** – Does anybody else have any questions for the Applicant.

18
19 **COMMISSIONER VAN NATTA** – No.

20
21 **CHAIR LOWELL** – No? Okay, thank you very much.

22
23 **APPLICANT STEVEN SHAW** – Thank you.

24
25 **CHAIR LOWELL** – I like to open up the Public Comments portion. Do we have
26 any Speaker Slips today?

27
28 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – We do not have
29 any Speaker Slips.

30
31 **CHAIR LOWELL** – With that said, I'd like to close the Public Comments portion
32 of the hearing. If you want to fill out a Speaker Card and talk against yourself, go
33 for it. If not, we've got you covered. Okay, with that said, do we have any
34 questions or comments above and beyond what we already talked about? I don't
35 see anybody's hands going up.

36
37 **COMMISSIONER VAN NATTA** – I just wanted to say one thing.

38
39 **CHAIR LOWELL** – Commissioner Van Natta, by all means.

40
41 **COMMISSIONER VAN NATTA** – I was really disappointed when they closed
42 the El Pollo Loco that was on Sunnymead because it was so close to my house.

43
44 **CHAIR LOWELL** – That used to be a Fazoli's. Remember that?

45
46 **COMMISSIONER VAN NATTA** – No.

1
2 **CHAIR LOWELL** – The drive-through Italian joint.

3
4 **COMMISSIONER VAN NATTA** – Hum-um.

5
6 **COMMISSIONER BAKER** – I’ve got one question.

7
8 **CHAIR LOWELL** – Commissioner Baker.

9
10 **COMMISSIONER BAKER** – And I don’t know who to address this to but you
11 know we got that 115,000 volt line coming down through there. Who handles
12 that? Is that Land Development? Is that going to get buried there? And
13 O’Reilly’s, what’s holding that program up? They got the slab in. Is there
14 something going on with permitting there or?

15
16 **TRAFFIC ENGINEER VINCE GIRON** – Vince Giron with Land Development.
17 To address the O’Reilly’s first, I’m not quite sure what’s holding them up. They
18 have been slow. Our Land Development Division Inspectors have reported that
19 there is just inactivity there. I think it’s on the side of O’Reilly’s. Well, I know it’s
20 on the side of O’Reilly’s. Now the overhead utilities, I don’t believe they are 115.
21 They are probably 15K. I don’t know for sure, but they are less than 115 volts.

22
23 **COMMISSIONER BAKER** – So it’ll get buried, right?

24
25 **TRAFFIC ENGINEER VINCE GIRON** – They will be undergrounded.

26
27 **COMMISSIONER BAKER** – Both O’Reilly’s and El Pollo Loco gets
28 undergrounded?

29
30 **TRAFFIC ENGINEER VINCE GIRON** – That’s correct.

31
32 **COMMISSIONER BAKER** – The other thing I was kind of wondering here from
33 the City’s standpoint with a restaurant background, where this is under 5000
34 square foot, is this building going to be sprinkled or? I know that’s kind of a fire
35 department deal. That won’t be? Non-sprinkled. Okay. Oh, okay, I guess we
36 do have fire.

37
38 **FIRE SAFETY SPECIALIST PAUL VILLALOBOS** – Yeah I can speak to that.

39
40 **COMMISSIONER BAKER** – And we do have a fire suppression system going in
41 the cook line?

42
43 **FIRE SAFETY SPECIALIST PAUL VILLALOBOS** – Yes there is. That’s
44 required. Sure.

45

1 **COMMISSIONER BAKER** – Okay. And the other thing I wanted to know, does
2 the City require a grease interceptor or grease trap for a restaurant this size?

3
4 **FIRE SAFETY SPECIALIST PAUL VILLALOBOS** – Yes.

5
6 **COMMISSIONER BAKER** – They do, okay. And what do we do? Is it one that
7 goes outside or inside the building?

8
9 **FIRE SAFETY SPECIALIST PAUL VILLALOBOS** – Yes, it’s outside.

10
11 **COMMISSIONER BAKER** – Okay.

12
13 **APPLICANT STEVEN SHAW** – A grease food receptor is required. I think
14 we’re doing 1200 gallons but don’t quote me on that. It’s over 1000.

15
16 **CHAIR LOWELL** – The plans right here show 1500 gallons. Sorry.

17
18 **APPLICANT STEVEN SHAW** – It could be 1500, yeah. And it will be in the.....I
19 don’t know if we show it in the Site Plan, it’s hard for me to see. But it will be
20 outside. It’s required to be outside of the restaurant, so somewhere in the
21 parking lot where they have access to clean it.

22
23 **CHAIR LOWELL** – I just noticed it after Mr. Baker said it, but it’s right behind the
24 trash enclosure.

25
26 **APPLICANT STEVEN SHAW** – Okay.

27
28 **CHAIR LOWELL** – In the parking stall.

29
30 **APPLICANT STEVEN SHAW** – Okay.

31
32 **COMMISSIONER BAKER** – Yeah, I see it. Yeah. Okay, very good. Thank
33 you.

34
35 **CHAIR LOWELL** – Yeah, it shows it.

36
37 **APPLICANT STEVEN SHAW** – Thanks.

38
39 **CHAIR LOWELL** – I was actually going to ask that same question, but you beat
40 me to it.

41
42 **COMMISSIONER BAKER** – Okay.

43
44 **CHAIR LOWELL** – Well I just worked on a similar project. Any other questions
45 or comments before we move to go to a motion? I don’t see anybody’s hands.
46 No lights. Okay, would anybody like to motion, make a motion? If you make a

1 motion, I request that you read your motion or state your motion also. Don't
2 everybody rush. We have a motion by Commissioner Van Natta.

3
4 **COMMISSIONER VAN NATTA** – I move that we **APPROVE** Resolution No.
5 2015-31 as the recommendation from the Staff is.

6
7 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And as amended.

8
9 **CHAIR LOWELL** – And as amended.

10
11 **COMMISSIONER VAN NATTA** – And as amended.

12
13 **CHAIR LOWELL** – So we have a motion by Commissioner Van Natta. Do we
14 have a second?

15
16 **COMMISSIONER BAKER** – I'll second.

17
18 **CHAIR LOWELL** – We have a second by Commissioner Baker. Please place
19 your vote. Oh, you need to push the button. All votes have been cast. Last
20 chance, we're going to end the vote. There we go. The motion passes 7-0. Do
21 we have a Staff wrap-up on this item?

22
23
24 Opposed – 0

25
26
27 **Motion carries 7 – 0**

28
29
30 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, before I give the normal Staff
31 wrap-up, I wanted to extend my appreciation to the Applicant's representative for
32 coming up this evening and actually paying some compliments to my Staff. We
33 appreciate that very much when the applicant's do that. But, in all candor, this
34 has been a challenging site and we also want to say that we appreciate the
35 patience that El Pollo Loco has actually extended to us in working with them
36 through the issues. And we are committed to working with El Pollo Loco in a
37 more timely and expeditious fashion as they move forward towards the actually
38 construction of this, so that's our commitment to El Pollo Loco. We are pleased
39 that they were able to get through this tonight. As far as the wrap-up goes, this is
40 a Conditional Use Permit. The Conditional Use Permit, it is an application or
41 entitlement that is subject to appeal. Any interested party that would like to
42 appeal this has 15 days to appeal your action. The appeal should be filed
43 directly to the Community Development Director, and if an appeal is filed, it will
44 be scheduled for a hearing before the City Council within 30 days.

45
46 **CHAIR LOWELL** – Thank you very much.

1
2
3 **OTHER BUSINESS**
4
5

6 **CHAIR LOWELL** – With that said, let’s move onto Other Business, which I don’t
7 think we have any. One of the things that I’d like to ask is if our alternates will be
8 available on the next meeting on December 10th, 2015, to hear the Verizon item?
9 They are both nodding yes, so I’m assuming that’s a yes. Perfect.

10
11
12 **STAFF COMMENTS**
13

14 **CHAIR LOWELL** – Okay, Staff Comments. Do we have any Staff Comments
15 tonight?

16
17 **PLANNING OFFICIAL RICK SANDZIMIER** – Just a couple. One, I’ve already
18 introduced the promotion that we’ve given to Grace. So we look forward to
19 Grace moving on to a different role, and we look forward to having Erica Tadeo.
20 We will introduce her when she comes on board. She was formally approved on
21 the personal access for City Council earlier this week, so we’re just working on a
22 start date. And then, once we have the start date, we will be bringing her before
23 you. We are also hearing some noise on the streets with regard to the World
24 Logistics Center project. As you know, the World Logistics Center project was in
25 the newspaper in terms of initiatives that are being circulated. We’ll keep you
26 posted on anything else we hear, but what we’re hearing is that there could be
27 some activity in the near future. If any of the Commissioner’s are hearing
28 anything or have any questions, please direct your questions to me. I’ll be happy
29 to try and shed any light on that that you might hear. We are not going to be
30 having a second meeting in November because we have the Thanksgiving
31 holiday coming up, so I’d like to just close on wishing all of you a very happy
32 Thanksgiving and we’ll see you in the early part of December.

33
34 **CHAIR LOWELL** – Thank you very much. I would like to thank Ms. Vargas for
35 her work tonight. Thank you very much. Congratulations to Mrs. Espino-Salcedo
36 for her promotion. Any other questions or any other comments by
37 Commissioner’s?
38

39
40 **PLANNING COMMISSIONER COMMENTS**
41

42 **CHAIR LOWELL** – Any other questions or any other comments by
43 Commissioner’s?
44

45 **COMMISSIONER VAN NATTA** – I did want to say we’re not happy about losing
46 you, but we’re glad you got the promotion.

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PERMIT TECHNICIAN GRACE ESPINO-SALCEDO – Thank you.

CHAIR LOWELL – I’ll second that. I don’t want to see you go, but I’m happy you’re moving on.

ADJOURNMENT

CHAIR LOWELL – With that said, I’d like to adjourn to our next Regular-Scheduled Meeting, which is December 10th, 2015, at 7:00 PM right here in the Council Chambers. Thank you very much and have a good night.

NEXT MEETING

Next Meeting: Planning Commission Regular Meeting, December 10th, 2015 at 7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

Richard J. Sandzimier
Planning Official
Approved

Date

Brian R. Lowell
Chair

Date

1 CITY OF MORENO VALLEY PLANNING COMMISSION
2 REGULAR MEETING
3 CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET
4

5 Thursday, February 25th, 2016, 7:00 PM

6
7
8 CALL TO ORDER
9

10 CHAIR LOWELL – Good evening ladies and gentleman. I would like to call to
11 order the Regular Meeting of the Planning Commission. Today is Thursday
12 February 25th, 2016. The time is 7:03 PM. Could we have rollcall please?
13

14
15 ROLL CALL
16

17 Commissioners Present:

18 Commissioner Ramirez
19 Commissioner Korzec
20 Commissioner Van Natta
21 Commissioner Baker
22 Commissioner Barnes
23 Vice Chair Sims
24 Chair Lowell
25 Alternate Commissioner Nickel
26 Alternate Commissioner Gonzalez
27

28 Staff Present:

29 Rick Sandzimier, Planning Official
30 Paul Early, Assistant City Attorney
31 Claudia Manrique, Associate Planner
32 Julia Descoteaux, Associate Planner
33 Erica Tadeo, Administrative Assistant
34

35
36 PLEDGE OF ALLEGIANCE
37

38 CHAIR LOWELL – Thank you very much, and I believe Commissioner Van
39 Natta would like to lead us in the Pledge of Allegiance tonight.
40

41 COMMISSIONER VAN NATTA – Please stand and join me in the pledge to our
42 flag.
43
44

1 **APPROVAL OF THE AGENDA**

2
3 **CHAIR LOWELL** – Thank you. Please be seated. Would anybody like to move
4 to approve tonight’s Agenda? Can we vote on this? Wait for the vote. Do we
5 have the voting option enabled on this? How about we just do a verbal motion?
6 Oh, there we go.

7
8 **COMMISSIONER VAN NATTA** – I move to approve the Agenda.

9
10 **CHAIR LOWELL** – Awesome. Would anybody like to second?

11
12 **COMMISSIONER BAKER** – I’ll second.

13
14 **CHAIR LOWELL** – Seconded by Mr. Baker. Okay, please cast your vote.
15 Perfect. Tonight’s Agenda has been approved 7-0.

16
17
18 Opposed – 0

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20
21 **Motion carries 7 – 0**

22
23
24 **CONSENT CALENDAR**

25
26 *All matters listed under Consent Calendar are considered to be routine and all*
27 *will be enacted by one rollcall vote. There will be no discussion of these items*
28 *unless Members of the Planning Commission request specific items be removed*
29 *from the Consent Calendar for separate action.*

30
31
32 **CHAIR LOWELL** – Moving onto our Consent Calendar. I do not believe we
33 have any Consent Calendar items tonight?

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – None.

36
37 **CHAIR LOWELL** – Perfect.

38
39
40 **APPROVAL OF MINUTES**

41
42 None

43
44 **CHAIR LOWELL** – Moving onto the Public Comments portion. Do we have
45 any Public Comments speakers tonight?

Minutes Acceptance: Minutes of Feb 25, 2016 7:00 PM (APPROVAL OF MINUTES)

1 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – We do have one.

2
3 **CHAIR LOWELL** – Okay.

4
5 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – On a non-item.

6
7 **CHAIR LOWELL** – Let me clarify.

8
9
10 **PUBLIC COMMENTS PROCEDURE**

11
12 *Any person wishing to address the Commission on any matter, either under*
13 *Public Comments section of the Agenda or scheduled items or public hearings,*
14 *must fill out a “Request to Speak” form available at the door. The completed*
15 *form must be submitted to the Secretary prior to the Agenda item being called by*
16 *the Chairperson. In speaking to the Commission, any member of the public may*
17 *be limited to three minutes per person, except for the applicant for entitlement.*
18 *The Commission may establish an overall time limit for comments on a particular*
19 *Agenda item. Members of the public must direct their questions to the*
20 *Chairperson of the Commission and not to other members of the Commission,*
21 *the applicant, the Staff, or the audience. Additionally, upon request, this Agenda*
22 *will be made available in appropriate alternate formats to persons with disabilities*
23 *in compliance with the American Disabilities Act of 1990. Any person with*
24 *disabilities who requires a modification or accommodation in order to participate*
25 *in a meeting should direct their request to Guy Pagan, our ADA Coordinator at*
26 *(951) 413-3120 at least 48 hours before the meeting. The 48-hour notification*
27 *will enable the City to make reasonable arrangements to ensure accessibility to*
28 *the meeting.*

29
30
31 **CHAIR LOWELL** – With that, I’d like to open the Public Comments portion of the
32 meeting tonight. Please call the first speaker.

33
34 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Rafael Brugueras.

35
36 **CHAIR LOWELL** – There we go.

37
38 **SPEAKER RAFAEL BRUGUERAS** – Good evening Commissioners, Staff,
39 residents of Moreno Valley, and guests. My name is Rafael Brugueras, and I’m
40 part of the Moreno Valley Job Coalition. I’m here to say thank you so much to all
41 you Commissioners for the good work that you have done because I’ve been to a
42 lot of meetings and I’ve been hearing of all the new projects that have been
43 approved that are in their last phases and Moreno Valley is really grateful to you
44 seven really because it takes courage to figure a lot of things out and make sure
45 that the City is getting their fair part of it. You know, that we’re not getting bad
46 companies coming in and destroying our city because that’s the fight throughout

1 everything that we do in the city is to make sure that our city stays protected,
2 safe, and clean. Being part of some of the other organizations that I go to and
3 listen to, all the work that you have approved the City needs to know that it
4 begins here. All the work begins right here in this room with you seven approving
5 the work, and I for one do not want to forget who you are. And the City should
6 not forget who you are because you do a lot of great work for us, and we fight for
7 these kinds of jobs and approvals. So thank you so much for your hard work and
8 may you all be blessed. Thank you so much.

9
10 **CHAIR LOWELL** – Thank you very much. Our next speaker is Tom Jerele.

11
12 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – I’m sorry, Chair. He’s
13 actually going to be speaking on the first item.

14
15 **CHAIR LOWELL** – Ah. Were you wanting to speak on the Non-Public?

16
17 **SPEAKER TOM JERELE** – Will the Commission oblige me for just a second?

18
19 **CHAIR LOWELL** – Sure.

20
21 **SPEAKER TOM JERELE** – I just want to say Happy New Year and welcome
22 back. I haven’t been here in a while, and I want to echo Mr. Brugueras’
23 comments. We do appreciate the good work the Commission has done. I think
24 what you did with a really challenging controversial project with WLC was nothing
25 short of masterful. It was very well done. I will always be grateful for that. I think
26 you really set the bar high, not just for the Commission but for the City, so you
27 should be commended for that. And I know it takes a lot of commitment to do
28 what you guys do. You don’t do it for the money. It’s a big, big, big undertaking;
29 a big responsibility. I do want to give an applaud outside of Planning, but you
30 know if we don’t have good things in our City....Next week we’ve got that great
31 concert over at the City Hall right at the main building at 7:00 on Thursday, the
32 3rd. It’s going to be, I can’t remember, the famous composer’s work there that
33 does all the Star Wars music and everything. So, anyhow, it’s free and it’s a
34 wonderful thing. It’s a great way to develop community pride. Have a nice
35 evening. Thank you.

36
37 **CHAIR LOWELL** – Thank you very much. I’m assuming you still wanted to
38 speak on the next item? Are there any more Public Comments Speaker Slips?

39
40 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – No.

41
42 **CHAIR LOWELL** – Perfect. With that, I will close the Public Comments portion.
43
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45
46

1 **NON-PUBLIC HEARING ITEMS**

2
3 None

4
5 **CHAIR LOWELL** – Moving onto the Non-Public Hearing Items. Do we have any
6 Non-Public Hearing Items tonight?

7
8 **PLANNING OFFICIAL RICK SANDZIMIER** – We have none.

9
10 **CHAIR LOWELL** – Perfect.

11
12
13 **PUBLIC HEARING ITEMS**

- 14
- 15 1. Case: PA15-0042 (CUP)
- 16
- 17 Applicant: Verizon Wireless
- 18
- 19 Owner: Oasis Community Church
- 20
- 21 Representative: Smartlink, LLC (James Rogers)
- 22
- 23 Location: 23750 Alessandro Blvd (Oasis Community Church)
- 24
- 25 Case Planner: Claudia Manrique
- 26
- 27 Council District: 3
- 28
- 29 Proposal: Conditional Use Permit (PA15-0042) for a new
- 30 wireless facility
- 31
- 32

33 **STAFF RECOMMENDATION:**

34
35 Recommend the Planning Commission **APPROVE** Resolution No. 2016-02.

- 36
- 37 1. **CERTIFY** that the proposed Verizon wireless telecommunications facility is
- 38 exempt from the provisions of the California Environmental Quality Act
- 39 (CEQA), as a Class 3 Categorical Exemption, CEQA Guidelines, Section
- 40 15303 for New Construction or Conversion of Small Structures; and
- 41
- 42 2. **APPROVE** Conditional Use Permit PA15-0042 based on the findings
- 43 contained in Planning Commission Resolution 2016-02, subject to the
- 44 conditions of approval included as Exhibit A of the Resolution.
- 45
- 46

1 **CHAIR LOWELL** – Moving onto our first Public Hearing Item, which is case
2 PA15-0042. The Applicant is Verizon Wireless. The Case Planner is Ms.
3 Claudia Manrique.

4
5 **PLANNING OFFICIAL RICK SANDZIMIER** – I'd just like to introduce Claudia
6 Manrique, our Associate Planner. The application before you is a wireless
7 communications.
8

9 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Good evening. I'm Claudia
10 Manrique, the Case Planner. Tonight we have a Conditional Use Permit, a CUP
11 for a new wireless facility. It is a 70 foot tall mono-broadleaf also known as an
12 elm tree tower. The proposed tower is located at the Oasis Community Church.
13 It's in the parking lot. The church is located at 23750 Alessandro Boulevard. We
14 have the aerial. The small yellow dot within the red box is the location of the
15 proposed tower. Verizon has a new design, which doesn't require an equipment
16 shelter and allows for a smaller footprint, so the lease area is 14 x 16 and will
17 house the required equipment in the tower. The lease area will be screened by
18 an 8-foot fence, which would be screened by some landscape shrubs, as well as
19 the existing trash enclosure that's located on the south end of the proposed site.
20 Here is the Site Plan. South is Alessandro Boulevard. The site is 350 feet back
21 or north off Alessandro. The houses to the north are 240 feet. And then the
22 setbacks from both the east and west, which are neighboring commercial uses
23 as well, are 250 feet. Here is a closer slide of the actual Site Plan. The three
24 large circles with the crosshair in the center are going to be proposed additional
25 trees that will be planted. The species are not called out yet. They will fit the
26 environment and the climate of Moreno Valley and will be one of the broadleaf
27 species that's currently in the parking lot. There's about three or four different
28 tree species currently in the parking lot, so we wanted to sort of pick one or two
29 of the ones and have them blend in further. This is the tower itself. Again, it is
30 70 feet. Here are some conceptual drawings of the tree and also the proposed
31 additional planning of the three trees that will be added to the site. Here is
32 looking north from Alessandro, east looking towards the site, looking southwest,
33 and here we have again east from the parking lot looking towards the tree. Site
34 analysis for the project identified a significant gap in the coverage from
35 Alessandro and Peacock Street and this proposed tower will fill in and increase
36 the capacity for Verizon. This is the existing coverage. The site is located within
37 the navy blue close to the pale blue. It's sort of hard to see. Here's with the
38 proposed site. You'll notice it's all green now and then this is with the additional
39 sites nearby. The proposed site is exempt under CEQA Class 3, Section 15303,
40 for New Construction or Conversions of Small Structures as the site and project
41 will not have a significant impact on the environment. Public notice was sent to
42 all the property owners within 300 feet of the project, as well as posted on site
43 and published in the Press Enterprise Newspaper. All three items were
44 completed on February 13th. Staff recommends that the Planning Commission
45 certify that the project is exempt under CEQA Class 3, Section 15303, and

Minutes Acceptance: Minutes of Feb 25, 2016 7:00 PM (APPROVAL OF MINUTES)

1 approve Conditional Use Permit PA15-0042 based on the findings in Resolution
2 2016-02. Thank you.

3
4 **CHAIR LOWELL** – Thank you very much. Do we have any questions for Staff
5 before we invite the Applicant up? Any questions? Commissioner Ramirez.

6
7 **COMMISSIONER RAMIREZ** – Have there been any concerns raised by any of
8 the businesses or residents in the area?

9
10 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – No. As of tonight, I received
11 no phone calls or inquiries about the project.

12
13 **COMMISSIONER RAMIREZ** – Thank you.

14
15 **CHAIR LOWELL** – Any other questions before we invite the Applicant up?
16 Commissioner Barnes.

17
18 **COMMISSIONER BARNES** – Does this site have a provision for additional
19 vendors to use this pole or is this Verizon only?

20
21 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Right now it's Verizon only,
22 but with the 70 feet it does allow for co-location in the future.

23
24 **CHAIR LOWELL** – Any other comments or questions? Perfect. I'd like to invite
25 the Applicant up if they would like to say something.

26
27 **APPLICANT JAMES ROGERS** – Good evening Commissioners. My name is
28 James Rogers. I'm with Smartlink. We're representing Verizon Wireless on this
29 application. Just quickly with regards to the question the Commissioner had
30 regarding the co-location. On the elevation drawings, we do show where
31 additional antennas could be placed, so there is spacing there. Structurally, it will
32 accommodate. If, when, how many? That's up to some future wireless carrier,
33 so you know we can't say just when or how that would occur. Obviously, it would
34 come through the City for review and approval. As far as the project, as staff
35 showed in the exhibits here and the Staff Report, Verizon's coverage really drops
36 off at about I believe it's Graham north/south Street to the west. And so this site
37 is necessary really to cover all the businesses and then the residential
38 neighborhoods along Alessandro going further to the east. The conditions of
39 approval, as they've been drafted, Verizon has reviewed them and finds them
40 acceptable. And, at this point, I think I would just be happy to answer any
41 questions you might have or that might come up in the hearing.

42
43 **CHAIR LOWELL** – Thank you very much. Does anybody have any questions
44 for the Applicant? I appreciate it. We'll call you up if we have any questions. I'm
45 assuming we have a couple Public Comments?

46

1 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – We do.

2
3 **CHAIR LOWELL** – Perfect. I’d like to open up the Public Comments portion of
4 this hearing item. Where’s the speaker button? I don’t have the ability to call up
5 somebody right now. Could you call them up for me?

6
7 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yeah, we have...first up is
8 Rafael Brugueras.

9
10 **SPEAKER RAFAEL BRUGUERAS** – I want to make a correction before I
11 speak.

12
13 **CHAIR LOWELL** – Okay.

14
15 **SPEAKER RAFAEL BRUGUERAS** – I was hoping that, why I put down
16 three/one, I’m thinking that this is one, two, and three on the back. So I want to
17 speak on Aquabella.

18
19 **CHAIR LOWELL** – Okay.

20
21 **SPEAKER RAFAEL BRUGUERAS** – So I’m good to go back?

22
23 **CHAIR LOWELL** – Yeah, you’re fine.

24
25 **SPEAKER RAFAEL BRUGUERAS** – Great, thank you.

26
27 **CHAIR LOWELL** – Thank you. I know we saw somebody submitted late
28 paperwork. If anybody else would like to speak on this, please fill out a form.
29 Could you call up the next speaker please?

30
31 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Tom Jerele.

32
33 **CHAIR LOWELL** – I don’t know why I don’t have the option to call up speakers
34 myself.

35
36 **SPEAKER TOM JERELE** – Thank you. Chair Lowell, Vice Chair Sims,
37 Commissioners, Staff and the public both in the chambers and watching at home
38 and on the internet: I have been reticent about supporting cellphone tower
39 approvals. For one thing, they’ve come quite a long way of, you know, making
40 them look good. I was looking at a real tree the other day. I could have sworn it
41 was. It was so perfect. I said I didn’t know real trees grew that perfectly. I said
42 that’s got to be one of them. I’m looking, no antenna. Maybe there was one. It
43 was really tough. But, anyways, they’ve done a great job and I’ve seen some of
44 the Verizon plans. You know, I always tell people you can tell a good project just
45 by the quality of the plans, and with several engineers on the Commission, I’m
46 sure you can respect that. They really put a lot of detail and further they answer

1 a lot of questions. But the biggest reason I support this and just about any cell
2 tower that might come up, I deem it a public safety issue. I was surprised to hear
3 that the coverage dropped off in the heart of, you know, think about it. That's a
4 dense area and that's old Sunnymead. And we have so many people now that
5 are dropping home lines anymore and they're banking on that cellphone. I had
6 an old slide phone that was about four years old. It was my old zero G phone
7 and well I got bad reception. I got a brand new top of the line Android, and it's
8 still dropping calls and I'm not with Verizon. I'm with Sprint, and I think they are
9 very weak in this area. And that's one comment that I'd like to give. I like the
10 idea of being able to accommodate other users because my service is better
11 down the hill, but up in Sunnymead Ranch it's really, really bad. I mean I've
12 missed some very, very important calls and they don't even go through. It
13 doesn't tell me I've missed them or anything. So, people say, I called and you
14 didn't answer and nothing happened. That's weird. So, in any event, but God
15 forbid you needed a cop, fire department, ambulance or somebody else did. So,
16 it's a public safety issue and I really not only support this but the ongoing effort.
17 I've actually talked to the Utilities Commission several times. I've asked them to
18 go to the industry. In fact, maybe one of these gentlemen can provide some
19 resources where the industry will map out and show where the weak points are
20 because we need to get our City better served for all the service companies.
21 Thank you.

22
23 **CHAIR LOWELL** – Thank you, Tom.

24
25 **SPEAKER TOM JERELE** – Oh, I'll give you my slip from last time.

26
27 **CHAIR LOWELL** – Can you call up the next speaker Ms. Tadeo.

28
29 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – I think it's Randel Parcell. I
30 apologize.

31
32 **SPEAKER RANDEL PARCELL** – Sorry for the late entry.

33
34 **CHAIR LOWELL** – Not a problem.

35
36 **SPEAKER RANDEL PARCELL** – My first time speaking on my City Council up
37 here so didn't know the process.

38
39 **CHAIR LOWELL** – It's the Planning Commission.

40
41 **SPEAKER RANDEL PARCELL** – Oh, the Planning Commission.

42
43 **CHAIR LOWELL** – We just got promoted.

44
45 **SPEAKER RANDEL PARCELL** – You're obviously doing better, so.

46

1 **CHAIR LOWELL** – We should just change this to mayor right now for the
2 hearing.

3
4 **SPEAKER RANDEL PARCELL** – I live 300 feet right behind the tower. I'm one
5 of the houses there. I'm not opposed to the tower. I went online and checked for
6 any cancer causing law and basically up to one to two miles, nothing closer than
7 one mile, was registered. That's still not my concern. My concern is, is there a
8 plan in place for the people along that wall that have their own cellphones being
9 scrambled and for interference for the Wi-Fi in our homes? Is there a plan in
10 place we can call once the tower is in to rectify a problem that we do not have at
11 this time?

12
13 **CHAIR LOWELL** – I don't know that answer. We can address that after your
14 time if up if you'd like.

15
16 **SPEAKER RANDEL PARCELL** – Yeah, that's a big deal. We have no
17 problems at this time with Wi-Fi, cellphone connections, nothing. So once the
18 tower goes in, if we start having problems, what are our recourses?

19
20 **CHAIR LOWELL** – Well we'll ask the Applicant.

21
22 **SPEAKER RANDEL PARCELL** – And I have Verizon anyways, so that's it.
23 Thank you.

24
25 **CHAIR LOWELL** – Thank you very much. Do we have any questions or
26 comments before we ask the Applicant if they'd like to rebut? No? Would the
27 Applicant like to respond to what was just asked?

28
29 **APPLICANT JAMES ROGERS** – Okay, as I understand the question, will there
30 be any interference on the residents to the north on their existing cellphones or
31 Wi-Fi systems. Short answer is no. There will not be any interference. The FCC
32 is very specific on the frequencies that are divided out between the different
33 carriers and frankly the frequencies used by most cities and their public safety
34 systems (fire, police, etc.) so that there is not any interference. The only
35 interference we typically might be concerned about is where we are say putting
36 antennas themselves very close to each other, like we would on the tower, and
37 then we'd have interference between each other. That's why there has to be a
38 certain amount of either vertical or horizontal separation of the antennas but for
39 the residents surrounding, no, there will not be any interference on their devices
40 frankly unless there is something wrong with their device. And I'm glad to hear
41 that he is a Verizon customer because obviously his service will improve greatly.
42 And the thing that I just learned last week from an expert is his battery life will
43 extend because it's not having to work so hard. Phones work harder trying to get
44 a signal from a base station or tower a mile away. Being this close his battery,
45 you know, his phone will have no trouble picking up and he should find his
46 battery lasting longer and not heating up as much; all good things.

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CHAIR LOWELL – Thank you very much.

COMMISSIONER VAN NATTA – Before you sit down, Sir. I think the second part of his question was, if there is a problem or they perceive a problem, who would they contact?

SPEAKER JAMES ROGERS – Well I know on the facility there will be, and I frankly now cannot remember if it's a condition of approval, it's a standard one of a sign going on the fence with a phone number to contact regarding the facility. So they can certainly do that. Probably, frankly the best way, is for them to contact the City and the City will contact Verizon because we have to comply with all the conditions of approval.

CHAIR LOWELL – Okay, thank you.

COMMISSIONER VAN NATTA – Thank you.

CHAIR LOWELL – You can probably call the Planning Department. Pretty much any department you can just ask and they will direct you around. Let's just give out Rick's cellphone.

PLANNING OFFICIAL RICK SANDZIMIER – So my response, the gentleman was absolutely right. First, they can contact Verizon as their provider and see what Verizon can do to kind of investigate it. If they contacted the City, the City would only be in a facilitation position to kind of help them get numbers to reach out to Verizon or to reach out to the FCC. But the City is not necessarily going to be in a regulatory framework to actually correct that problem, but we can point them in the right direction.

CHAIR LOWELL – Does that answer your question, Sir?

SPEAKER RANDEL PARCELL – Yeah.

COMMISSIONER VAN NATTA – I think he mentioned that there would be a plaque on the fence that has a phone number of who to call.

CHAIR LOWELL – Well that's a question we haven't been asked before, so we don't have a good answer. But we'll look into it for you.

SPEAKER RANDEL PARCELL – Is there a way I could get a response?

COMMISSIONER VAN NATTA – I don't know. Ask the Council.

ASSISTANT CITY ATTORNEY PAUL EARLY – Chair, the issue that I see here is that the City has no authority or jurisdiction over this particular issue. It would

1 be the FCC that would have exclusive regulation over interference and
2 frequencies that are used by these towers. So, if there were ever any concerns
3 or problems with that, the appropriate agency to contact would be the FCC in this
4 regard.

5
6 **CHAIR LOWELL** – There you go. Sorry we’re not more helpful but that’s the
7 path of least resistance I guess. With that said, do we have any questions or
8 comments before we ask for a motion?

9
10 **COMMISSIONER BARNES** – I have a question.

11
12 **CHAIR LOWELL** – Commissioner Barnes.

13
14 **COMMISSIONER BARNES** – Back to the multiuser aspect of it. Is that
15 something that the City can condition the facility to have, the ability at least to
16 other vendors? Or is that outside the City’s purview?

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – Well our requirement is that we
19 can ask them to plan for a future co-location, but we can’t compel them to co-
20 locate.

21
22 **COMMISSIONER BARNES** – Okay.

23
24 **PLANNING OFFICIAL RICK SANDZIMIER** – And, if I may, to the other
25 gentleman’s question. If they want to contact the Planning Staff tomorrow, we
26 can reach out and find out if we can get a number from the FCC to give to them.
27 But, right now, I don’t have a number for him. But I’d be happy to try and do
28 some research for that gentleman if you’d like. My name is Rick Sandzimier. I’m
29 the Planning Official. Thank you.

30
31 **CHAIR LOWELL** – Thank you. Any other questions before we motion? No?
32 Who would like to motion? Don’t everybody jump up at once.

33
34 **COMMISSIONER VAN NATTA** – Okay. I move that the Planning Commission
35 approve Resolution 2016-02 and certify that the facility is exempt from CEQA
36 and approve the Conditional Use Permit as recommended by Staff.

37
38 **CHAIR LOWELL** – Perfect. Would anybody like to second?

39
40 **COMMISSIONER KORZEC** – I’ll second.

41
42 **CHAIR LOWELL** – Perfect. Motion by Commissioner Van Natta and seconded
43 by Commissioner Korzec. Please cast your vote. We are waiting on
44 Commissioner Baker. Perfect. All votes are cast. The motion passes 7-0. Do
45 we have a Staff wrap-up on this item?
46

1
2 Opposed – 0
3

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5 **Motion carries 7 – 0**
6

7
8 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes. This is an approval that is
9 appealable. If anybody is interested in appealing this particular action this
10 evening, they have 15 days to do so. They can file their appeal to the City
11 Council through the Community Development Director, and we will agendize it for
12 consideration by the City Council within 30 days.
13

14 **CHAIR LOWELL** – Thank you very much. Moving onto the next item on the
15 Agenda, which is we actually have two things. We have the update of the
16 Development Agreement and the hearing on the update?
17

18 **PLANNING OFFICIAL RICK SANDZIMIER** – We have an Annual Report and a
19 request for an extension of time. Julia Descoteaux, our Associate Planner, is
20 going to give the Staff Report and go over those two items for you.
21

22 **CHAIR LOWELL** – Perfect, so the next item is Case P15-108. Like you said,
23 the Case Planner is Ms. Julia Descoteaux.
24

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- | | | |
|----|-------------------|---------------------------------------|
| 26 | 2. Case: | P15-108 |
| 27 | | |
| 28 | Applicant: | Highland Fairview |
| 29 | | |
| 30 | Owner: | Highland Fairview |
| 31 | | |
| 32 | Representative: | Wayne Peterson |
| 33 | | |
| 34 | Location: | South of Iris Avenue to Cactus Avenue |
| 35 | | |
| 36 | Case Planner: | Julia Descoteaux |
| 37 | | |
| 38 | Council District: | 3 |
| 39 | | |

40
41 **RECOMMENDED ACTION:**

42
43 **Recommendations:**

- 44
45 1. That the Planning Commission recommends that the City Council
46 accept the Aquabella Development Agreement Annual Report as

1 submitted by Highland Fairview finding that the property owner has
2 complied in good faith with the terms, obligations and conditions of the
3 Aquabella Development Agreement, and
4

- 5 2. That the Planning Commission recommends that the City Council
6 authorize the Mayor to sign the Extension of Term Agreement for the
7 Aquabella Development Agreement extending the term to January 12,
8 2021, as provided in Section 2.3.2 of the Development Agreement
9 adopted by Ordinance No. 704.

10
11
12 Proposal: EXTENSION OF TERM FOR THE AQUABELLA
13 DEVELOPMENT AGREEMENT FOR FIVE YEARS AS
14 PROVIDED FOR IN THE AGREEMENT AND THE ANNUAL
15 REVIEW OF THE AGREEMENT.
16

17
18 **ALTERNATIVES**
19

- 20 1. That the Planning Commission recommends that the City Council accept the
21 Aquabella Development Agreement Annual Report as submitted by Highland
22 Fairview finding that the property owner has complied in good faith with the
23 terms, obligations and conditions of the Aquabella Development Agreement,
24 and **(Staff recommendation)**.
25 2. That the Planning Commission recommends that the City Council authorizes
26 the Mayor to sign the Extension of Term (Attachment 1) Agreement for the
27 Aquabella Development Agreement to approve a five year extension of the
28 Development Agreement extending the term to January 12, 2021, as provided
29 for in Section 2.3.2 of the Development Agreement adopted by Ordinance No.
30 704 **(Staff recommendation)**.
31
32 3. That the Planning Commission recommends that the City Council reject the
33 Annual Report based on evidence that the developer is in default **(Staff does**
34 **not recommend this alternative)**.
35
36 4. That the Planning Commission recommends that the City Council reject the
37 request for an Extension of Term of the Aquabella Development Agreement
38 **(Staff does not recommend this alternative)**.
39
40 5. That the Planning Commission recommends that the City Council modify the
41 request for an Extension of Term of the Aquabella Development Agreement
42 for a period of less than five (5) years **(Staff does not recommend this**
43 **alternative)**.
44
45
46

1 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Good evening Planning
2 Commissioners. Again, I'm Julia Descoteaux and the item before you this
3 evening is a request from the City Council that the Planning Commission review
4 the Extension of Term and the Annual Review for the Aquabella Development
5 Agreement. The item was put on the calendar for the January 5th City Council
6 Meeting. However, with mutual agreement with the developer (Highland
7 Fairview) and City Staff, it was pulled from consideration with an express from
8 the Council that the Planning Commission review and provide a recommendation
9 to them. The Extension of Term has been submitted again by Highland Fairview
10 to request a five-year extension on the Aquabella Agreement. The original
11 agreement was established on January 12th, 2006, and was for a term of 10
12 years. The Agreement provides the opportunity for up to three 5-year
13 extensions. The extensions can be one year or up to five years. It can be
14 anywhere in between. The Applicant was required to submit in writing the
15 request. And they stated that, while there are some indications of improving
16 economic conditions that should have a positive effect on the housing, there is
17 not yet enough strength in the market during the last several years to support the
18 project as it was originally proposed. The developer was also required, per the
19 agreement to the reasonable satisfaction of the City Engineer, offer for dedication
20 a portion of the public infrastructure set forth in Exhibit B of the attachment of the
21 agreement, which required that certain infrastructure be completed between Iris
22 north to Cactus. To date, all of those items have been completed, except for two.
23 One of them is a left turn lane at Fir and Nason and the other is a signal at
24 Delphinium and La Salle. The other improvements were done completed by the
25 City of Moreno Valley based on funding sources from Measure A monies, grant
26 monies, and several development impact funds. Additionally, the two remaining
27 improvements currently are not warranted due to the lack of physical
28 development on the site. The Annual Review provides that the Applicant
29 demonstrate good faith in compliance with the terms of the agreement. We did
30 receive, again, a letter from Highland Fairview requesting the Annual Review and
31 the City did accept that. The agreement provides that certain elements of the
32 agreement have to be in place prior to something else. For example, the
33 construction of the certain number of dwelling units has to be done before the
34 clubhouse and different facilities are in. To date, there has been no development
35 on the site. Currently, one-half of the project has been mass graded and the
36 erosion control and site stabilization features are in place. However, the grading
37 operation has ceased as of December 2007, and the developer has surrendered
38 the Mass Grading Permit. And, again, the City Council has asked that you
39 review the information and provide a recommendation to them as to whether you
40 feel that the intent of the agreement has been met and whether you would
41 recommend the five-year extension or anything up to that. This concludes my
42 presentation and Staff is here to answer any questions for you. Thank you.

43
44 **CHAIR LOWELL** – Thank you very much.

45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, I think Julia was pretty
2 thorough in there. I just wanted to make it really clear on the record that the
3 extension of the term is a provision that’s already allowed for in the Development
4 Agreement itself. So there’s no modification happening to the Development
5 Agreement, and there is no request in this at all to modify the actual underlying
6 Specific Plan. So it’s simply, what I would call, an administrative action again as
7 an advisory body to the City Council. The City Council is within their rights and
8 the Staff working with the City Council and the Applicant believes that this is a
9 prudent approach to bring it to the Planning Commission. And, if you have any
10 thoughts, we’ll take those thoughts to the City Council. But it’s really more of an
11 administrative review of the document at this point for you.

12
13 **CHAIR LOWELL** – Thank you. Do we have any questions of Staff before we
14 invite the Applicant up? No? Okay, I would like to invite the Applicant up if they
15 would like.

16
17 **APPLICANT IDDO BENZEEVI** – Good evening Commissioners, Iddo Benzeevi
18 presidency of Highland Fairview. There’s not much to add to the Staff Report. I
19 think they exactly expressed what the conditions are. Since 2007/2008, we all
20 experienced the big economic recession. Some call it the depression. We
21 started with mass grading. We’ve done a lot of work, about \$9 or \$10 million of
22 work on the site. And, when the economy sort of came to a standstill, so did we
23 and we’re waiting for better economic times. We have a plan that’s approved.
24 Nothing has really changed. We’re not currently changing anything and neither
25 did Staff recommend that we change anything. Some of those improvements
26 that have been articulated that have been done have been done some by the
27 City, some by the County, some by the MWD, Edison and so forth, and we as
28 well contributed several million dollars toward that effort; approximately about \$8
29 million. At this time, we’re simply asking for a continuation of the exact same
30 plan with no modification. We are waiting for better economic times so we can
31 continue with development. I’d be happy to answer any questions.

32
33 **CHAIR LOWELL** – Thank you very much. Do we have any questions for the
34 Applicant? No? Thank you very much. I do have a question for Staff real quick.
35 We had the Annual Report. Is there going to be a presentation or just with the
36 documents that were already provided?

37
38 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – It’s just with the documents
39 provided.

40
41 **CHAIR LOWELL** – Just double checking. I’m assuming we have some Public
42 Comment Speakers on this?

43
44 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – We do.

45
46 **CHAIR LOWELL** – Perfect. Could we invite them up one at a time?

1
2 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yes. First one is Rafael
3 Brugueras.

4
5 **SPEAKER RAFAEL BRUGUERAS** – Good evening again Commissioners,
6 Staff.....

7
8 **CHAIR LOWELL** – Before you start, I have to officially open the Public
9 Comments portion.

10
11 **SPEAKER RAFAEL BRUGUERAS** – Okay.

12
13 **CHAIR LOWELL** – There we go.

14
15 **SPEAKER RAFAEL BRUGUERAS** – Good evening Commissioners, Staff,
16 residents, guests: Once again, my name is Rafael Brugueras. I've been a
17 resident of Moreno Valley for 22 years, and I lost my house in 2009. I had to give
18 it up. I made a choice. I freaked out my wife. I really did. It broke her heart to
19 lose our home, but I had to do what I had to do. Okay? Highland Fairview could
20 have done the same. They could have gave up on us. They could have sold the
21 land. He would never have pitched in his \$8 million to help to City with some
22 improvements, so he's asking you for a favor. Or all of us are asking you for a
23 favor, for an extension. I wish they would've given me an extension for five years
24 to help with my house, but I obey the law. I gave it up. I moved on. I'm glad.
25 Really, I am glad that I had to give up the house because it would have probably
26 given me a stressful job. But, what I'm saying is, Highland Fairview never gave
27 up on the City. They never gave up on the land because the land did provide the
28 City revenue. He does pay his taxes on time. He does help the community
29 when it was down. Now things are improving. Hopefully next year when the
30 elections are over things will get better for the country because now we'll be
31 focused on four straight years of what is going to happen. So, as a resident and
32 part of the Moreno Job Coalition, you know sometimes it takes a little while to get
33 things done but they do get done. I hope when everything gets done and it
34 comes together, like I said in the beginning of my comments because of you
35 guys that bring jobs and approve good jobs in our City, we'll have more residents
36 living in our City contributing and hopefully the market will open up that way he
37 can build homes for them to live in as we are fighting now for fair housing and
38 other projects. Together we'll make this City one. I like two because we always
39 fight for one because we can always improve to be one. By being two, there's a
40 song that *One is a Lonely Number*. I know a lot of you guys know it if you were
41 born in the 60s or 70s, that nice little song there. But it's true. We've done very
42 well in the last couple of years because of you, the Staff, and the residents
43 fighting for Moreno Valley. I hope that Highland Fairview will get their approval
44 so we can continue to have hope for our City. Thank you.

45
46 **CHAIR LOWELL** – Thank you very much.

1
2 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Next one is Tom Jerele, Sr.

3
4 **SPEAKER TOM JERELE, SR.** – Before I start my time if I can make a quick
5 recommendation. Much like the City Council, they always call several speakers
6 so that the other speakers know who they are and they can kind of get in line. It
7 might help them with the meeting a little bit better. I'll give you a minute if there
8 are other speakers that you want to stage.

9
10 **CHAIR LOWELL** – Thank you, Tom. Go ahead. You can go ahead Tom, if you
11 want.

12
13 **SPEAKER TOM JERELE, SR.** – Thank you. Tom Jerele again speaking on
14 behalf of myself and definitely on behalf of the Sundance Center where I spent a
15 little bit of time day to day. Chair Lowell, Vice Chair Sims, Commissioners,
16 members of the Staff and public: I support the extension of time for this project
17 and I would any major project. It has nothing to do with who the developer is. It
18 has to do with just basic common sense. It doesn't take a rocket scientist to
19 know we've been in a long-term projected downturn. I listen to a lot of talk radio
20 and not always just the politics stuff. I listen to as much business stuff as I can. I
21 just heard a good show about the possibility of negative interest rates. You
22 know, that's really got a major economic impact if we hit that. I don't know if we
23 will, but still the fact that we can even conceive that is something. That would
24 mean you put your money in the bank and they are going to charge you to keep
25 it. No more even 1%, so you'll pay for the privilege and what ramifications it
26 could have on the economy. So, you know, we're in a different kind of economy.
27 I just heard a good report where the actual unemployment rate is actually 22% in
28 this country because the government has changed the way they do it. I went to
29 an economic conference with Professor Adibi who is from....Commissioner
30 Lowell and number one rated in the country, even over at UCLA. If you look at
31 this recovery, if you will, it's anemic compared to others. So, you know, I think
32 it's just a common sense thing to extend this or any major project that's hanging
33 in there. And I want to commend Highland Fairview. I think it's amazing they've
34 had the staying power to last this long. I mean a lot of you work in the
35 development industry, and I don't know too many people who could weather the
36 storm and still be here paying their bills and ready to start up again when the
37 economy comes back. So it would be a blessing in any community, much less
38 ours. It's a basic project and I was out of town when it came up for hearing many
39 years ago. I apologize to the developers because I owed them that support. I
40 give it now and it's belated, but nevertheless it's an incredible project. It would
41 be a great thing for the City. I said, and I speak on behalf of the center, we have
42 a little shopping center on Sunnymead Boulevard. Our rates today, our rental
43 rates, are about half what they were in 1987. That's a bad barometer for the
44 City, so an interjection of good quality housing in the City is a good thing, as well
45 as we need jobs and other factors. But I support the extension of time. Thank
46 you.

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CHAIR LOWELL – Next speaker please.

ADMINISTRATIVE ASSISTANT ERICA TADEO – I don't have anymore Speaker Slips.

CHAIR LOWELL – Okay. Anybody waiting to speak? Alright, with that, I will close the Public Comments portion. Would the Applicant like to respond to any of the comments they heard?

APPLICANT IDDO BENZEEVI – No.

CHAIR LOWELL – Alright, any Commissioner Comments or Questions? I don't see anybody chomping at the bit.

COMMISSIONER VAN NATTA – Yeah.

CHAIR LOWELL – Go for it. Commissioner Van Natta.

COMMISSIONER VAN NATTA – Just a couple of thoughts come to mind. Being in the real estate industry myself, I saw how strongly people were affected by the downturn in residential housing and the number of people who lost their homes because the values dropped and they lost their jobs and various different reasons and it is starting to come back. We're starting to see builders come in and get approvals and to start building but at a very slow rate compared to what we've seen before. We're seeing just a small number compared to back in the 2004 to 2006 range, but we are seeing an upturn. This type of a project is thriving in other areas. In the Banning-Beaumont area, they are building homes in retirements communities like this and they are very well received in there. They are great projects, and so I look forward to something like that happening here. And hopefully it will not be five years from now and we're looking at another extension. Hopefully the market will pick up enough to where we can have that big vacant piece of land there converted into something very nice that will be supported in the community.

CHAIR LOWELL – Thank you Commissioner Van Natta. I have one question for Staff. Could you clarify the extension terms? I know that the original agreement went into effect January 12th, 2006, for 10 years, which means January 12th, 2016. That date has since passed. Could you just clarify that, if we grant the five-year extension, is it from today? Is it from January 12th? Just a little clarification would be appreciated.

ASSOCIATE PLANNER JULIA DESCOTEAUX – The five-year extension would be from January 12th.

Minutes Acceptance: Minutes of Feb 25, 2016 7:00 PM (APPROVAL OF MINUTES)

1 **CHAIR LOWELL** – So the new expiration, if it was a five-year extension, would
2 be January 12th, 2021. Perfect, thank you. Questions? We have Commissioner
3 Sims waiting to speak.

4
5 **VICE CHAIR SIMS** – This is just a comment. I support the extension for five
6 years. I think it’s a good project. I think 27 additional residents of an upscale
7 senior-type would be of benefit to the City. I think it’s a low pressure, a low
8 expense to the City to have the additional this type of use for the property and I
9 think it dovetails well with the medical in the area. I think there’s good synergy
10 there, and I think long-term it’s a great benefit to the City.

11
12 **CHAIR LOWELL** – Any other questions or comments before I ask for a motion?
13 No? Would anybody like to make a motion? I’ll motion. I motion that the
14 Planning Commission recommends that the City Council accept the Aquabella
15 Development Agreement Annual Report as submitted by Highland Fairview
16 finding that the property owner has complied in good faith with the terms,
17 obligations, and conditions of the Aquabella Development Agreement and that
18 the Planning Commission recommend that the City Council authorize the mayor
19 to sign the Extension Term (Attachment 1) Agreement for the Aquabella
20 Development Agreement to approve a five-year extension of the Development
21 Agreement extending the term until January 12th, 2021, as provided in Section
22 2.3.2 of the Development Agreement adopted by Ordinance No. 704.

23
24 **COMMISSIONER VAN NATTA** – I second.

25
26 **CHAIR LOWELL** – Perfect. Please cast your votes. Commissioner Baker. No,
27 that’s the TV screen. Push the button one more time. There you go. Perfect,
28 last call for votes; three, two, one. The motion passes 7-0. Do we have a Staff
29 wrap-up on this item?

30
31
32 Opposed – 0

33
34
35 **Motion carries 7 – 0**

36
37
38 **PLANNING OFFICIAL RICK SANDZIMIER** – This item will be going to the City
39 Council. There is no appeal option since the City Council will be the final
40 deciding body.

41
42
43 **STAFF COMMENTS**

44
45 **CHAIR LOWELL** – Do we have any Staff Comments?
46

1 **PLANNING OFFICIAL RICK SANDZIMIER** – Just in general?

2
3 **CHAIR LOWELL** – On the Agenda.

4
5 **PLANNING OFFICIAL RICK SANDZIMIER** – I do want to report that we have
6 had some good successes lately in terms of the types of projects that are coming
7 through but also the types of programs. Tonight Mike Lee, our Economic
8 Development Director, and Allen Brock, our Community Development Director,
9 are off at an Inland Empire Economic Partnership Presentation where three
10 projects in Moreno Valley were nominated for awards. One was the World
11 Logistics Center. One was the Karma new car factory and the other one was the
12 Hire MoVal Program, so we're getting some good recognition through some of
13 the regional bodies and I think that's always a good sign. Thank you.

14
15 **CHAIR LOWELL** – I'm still waiting for the Karma factory to open up. I'm hoping
16 they'll give us Moreno Valley residents a discount on their cars.

17
18 **COMMISSIONER VAN NATTA** – You're just hoping they'll give you a test drive.

19
20 **CHAIR LOWELL** – Exactly, just a test drive is all I'm asking for.

21
22 **PLANNING OFFICIAL RICK SANDZIMIER** – I actually had an opportunity today
23 to actually go over to the shop, which is under construction. They've got a lot of
24 activity going on there. They've done some pretty wonderful things inside the
25 building to kind of get it ready for the type of car that they are actually building.
26 They are doing some test welding on some of the cars. You see the bodies kind
27 of come into shape, but there is nothing being produced. They are just starting to
28 train and test and get everything inside and it looks pretty good.

29
30
31 **PLANNING COMMISSIONER COMMENTS**

32
33 **CHAIR LOWELL** – Yeah, I'm excited for that project. It's a pretty awesome
34 project. Do we have any Planning Commissioner Comments? No? Okay.

35
36
37 **ADJOURNMENT**

38
39 **CHAIR LOWELL** – With that, I'd like to adjourn tonight's meeting to our next
40 Regular-Scheduled Meeting of the Planning Commission on March 24th, 2016, at
41 7:00 PM right here in the City Council Chambers. Thank you very much and
42 have a good night.

1 **NEXT MEETING**

2 *Next Meeting: Planning Commission Regular Meeting, March 24th, 2016 at 7:00*
3 *PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street,*
4 *Moreno Valley, CA 92553.*
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16 _____
17 Richard J. Sandzimier
18 Planning Official
19 Approved
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_____ Date

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31 _____
32 Brian R. Lowell
33 Chair
34

_____ Date

Minutes Acceptance: Minutes of Feb 25, 2016 7:00 PM (APPROVAL OF MINUTES)

1 CITY OF MORENO VALLEY PLANNING COMMISSION
2 REGULAR MEETING
3 CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET
4

5 Thursday, March 24th, 2016, 7:00 PM

6
7
8 CALL TO ORDER
9

10 CHAIR LOWELL – Good evening ladies and gentleman. I would like to call the
11 March 24th, 2016, Regular Meeting of the Planning Commission to order. The
12 time is 7:11 PM. Could we have rollcall please?
13

14
15 ROLL CALL
16

17 Commissioners Present:

18 Commissioner Ramirez
19 Commissioner Van Natta
20 Commissioner Baker
21 Commissioner Barnes
22 Alternate Commissioner Gonzalez
23 Alternate Commissioner Nickel
24 Vice Chair Sims
25 Chair Lowell
26

27 Staff Present:

28 Rick Sandzimier, Planning Official
29 Paul Early, Assistant City Attorney
30 Erica Tadeo, Administrative Assistant
31 Claudia Manrique, Associate Planner
32 Gabriel Diaz, Associate Planner
33 Mark Gross, Senior Planner
34 Jeff Bradshaw, Associate Planner
35
36

37 PLEDGE OF ALLEGIANCE
38
39

40 CHAIR LOWELL – I am here also. Thank you very much. I'd like to have
41 Rafael Brugueras lead us in the Pledge of Allegiance tonight. I apologize for
42 butchering your name.
43
44

1 **APPROVAL OF THE AGENDA**

2
3 **Approval of Agenda**

4
5 **CHAIR LOWELL** – Thank you very much. I'd like to move to approval of
6 tonight's Agenda with one exception, or one cavity. I would like to move the last
7 item, which is the continuance of the Public Hearing Item to be the first item we
8 talk about tonight just as a moment of clarity. So, with that, would anyone like to
9 motion to approve tonight's Agenda?

10
11 **COMMISSIONER BAKER** – I will.

12
13 **CHAIR LOWELL** – Nope. We can't vote. Okay, so motioned by Commissioner
14 Baker. Do we have a second?

15
16 **COMMISSIONER VAN NATTA** – Second.

17
18 **CHAIR LOWELL** – Seconded by Commissioner Van Natta. So, Ray, if you'd
19 like to push the move button. Second. Perfect, now please cast your votes.
20 Perfect, all votes have been cast. The Agenda has been approved, 7-0 and we
21 can move onto the meeting. That's awesome.

22
23
24 Opposed – 0

25
26
27 **Motion carries 7 – 0**

28
29
30 **CONSENT CALENDAR**

31
32 *All matters listed under Consent Calendar are considered to be routine and all*
33 *will be enacted by one rolcall vote. There will be no discussion of these items*
34 *unless Members of the Planning Commission request specific items be removed*
35 *from the Consent Calendar for separate action.*

36
37
38 **CHAIR LOWELL** – I do not believe that we have anything on the Consent
39 Calendar tonight, do we?

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – We do have the Minutes, but you
42 just wanted to move the last item up first. I think the first one.....

43
44 **CHAIR LOWELL** – I'm not 100% positive whether it should go before the
45 Consent Calendar or after it or just do it immediately.

1 **PLANNING OFFICIAL RICK SANDZIMIER** – I think it's fine to go now.

2
3 **CHAIR LOWELL** – Okay.

4
5
6 **PUBLIC HEARING ITEMS**

- 7
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10 1. Case: PA14-0011
11 Applicant: City of Moreno Valley
12 Owner: City of Moreno Valley
13 Representative: Community Development Department
14 Location: City-wide
15 Case Planner: Claudia Manrique
16 Council District: All
17 Proposal: Municipal Code Amendment

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27 **STAFF RECOMMENDATION:**

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29 Staff recommends that the Planning Commission take the following action:

- 30
31 1. **APPROVE** a continuance of the Public Hearing to the Planning
32 Commission meeting of April 28th, 2016.

33
34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – I'm happy to give a Staff Report.

36
37 **CHAIR LOWELL** – Okay, let's go for that. Was anybody here tonight wanting to
38 speak on that last item, which I'm trying to scroll to? I'll just go to my paper copy.
39 That's a lot easier. The continuance of the Public Hearing to the Planning
40 Commission for the April 28th, 2016 meeting, which was a Municipal Code
41 Amendment. Is anybody here to speak about that tonight? I don't see any
42 hands, so I think it's safe to continue it. So, do we have a Staff Report on this?

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, Sir. Just a quick Staff
45 Report. This is a comprehensive look at our Municipal Code. It's really a
46 cleanup item. There are a lot of items on there, and this was a heavy Agenda

1 tonight, so it's Staff's recommendation that we just continue that item until April
2 28th, 2016, which would be a much lighter Agenda. Because we did Public
3 Notice that as a hearing for this evening, we want to make sure that we continue
4 it to the date certain. So what we're asking this evening from the Planning
5 Commission is that you'll continue it to April 28th. At that time, there will be a full
6 Staff Report included in the Agenda packet and then we will be able to discuss
7 that item.

8
9 **CHAIR LOWELL** – Okay, with that, I would like to move to continue the item
10 (the Municipal Code Amendment) to the next Planning Commission Meeting on
11 April 28th, 2016. Would anybody like to second?

12
13 **COMMISSIONER BARNES** – Second.

14
15 **CHAIR LOWELL** – Seconded by Commissioner Barnes. So I am the mover on
16 this one, seconded. Now let's go ahead and cast your votes. We're waiting on
17 Commissioner Van Natta. There we go. All votes have been cast. Perfect, the
18 motion passes 7-0. The item has been continued to April 28th, 2016 I believe.
19 Thank you very much.

20
21
22 Opposed – 0

23
24
25 **Motion carries 7 – 0**

26
27
28 **APPROVAL OF MINUTES**

29
30 **Planning Commission - Regular Meeting - May 28th, 2015, 7:00PM**

31 **Approve as submitted.**

32
33
34 **Planning Commission - Regular Meeting - June 11th, 2015, 7:00PM**

35 **Approve as submitted.**

36
37
38 **Planning Commission - Regular Meeting - June 25th, 2015, 5:00PM**

39 **Approve as submitted.**

40
41
42 **Planning Commission - Regular Meeting - June 30th, 2015, 6:00PM**

43 **Approve as submitted.**

44
45
46 **Planning Commission - Regular Meeting - July 23rd, 2015, 7:00PM**

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Approve as submitted.

Planning Commission - Regular Meeting - August 27th, 2015, 7:00PM

Approve as submitted.

Planning Commission - Regular Meeting - December 10th, 2015, 7:00PM

Approve as submitted.

Planning Commission - Regular Meeting - January 28th, 2016, 7:00PM

Approve as submitted.

CHAIR LOWELL – With that item down, now we’re moving onto our Consent Calendar, which is the approval of Minutes. We have quite a few Minutes to approve and we have various Commissioners in line up here, so I would like to take each session of Minutes one at a time if that’s possible.

PLANNING OFFICIAL RICK SANDZIMIER – That would be fine.

CHAIR LOWELL – Any questions or comments on the May 28th, 2015, meeting?

COMMISSIONER VAN NATTA – Okay, who was here?

CHAIR LOWELL – We had Commissioner Ramirez, Commissioner Korzec, Commissioner Van Natta, Commissioner Baker, Vice Chair Sims, myself, and alternate Planning Commissioner Nickel. So, one, two, three, four, five, six, seven. Sorry about that. My microphone turned off, which is why nobody could hear me. So, anybody have any questions or comments on the May 28th, 2015, Minutes? It’s been a long time since we’ve had to approve Minutes. Do we have to vote on them individually, Mr. Sandzimier?

ASSISTANT CITY ATTORNEY PAUL EARLY – You can take them collectively.

CHAIR LOWELL – Okay.

COMMISSIONER VAN NATTA – Well not necessarily if everybody wasn’t at each one of the meetings. That’s why you’d split them out.

Minutes Acceptance: Minutes of Mar 24, 2016 7:00 PM (APPROVAL OF MINUTES)

1 **CHAIR LOWELL** – So if we wanted to vote on them individually it’s been a long
2 time; almost a year. So, do we motion to approve the Minutes and then vote on
3 them or do we just say all I.....

4
5 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Well Commissioner Van Natta
6 raises a point. If they are different, if it is a different body for each one, then you
7 would want to take the votes separately.

8
9 **CHAIR LOWELL** – So I would say.....

10
11 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And then you could body,
12 number of people sitting could be taken collectively.

13
14 **CHAIR LOWELL** – So but my question was is do we take a motion to approve
15 the Minutes individually?

16
17 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Correct.

18
19 **CHAIR LOWELL** – Okay, so.....

20
21 **COMMISSIONER VAN NATTA** – Okay I move that we approve the Minutes of
22 the Regular Meeting of May 28th, 2015.

23
24 **COMMISSIONER BAKER** – I’ll second that.

25
26 **CHAIR LOWELL** – Perfect and I don’t know, can we vote on them like that?
27 Yeah, let’s do it. Motioned by Commissioner Van Natta and seconded
28 Commissioner Baker . Cast your votes.

29
30 **ASSISTANT CITY ATTORNEY PAUL EARLY** – You’ll need to take
31 Commissioner Nickel by oral roll call.

32
33 **CHAIR LOWELL** – Correct, so I believe Erlan will just hit abstain or just not cast
34 a vote?

35
36 **ASSISTANT CITY ATTORNEY PAUL EARLY** – He’s not sitting for this
37 particular motion.

38
39 **CHAIR LOWELL** – Okay. Commissioner Sims, if you want to cast your vote.
40 And Commissioner Nickel if you’d like to cast your vote.

41
42 **ALTERNATE COMMISSIONER NICKEL** – I

43
44 **CHAIR LOWELL** – Perfect, so that motion passes 7-0. Perfect.

45
46

1 Opposed – 0

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4 **Motion carries 7 – 0**

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6

7 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the Thursday,
8 June 11th, 2015, meeting. Commissioners present were Commissioner Baker,
9 Commissioner Barnes, Commissioner Ramirez, Commissioner Korzec,
10 Commissioner Van Natta, Vice Chair Sims and myself and the two alternates
11 were there but they weren't seated so.

12

13 **COMMISSIONER BAKER** – I'll move to approve.

14

15 **COMMISSIONER VAN NATTA** – I'll second.

16

17 **CHAIR LOWELL** – Perfect, please cast your votes. And, again, Commissioner
18 Gonzalez you would abstain or not cast a vote and Commissioner Korzec would
19 just be an absent vote. Perfect. That motion passes 6-0 with one absent.

20

21

22 Opposed – 0

23
24

25 **Motion carries 6 – 0**

26

27

28 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the June 25th,
29 2015, Special Meeting which started at 5:00PM. The same Commissioners were
30 there, Vice Chair Sims, myself, Commissioner Ramirez, Commissioner Barnes,
31 Commissioner Van Natta, and Commissioner Baker. What about the next set of
32 Minutes? Perfect, I'll motion to approve these Minutes.

33

34 **COMMISSIONER BARNES** – I'll second.

35

36 **CHAIR LOWELL** – So again, Commissioner Gonzalez, you'd abstain from this
37 one. This motion passes 6-0 with one absent.

38

39

40 Opposed – 0

41
42

43 **Motion carries 6 – 0**

44

45

1 **CHAIR LOWELL** – Moving onto the June 30th, 2015, Special Meeting. Again,
2 we had Commissioner Baker, Commissioner Barnes, Commissioner Korzec,
3 Commissioner Ramirez, Commissioner Van Natta, Vice Chair Sims and myself.
4 I'll motion to approve these Minutes.

5
6 **COMMISSIONER VAN NATTA**– I'll second.

7
8 **CHAIR LOWELL** – Please cast your vote again with Commissioner Gonzalez
9 abstaining or just not voting. This motion passes 6-0 with one absent.

10
11
12 Opposed – 0

13
14
15 **Motion carries 7 – 0**

16
17
18 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the July 23rd,
19 2015, Regular Meeting of the Planning Commission. Commissioners present,
20 which were Commissioner Baker, Commissioner Barnes, Commissioner
21 Ramirez, Commissioner Korzec, Commissioner Van Natta, Vice Chair Sims and
22 myself. Both alternates were also present. Would anybody like to motion to
23 approve the Minutes?

24
25 **COMMISSIONER RAMIREZ** – I so move.

26
27 **CHAIR LOWELL** – Perfect.

28
29 **COMMISSIONER VAN NATTA** – I second.

30
31 **CHAIR LOWELL** – Seconded by, oh, Commissioner Barnes beat you.

32
33 **COMMISSIONER BARNES** – Sorry, I snuck it in there.

34
35 **COMMISSIONER VAN NATTA** – You have to say it.

36
37 **COMMISSIONER BARNES** – I apologize, I second.

38
39 **COMMISSIONER VAN NATTA** – I cleared it.

40
41 **CHAIR LOWELL** – So we're waiting on Commissioner Baker. There we go.
42 Again, this one passes 6-0 with one absent.

43
44
45 Opposed – 0

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Motion carries 6 – 0

CHAIR LOWELL – Moving onto the August 27th, 2015, Regular Meeting. We had both alternate Commissioners that were present, so we have Commissioner Ramirez, Commissioner Korzec, alternate Commissioner Nickel, Commissioner Van Natta, Commissioner Baker, Commissioner Barnes, alternate Commissioner Gonzalez and myself. So please weigh in on this by rollcall vote I guess. I will move to approve these Minutes.

COMMISSIONER BAKER – I second.

CHAIR LOWELL – Try that again Commissioner Barnes, Baker.

COMMISSIONER BAKER – Okay.

CHAIR LOWELL – There we go.

ALTERNATE COMMISSIONER NICKEL – Did they here it? Oh, okay. Commissioner Nickel, I.

CHAIR LOWELL – Okay, we had Commissioners.....so Commissioner Van Natta you have to abstain because you weren't here.

COMMISSIONER VAN NATTA – Which one?

CHAIR LOWELL – We're on the Thursday, August 27th, 2015, meeting.

COMMISSIONER VAN NATTA – Oh, okay. I will still on, I was still looking at that one. Yes I was. Commissioners present.

CHAIR LOWELL – I have this one over here as Commissioners present. Both alternates were present and you were not here and Vice Chair Sims.

COMMISSIONER VAN NATTA – There's my name right there.

CHAIR LOWELL – Oh, I'm sorry, right there. My mistake, so who wasn't here?

COMMISSIONER VAN NATTA – I was here.

VICE CHAIR SIMS – I had an excused absence.

CHAIR LOWELL – Oh, it's confusing me. We had eight present. It's out of order, so I'm confused. We need to figure out who was here on that meeting.

1 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We can clean that up
2 afterwards. Since they are all “I” votes, it will still pass.

3
4 **CHAIR LOWELL** – I think they are all “I” votes.

5
6 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We can just vacate the vote of
7 the person who wasn’t here.

8
9 **CHAIR LOWELL** – Okay, perfect.

10
11
12 Opposed – 0

13
14
15 **Motion carries 8 – 0**

16
17
18 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the December
19 10th, 2015, meeting. Again, we had myself. We had alternate Commissioner
20 Nickel, Commissioner Korzec, alternate Commissioner Gonzalez, Commissioner
21 Van Natta, Commissioner Baker, and Commissioner Barnes. Sims and Ramirez
22 were absent. I’ll move to approve these Minutes.

23
24 **COMMISSIONER BARNES** – Second.

25
26 **CHAIR LOWELL** – So we need a verbal vote by Commissioner Nickel.

27
28 **ALTERNATE COMMISSIONER NICKEL** – I

29
30 **CHAIR LOWELL** – Perfect. Everything is perfect. This motion passes 7-0.

31
32
33 Opposed – 0

34
35
36 **Motion carries 7 – 0**

37
38
39 **CHAIR LOWELL** – We’re moving onto the last set of Minutes, which is the
40 Thursday, January 28th, 2016, Regular Meeting. Again everybody was present.
41 We had Commissioner Ramirez, Commissioner Korzec, Commissioner Van
42 Natta, Commissioner Baker, Commissioner Barnes, Vice Chair Sims and myself.
43 Both alternates were also present. I will move to approve these Minutes.

44
45 **ALTERNATE COMMISSIONER GONZALEZ** – I second.

1 **CHAIR LOWELL** – I don't think you can second because you were not here.
2 You weren't seated. That doesn't matter. We'll clean it up. I don't think you can
3 un-second.

4
5 **VICE CHAIR SIMS** – You can't undo what you've done.

6
7 **CHAIR LOWELL** – Gosh. Okay, just cast your votes. We'll clean it up.

8
9 **COMMISSIONER BARNES** – Paul will fix it.

10
11 **COMMISSIONER VAN NATTA** – Yes.

12
13 **CHAIR LOWELL** – Perfect. That motion passes 8-0.

14
15
16 Opposed – 0

17
18
19 **Motion carries 8 – 0**

20
21
22 **COMMISSIONER VAN NATTA** – I have a comment about the Minutes.

23
24 **CHAIR LOWELL** – Yes, Ma'am.

25
26 **COMMISSIONER VAN NATTA** – As I have brought this up before. I think it's
27 very counterproductive for us to be looking at Minutes from a year ago.

28
29 **CHAIR LOWELL** – I think there was a technical difficulty they had.

30
31 **COMMISSIONER VAN NATTA** – It took a year to fix the technical difficulty?

32
33 **PLANNING OFFICIAL RICK SANDZIMIER** – My apologies. I mentioned it a
34 couple of meetings ago that we did have a problem with the Minutes, and I think I
35 indicated that we would probably be bringing a large group. And we did get it
36 cleaned up. We believe we've got that problem corrected now, so you should be
37 seeing the Minutes in a much more timely fashion so my sincere apologies. I
38 know it was a lot of volume this time but.....

39
40 **COMMISSIONER VAN NATTA** – I think I mentioned before I think I'm generally
41 used to when we have a meeting, not this....other you know boards that I sit on,
42 when we have a meeting the first thing we do is review and approve the
43 meetings from the last....the Minutes from the last meeting. That way we know
44 if there is anything that needs to be corrected right away. It's hard to remember
45 a year later or even six months later.

46

1 **COMMISSIONER BAKER** – These are actually transcribed out of house, right?
2 Down in Newport Beach or somewhere?

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – We do use an outside service.
5 They are verbatim Minutes, so it’s a matter of listening to the tape and then.....

6
7 **COMMISSIONER BAKER** – The question I had here, Rick, was like I know we
8 met in September and October and possible November. I don’t see any Minutes
9 for those meetings. Is something going on there?

10
11 **PLANNING OFFICIAL RICK SANDZIMIER** – We should have them by the next
12 meeting Erica is telling me.

13
14 **COMMISSIONER BAKER** – Okay, very good.

15
16 **COMMISSIONER VAN NATTA** – I think that even if they are being outsourced
17 that a month would be long enough for them to transcribe Minutes because we
18 generally have a month between our meetings.

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – I agree. I do, so we will be
21 working with our service to make that happen.

22
23 **VICE CHAIR SIMS** – I would almost review their contract and see if there is a
24 termination clause if they can’t per their contract. There would seem there would
25 have a some kind of performance standard in their contract that they should be
26 meeting.

27
28 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

29
30 **COMMISSIONER VAN NATTA** – Thank you.

31
32 **CHAIR LOWELL** – Well, on that, I will just keep piling on.

33
34 **COMMISSIONER BAKER** – Poor Rick.

35
36 **COMMISSIONER BARNES** – Yeah.

37
38
39 **PUBLIC COMMENTS PROCEDURE**

40
41 *Any person wishing to address the Commission on any matter, either under*
42 *Public Comments section of the Agenda or scheduled items or public hearings,*
43 *must fill out a “Request to Speak” form available at the door. The completed*
44 *form must be submitted to the Secretary prior to the Agenda item being called by*
45 *the Chairperson. In speaking to the Commission, member of the public may be*
46 *limited to three minutes per person, except for the applicant for entitlement. The*

1 Commission may establish an overall time limit for comments on a particular
2 Agenda item. Members of the public must direct their questions to the
3 Chairperson of the Commission and not to other members of the Commission,
4 the applicant, the Staff, or the audience. Additionally, there is an ADA note.
5 Upon request, this Agenda will be made available in appropriate alternative
6 formats to persons with disabilities in compliance with the Americans with
7 Disabilities Act of 1990. Any person with a disability who requires a modification
8 or accommodation in order to participate in a meeting should direct their request
9 to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to
10 the meeting. The 48-hour notification will enable the City to make reasonable
11 arrangements to ensure accessibility to this meeting.
12
13

14 **CHAIR LOWELL** – Moving onto the Public Comments Procedure. With that
15 said, if you'd like to speak on any of the items tonight please do fill out a slip by
16 the door and turn it into Ms. Tadeo up here at the front. Once we call the item,
17 they are going to stop accepting Speaker Slips so this is a fair notice warning.
18
19

20 **NON-PUBLIC HEARING ITEMS**

21
22 1. Hillside Residential Development (Report of: Community Development)

- 23 Case: Hillside Residential Development
- 24 Applicant: City of Moreno Valley
- 25 Owner: N/A
- 26 Representative: N/A
- 27 Location: HR and RR Zoning Districts City-wide
- 28 Case Planner: Jeff Bradshaw
- 29 Council District: City-wide

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40 **CHAIR LOWELL** – So the first item up tonight is a Non-Public Hearing Item on
41 Hillside Residential Developments. The Case Planner is Mr. Jeff Bradshaw.
42

43 **COMMISSIONER VAN NATTA** – Would we not be asking for comments on
44 anything that is not on the Agenda for tonight?
45

46 **ASSISTANT CITY ATTORNEY PAUL EARLY** – He does have some.

1
2 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – I do have one on a non-item.

3
4 **CHAIR LOWELL** – Okay, I misspoke so perfect. Could we call up that person?

5
6 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yeah, Rafael Brugueras.

7
8 **SPEAKER RAFAEL BRUGUERAS** – It’s always good to have a non-Agenda
9 speech or a few words. Once again, good evening Staff, Commissioners,
10 residents of Moreno Valley, and our guests. We are here today to make sure
11 that our City continues to grow. It has been growing for the last two or three
12 years. We want to continue to keep the momentum going. I’m glad that we have
13 a full house and that our residents of Moreno Valley are paying attention to
14 what’s going on in our City. They have concerns and you’re here to hear them
15 and the Staff is here to try to fix them. So thank you so much for tonight. May
16 we all be blessed and get where we’re going in Moreno Valley. Thank you.

17
18 **CHAIR LOWELL** – Thank you. Are there anymore Speaker Slips?

19
20 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – There are none.

21
22 **CHAIR LOWELL** – I have a Danny Schwier showing up on my screen.

23
24 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Oh, no. He’s not.

25
26 **CHAIR LOWELL** – Okay, let’s move onto the Non-Public Hearing Items. Again
27 it’s Item No. 1, which is Hillside Residential Development. The Case Planner is
28 Mr. Jeff Bradshaw.

29
30 **PLANNING OFFICIAL RICK SANDZIMIER** – I would like to introduce our
31 Associate Planner Jeff Bradshaw. But, before so, I just wanted to let the
32 Commission know and the audience know that this item has been brought before
33 us at an interest of the previous Planning Commission and also previously
34 expressed interest of our City Council and Staff has continued to evaluate the
35 Hillside Residential Ordinance Standards that we have because of that direction,
36 and so Jeff is going to go over the item this evening. But what we’re looking for
37 from the Commission is some idea, some clarification, and if there is any
38 identified discrepancies in our Code that we think we should fix that’s what we’re
39 looking for tonight is some candid feedback from the Planning Commissioners on
40 this.

41
42 **ASSOCIATE PLANNER JEFF BRADSHAW** – Thank you. Good evening Chair
43 Lowell and Members of the Planning Commission. We had an opportunity to
44 present information related to this topic to the Council and the Planning
45 Commission in a Joint Study Session in October of 2015. It doesn’t feel like that
46 happened very long ago. Just by way of background, the Hillside Residential

1 Standards have been in effect with the City since adoption of the General Plan in
2 1988. That was followed shortly by the adoption of the City’s first Development
3 Code that included some criteria for some Hillside Development as well. Those
4 standards have served as the basis for protecting the significant landforms in our
5 City. The result has been the preservation of views and vistas; ultimately
6 reduction in erosion and grading in areas of steep topography. So those are the
7 standards that have been in the background that would’ve governed that type of
8 development. It is important to note that, through the years, the City has
9 received some negative feedback from the development community and from
10 local residents that suggested our regulations might be too restrictive. And I
11 won’t go into everything that is in the Staff Report. But, as you review the Staff
12 Report, we are providing some background in that this topic has been something
13 that has been discussed at the Planning Commission Council level a number of
14 times. In 2007, there was a Study Session held. More recently, a Study Session
15 in 2014 and then the most recent presentation of that information to the Planning
16 Commission Council in 2015. As Rick mentioned, following the October meeting,
17 Community Development Staff received a request through our City Council Office
18 to continue to review our standards and more specifically to look at our standards
19 and how they compare along side of the regulations that are currently in place for
20 the City of Riverside. And so the slides that we’ve prepared tonight are intended
21 to provide that information to you. Again, as Rick pointed out, what we hope to
22 accomplish out of this is be able to present that information to you and be able to
23 out of that receive some direction, advice, comments, recommendations;
24 whatever might be coming after your discussion of that information and use that
25 as a jumping off point to then prepare an appropriate plan of action that we can
26 present to City Council at a later date. And so slides, what we did was insert
27 some new content slide presentation that was done in October. So I’m just going
28 to skip ahead to the content that is new. This slide, I don’t know if you can see
29 the detail very clearly. But it’s the olive color that represents Riverside Zoning
30 that they have set in place for Hillside Development. So the areas that you see
31 on the western edge of the City and the southeast portion of the City in Riverside
32 are those areas that are RC Zone for that particular type of development. This
33 slide we were presenting their development standards along side of the City of
34 Moreno Valley’s Development Standards. Hillside development in Moreno Valley
35 is permitted in two zones, the Hillside Residential Zone and the Rural Residential
36 Zone. So this, again, is just a side-by-side comparison of the two standards.
37 And, as you come down on the far left of both of those tables, you can see the
38 density open space lot area, lot width and depth, building height.

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – For ease of reference, and I
41 apologize for interrupting. I know the print is kind of small to read, but if you want
42 to follow along in your packet it would be page 455 if you haven’t found that
43 already. But if you want us to slow down at any time or point to the right page
44 that he is on, let us know. Sorry, Jeff.

45

1 **COMMISSIONER VAN NATTA** – As far as the technical thing. We have an
2 ability here to toggle between what’s on our Agenda and what’s on the screen.
3 But currently what’s showing on our screen is Mr. Bradshaw.

4
5 **ASSOCIATE PLANNER JEFF BRADSHAW** – Oh, you don’t need to see me.

6
7 **COMMISSIONER VAN NATTA** – Yeah, so if our technical crew could switch it
8 to where the presentation is showing on our screen instead of Mr. Bradshaw.

9
10 **COMMISSIONER BAKER** – There you go.

11
12 **COMMISSIONER VAN NATTA** – Thank you.

13
14 **ASSOCIATE PLANNER JEFF BRADSHAW** – Thank you Commissioner Van
15 Natta. My face can come down off the other screen as well. So one of the
16 challenges in comparing the two standards was that our standard has a number
17 of categories in which we want to try and regulate how the development would
18 occur. Those don’t necessarily match neatly with Riverside’s standards. So, as
19 you compare the two and come across any of those lines, you won’t necessarily
20 see standards in every box and so I won’t spend a lot of time on this slide. We
21 can come back to it if you have any particular questions, but they are similar in
22 many cases and very different in others. And this next slide was intended to be a
23 summary of what appeared to be the most significant of the differences. If you
24 review Riverside’s Ordinance, it would suggest or appear that the number of
25 units per acre is higher under Riverside’s Development Standards. One of the
26 other differences is the requirement for Open Space for developments that are
27 individual home lots (custom homes or standard track development). I did not
28 see an Open Space requirement for development in the City of Riverside. They
29 do have a type of Planned Unit Development called a Planned Residential
30 Development. If you enter into that type of arrangement where you would create
31 specialized zoning for a particular area, then Riverside is looking for an allocation
32 of Open Space. Lot coverage, again I did not see under the Standard
33 Development. But it would also be another factor in a Planned Residential
34 Development scenario in the City of Riverside. Clustering is something that the
35 City of Moreno Valley allows for to protect the steeper portions of a site.
36 Riverside doesn’t require that, or allow for it rather, under standard development
37 in that zone. But they would allow for it in a Planned Unit, Planned Residential
38 Development. The minimum lot size for development in Riverside is one-half
39 acre. And then the biggest difference I thought as I reviewed the two was the
40 limitations on grading. The City of Moreno Valley allows for grading to occur
41 within any of the slopes with some restrictions. In the City of Riverside, once you
42 reach a slope of 40% or greater then grading is no longer allowed within those
43 areas. And we’ll come back to that. I think there is a principal reason for that, so
44 have some slides that will talk about that. So having looked at the differences
45 between what the City of Riverside allows in their Development Standards and
46 what Moreno Valley does, if the City were to consider relaxing our standards or

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1 to do something different. If we saw something of benefit in Riverside's
2 standards, I think the balance in that is making sure as we move forward that
3 whatever we do consider is consistent still with our General Plan. If there is
4 something that looks like it might be advantageous to the City of Moreno Valley
5 to better promote development in the Hillside areas then maybe not only do we
6 want to consider changing our standards but revisiting the goals and policies of
7 the General Plan. Maybe in today's setting, the way the City views ridgelines
8 and steep slopes and hilltops and those rock outcroppings maybe it's different.
9 But that is an important thing, I think, to take into consideration that we need to
10 balance any changes with what's stated in our General Plan. For comparative
11 purposes, we provided standards for Hillside Development from other
12 communities. A very similar exercise to what I found as I compared to Riverside,
13 there are some similarities in those communities to what Riverside allows from
14 what Moreno Valley allows and there are some differences. And we can come
15 back to those if you have any questions. This is the other area that I felt like was
16 important for us to consider. The topography, in our City, I think is significantly
17 different than in Riverside. Our community is comprised of the level valley areas
18 that transitions to hillside and then the hillside turns quickly into steep sloping
19 mountainside with rock outcroppings and whatever drainage features would be
20 there. As I looked at the topography in the City of Riverside, most areas that
21 were in that Hillside Residential Zone seemed to be mostly rolling with some
22 hillside and some steep features. But those weren't as prominent as what we
23 see here in the City of Moreno Valley. And I believe in looking at the two
24 standards. That's why our City has tried to be more flexible and allow grading
25 into those steep areas even in slopes in excess of 60% with restrictions while, in
26 Riverside, they control that and don't allow the grading to occur on the slopes
27 that are over 40%. And I believe that's simply because those types of features
28 are less frequent and they are probably a little more sensitive to protecting those
29 where they do occur. The next slides are intended to show those portions of the
30 City of Moreno Valley where the HR Zone is located and then I have some slides
31 from Riverside as well. In this case, the HR Zone is the portion of the Hillside or
32 mountainside you see behind the homes is where the HR Zone is starting. The
33 same thing here. As you transition from the somewhat level area to the steep
34 hillside with the rocks, that's the portion of this slide that's HR (Hillside
35 Residential Zone). Same in this slide. The homes are not in the HR Zone and
36 behind them is where the HR Zone begins. This is a slide that's representative of
37 the areas zoned for Hillside Development in Riverside. The property at the end
38 of that street is also zoned for that same purpose. And the property here very
39 close to the street intersection is zoned for Hillside Development, and then as
40 you rise into the hillside in the background that is also zoned for that same
41 purpose. That really is new content that we prepared and inserted into the
42 slides. The remaining slides are all part of the presentation that we did in
43 October. And, again with having presented that information to you, I'm happy to
44 go back on any portion of the slides or the Staff Report if you have questions but
45 that is what we have prepared for you this evening for your consideration. And,

1 again, we would be looking to either answer questions for you or look for input
2 and direction from you.

3
4 **COMMISSIONER VAN NATTA** – Can you go back to the Redlands
5 comparison? Is Redlands hillside area more similar to what we have in terms of
6 grade rather than, are we more like Redlands than we are Riverside?

7
8 **ASSOCIATE PLANNER JEFF BRADSHAW** – I think Redlands is more like
9 Riverside than like our standard in terms of extent that they'll allow for
10 development to occur in those steep areas.

11
12 **COMMISSIONER VAN NATTA** – But as far as topography goes?

13
14 **ASSOCIATE PLANNER JEFF BRADSHAW** – Oh, I apologize.

15
16 **COMMISSIONER VAN NATTA** – Are we more similar to Redlands than we are
17 to Riverside?

18
19 **ASSOCIATE PLANNER JEFF BRADSHAW** – Personal opinion, I would think
20 that the transitions are more like here. They go from level to steep.....

21
22 **COMMISSIONER VAN NATTA** – Rather quickly.

23
24 **ASSOCIATE PLANNER JEFF BRADSHAW** – Topography rather than the
25 transition.

26
27 **COMMISSIONER BARNES** – I guess I have a question. What's the goal of this
28 evening's discussion? Are we going to put together some type of a
29 recommendation to forward to the Council, or are we directing Staff?

30
31 **PLANNING OFFICIAL RICK SANDZIMIER** – Well what we're looking candidly
32 is any input that the Planning Commissioners may have been hearing from their
33 own constituency from people from the community , any personal observations
34 you've seen over the years while you've been either involved with the City or as a
35 Commissioner or you think there may be some things that we can do differently
36 with our Code. Is our Code the thing that is keeping hillside development from
37 happening in our community or is it other conditions in the City that are affecting
38 whether we attract hillside development or not? What we've tried to do is just
39 provide an overview of what we believe is the regulatory framework that could be
40 providing some obstacles and constraints and then there are also the physical
41 conditions in our community that provide the same opportunities or constraints.
42 We believe that in that ladder the physical constraints in our community are quite
43 different than what we see in Riverside, and so if Riverside has more hillside
44 development and we've had some input from our councilmember's to look at
45 Riverside. We want to be fair and accurate in our assessment there that we may
46 not be able to mimic what's happening in Riverside because of the physical

1 conditions. We may be able to mimic what’s in the regulatory framework but they
2 may not apply here because physical conditions just don’t lend themselves to
3 having that sort of approach. I hope I’m not confusing the issue, but that’s really
4 what we’re trying to understand is, is there something broken that needs to be
5 fixed? If there is something that needs to be done differently if it’s not a fix. If it’s
6 a change in approach, then what I think Mr. Bradshaw has touched on we may
7 need to revisit what’s in our General Plan because our General Plan has some
8 framework and some ideas about what the City has already adopted as things
9 we want to protect or respect in our hillsides. And so, if we want to change that
10 in order to allow the development, then maybe what we’re looking for is more of a
11 General Plan Review not a Zoning Code Review. So we’re just kind of opening it
12 up for that kind of discussion.

13
14 **COMMISSIONER BARNES** – Okay, well that being said then, I’m going to toss
15 out three or four thoughts that I’ve put together in going through this information,
16 particularly the comparison of Moreno Valley and Riverside. The very first line
17 where they discuss density, that’s the huge difference that jumps out at me. And
18 it was brought up at the Joint Session with the City Council. If you look at the HR
19 Development in Moreno Valley (one dwelling unit per 10 acres), City of Riverside
20 (half acre minimum, two acre average). That’s a tremendous difference. And
21 then if you look at the RR Zone in Moreno Valley it’s one per 20 acres and
22 Riverside preserves a half acre minimum, two acre average. So that’s a
23 substantial difference in density. The other factors, you know, you can push
24 those numbers up and down. It’s, I think, less significant than that first line. That
25 is a huge difference. And, Jeff, earlier you had mentioned or made a comment
26 about I think percentage of coverage that City of Riverside does not address in
27 their Hillside Ordinance. I think what they do is they have a pad size criteria that
28 is linked to the slope of the property. So, if you look at the slope ranges, as you
29 go up in slope your pad size is restricted. So that’s how they control the amount
30 of development in a particular parcel. So and that result I think is similar. Yeah,
31 you preserve more Open Space as it gets steeper. And then the comment about
32 the City of Moreno Valley not restricting grading in areas steeper than I think 30%
33 whereas Riverside prohibits over 40%. That’s not particularly practical, so I don’t
34 think that’s much of an issue in either case because over 40% has been pretty
35 prohibitive to develop.

36
37 **CHAIR LOWELL** – But if you.....

38
39 **COMMISSIONER BARNES** – So those are some of my thoughts.

40
41 **CHAIR LOWELL** – If you had the ability to be creative and put in a lot of
42 retaining walls or something on stilts, 40% at being a limit saying you can’t build
43 on anything greater than a steep of 40% is.....

44
45 **COMMISSIONER BARNES** – Right.

46

1 **CHAIR LOWELL** – Stifling in ingenuity.

2
3 **COMMISSIONER BARNES** – Oh yeah, and I'm not saying that I'm in favor of
4 that restriction. I wouldn't be opposed to allowing somebody if they had the
5 money and the creativity, you know go for it. So all these numbers aside, I think
6 in my mind the density is the critical issue and my general recommendation
7 would be that we explore ways to modify the density to accommodate something
8 greater.

9
10 **VICE CHAIR SIMS** – How much actual acreage are we talking about? I mean
11 when I look at the maps here, and I didn't see it maybe it was hidden somewhere
12 in the Staff Report, but how many total acreage are we talking here and within
13 the City? You know, are we talking 2.5 acres per unit or 20 acres a unit? We
14 may be talking 50 units. I mean because the map here, there is very little.

15
16 **PLANNING OFFICIAL RICK SANDZIMIER** – I'm going to have Jeff put the
17 actual map up to show you the areas we're talking about. On this exhibit you're
18 seeing here, the orange or the brownish areas are the areas that are designated
19 for Hillside Residential Development. As a percentage of the City, you can see
20 it's a very small percentage. I don't know what the total acreage is but most of
21 the hillside area has got sparse development on it today. You know, we don't
22 have a lot of development happening in the hillside. One other thing that I don't
23 think came across in the presentation or maybe we didn't include it, is because of
24 the rocky conditions, I have heard that some of the challenge in this hillside area
25 is that there is a lot of rock and putting in a septic system or trying to get a sewer
26 becomes a challenge in some of our areas. I don't know if that's a similar
27 condition in Riverside or not, but it's obvious in the images you saw there was a
28 lot of rocks in our hillside. So it may be somewhat shallow under the ground
29 there. The other area that we did study, and I don't know if we got an exhibit that
30 shows the rural residential...in our area.

31
32 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yeah it's...on this slide, it's the
33 green areas. There's not very much within the city limits. It's residential. But it's
34 the northeast corner of the city, the green shaded area.

35
36 **PLANNING OFFICIAL RICK SANDZIMIER** – Right and then off to the right of
37 this image, you see the area that is all white? There is our sphere of influence. I
38 believe the designation there is for rural residential. So, if we were to annex or
39 pursue annexation of our areas that are within our sphere, then there is an area
40 there in the rural residential (the hillside) can lend themselves to the same types
41 of development. But that's really the acreage potential we have in our City.

42
43 **VICE CHAIR SIMS** – For clarity sake, does the rural residential....so what we're
44 saying here is the rural residential would fall within the same restrictions more or
45 less of the hillside?

1 **ASSOCIATE PLANNER JEFF BRADSHAW** – They have comparable
2 standards. Slope analysis is required to determine density and so similar
3 formulas would apply to that Rural Residential Zone.

4
5 **VICE CHAIR SIMS** – Well, you know, my look at this is I think that Moreno
6 Valley provides, in some of the other criteria it seems like they are more
7 accommodating allowing for combined setbacks. So you could cluster, you could
8 allow a little bit closer...if you do have a piece of developable property in this kind
9 of a zone, you don't have the bigger setbacks to worry about so you can get
10 them up closer to each other. And I think this hillside is demonstrably different
11 than Riverside's hillside areas, and I think that there are very, very intimidating
12 physicality to a lot of this land. I'm not saying all of it, but a lot of it with the rocks.
13 Some of the stuff you just said that would prohibit grading and/or road making or
14 sewer capabilities would be very prohibitive. So I don't know if you made
15 it....well, yeah, you could go to two units to the (one unit to 2.5 acres). I don't
16 know if that's even....

17
18 **COMMISSIONER BARNES** – Right, but if it's not feasible then we've not lost
19 anything because no one.....

20
21 **VICE CHAIR SIMS** – Yeah, okay.

22
23 **COMMISSIONER BARNES** – Will choose to do it whereas, if it's overly
24 restrictive and they are precluded from even thinking about it then we don't know.

25
26 **VICE CHAIR SIMS** – I guess another question I would is, do you have clamoring
27 of developers in the hillside area to go to a land use or a zoning change to
28 amend this? Let me ask the question this way. Has there ever been one?

29
30 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, in fact, a year ago (a little
31 less than a year ago), I had a conversation with Commissioner Van Natta about a
32 developer who had come to us and approached us about the hillside residential
33 off of Pigeon Pass and they were looking to get some opportunities there. But
34 that person has not come back again since then. But, just this week, I actually
35 got another meeting request that they'd like to come back in now and talk to us.
36 Maybe it's because this is on the Agenda. Maybe there is something else going
37 on. It's not happening very frequently but it has happened. We do have a
38 development proposal that is in (in the area around Ironwood and Mason). Part
39 of that lot is zoned RA2 and a portion of the site is. Also in our Hillside
40 Residential Development, there is a proposal in there today. They're requesting
41 that proposal, as I understand it today, is that they keep the hillside knoll Open
42 Space. So there is no proposal in that project to actually develop on the hillside,
43 it's more developing on the more rolling topography or the flat area. We have a
44 couple of develops at Alessandro and Lasselle that around a knoll (Boulder
45 Ridge). The Boulder Ridge Affordable Housing Development was approved
46 three years ago, but it's not proposing any development up on the actual hillside.

1 It's down on the flat area, and Mr. Bradshaw is working on another development
2 that is kind of in the early stages. Right now, it's a multifamily project (about
3 400+ units). But it is again on the other side of Boulder Ridge and it's not
4 encroaching on the hillside, so we have some development in the areas of
5 hillside but nothing on the hillsides that I can recall. And correct me, if I'm wrong,
6 Staff here.

7
8 **CHAIR LOWELL** – I had a couple questions.

9
10 **COMMISSIONER VAN NATTA** – I have a request also.

11
12 **CHAIR LOWELL** – I will let Commissioner Van Natta go then.

13
14 **COMMISSIONER VAN NATTA** – I just wanted to mention that, just because
15 there's not a demand for it right now, doesn't mean that there has not been in the
16 past or there won't be in the future because we're in a we'll just say a building
17 comeback right now that is just beginning. People are just starting to build again
18 where back in the hay-day where everybody was wanting to build out here there
19 were requests like that. I remember seeing one project a number of years ago
20 off of Gilman Springs Road where they were saying we want to build this here
21 and also we want to annex to the City of Moreno Valley. So we want you to look
22 at we're doing here and let us know if we can do that and annex. And what it
23 was, was quite a rolling topography-type area and they wanted to cluster the
24 homes; not make a higher density in terms of number of houses than what might
25 be in a normal development but cluster the homes so that they had more green
26 area, more open area, and there were groups of homes throughout the
27 development. And so I can see that as being something that, if we would permit
28 a higher density in the hillside areas, we may see that type of development
29 where just like that when you're talking about on Ironwood where they are
30 looking at not trying to build up in the areas that would be very difficult to grade
31 and to build but keeping the density in the areas that are easier built on. But
32 when we look at like you were mentioning density, when we look at restricting
33 someone to one house on 20 acres, I mean that doesn't even make sense.
34 That's the same thing as saying we don't want anybody to build out there and we
35 don't want anything at all. Where if it was a little more reasonable, say one
36 house per acre or one house per half acre and then leave in the other restrictions
37 as far as not grading over a certain....not permitting anything being built over a
38 certain grade and so forth, it would be workable. But we have to look at
39 something that is going to make sense. We don't want to destroy the hillside, but
40 at the same time we want people to be able to enjoy it. There's always a lot of
41 talk about well where's somebody going to build houses if we're going to have
42 the million dollar homes and the executives and so forth. Typically, they like to
43 build on the hillsides. They like to be up where they can see the view and that
44 certainly doesn't destroy the view of the hillside for everyone else.

45
46 **CHAIR LOWELL** – Thank you. Commissioner Gonzalez.

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COMMISSIONER GONZALEZ – I just want to add to that. I think that anything that makes the hillside residential or residential more flexible to allow people to develop is a good thing. I think one of the reasons that many, some developers haven't come over and submitted any applications is they look at our Code and our Standards and it's that they are too restrictive. So my recommendation would be to look at this, look at the neighboring communities. Riverside/Redlands, we're more similar to them and see what they've done and kind of tailor it and customize for our needs. So I'm sure we could go over the more technical aspects, but in general I'm in favor of making it more flexible and more friendly to developers.

CHAIR LOWELL – I had a question on Page 455 of the packet, which is the Hillside Residential Development comparison between Moreno Valley and Riverside. On the density on the far left chart, which is a HR Zone, it is a scaled density from 10% to 15% as one dwelling unit per two acres; 15.5% to 25% is one dwelling unit per four acres; greater than 25%, it's one dwelling unit per 10 acres which is the exact same density as the less than 10%. So, if we have a piece of land that is zoned Hillside Residential, it is as restrictive as the steepest land. It's seems counterintuitive that we have a sliding scale, but the most developed portion of land has the same density restriction as the least developable piece of land.

ASSOCIATE PLANNER JEFF BRADSHAW – I think that's a typo in the chart.

CHAIR LOWELL – So please clarify.

ASSOCIATE PLANNER JEFF BRADSHAW – If you look at the standard, it's one dwelling unit per acre for those areas that are less than 10%.

CHAIR LOWELL – Okay, I was hoping that was the case. And then one of the other questions I have is building height. Is that measured from what you can see from the outside, so would that preclude having a basement? Or let me back up. Is a basement included in building height?

ASSOCIATE PLANNER JEFF BRADSHAW – I would say not but I don't know if Rick has a different interpretation of that.

PLANNING OFFICIAL RICK SANDZIMIER – Since I've been here, we haven't had an actual proposal but the answer I would be looking for is no. I mean if... below grade, the height requirement on a house is typically the exposed portion from an esthetic standpoint and compatible with the neighborhood.

CHAIR LOWELL – On what perspective? Is it from the street, from the side, from the rear? The reason why is one of the pictures you have in here is from the intersection of Canyon Crest and Ransom, and I was working on a project

1 where a person wanted to have a walkout basement. And they actually built it. It
2 has a 10 foot internal ceiling plus a first floor, which has a 10 foot ceiling, plus a
3 vaulted ceiling. And they were running into height issues because from the
4 backside of the house it was exceeding the height restriction, but from the front
5 side of the house it wasn't so.

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – It would be a context sensitive
8 review on that. I understand exactly what you're saying but we would not want it
9 to be restrictive in not allowing someone to use their property. We would want to
10 be able to find a solution to work with them to see if we could mitigate the
11 potential impact. If there is an esthetic impact, is there a way maybe to soften
12 the appearance of a stark wall by maybe doing some offsets with the basement
13 and the rest of the home (possibly some sort of a balcony or landscaping around)
14 or a retaining wall that might be needed for that. So there would be ways that we
15 would try and address that issue.

16
17 **CHAIR LOWELL** – Although there is a height restriction, you could theoretically
18 apply for a Variance?
19

20 **PLANNING OFFICIAL RICK SANDZIMIER** – That would be an option as well.
21

22 **CHAIR LOWELL** – And do we know if we have any lots, going back to the
23 density issue, where we have a 10 acre parcel that is.....well I guess my question
24 is mute. I was going to go back to the 10 acres for one dwelling and for the 10%
25 slope, but I think I answered my own question so I'm good for right now. I
26 apologize for that. Commissioner Barnes.
27

28 **COMMISSIONER BARNES** – Another difference between Riverside and
29 Moreno Valley, which I think is significant is, in Riverside they use a formula to
30 calculate average to actual slope. It's a function of the length of the contours and
31 the area of the lot and the contour intervals. So it actually is a mathematical
32 average over the entire parcel now and Moreno Valley I'm not quite sure hoe we
33 do it, but it seems kind of subjective. If you analyze the slopes and chunks of the
34 lot are 20% and other chunks are 15% and other chunks are 10%, and in my
35 mind it's somewhat cumbersome as opposed to taking the average over the
36 entire lot and using that to control your density. Because you might have a small
37 section that's extremely steep that on average is not significant, but it might
38 preclude you from developing a chunk of your lot that you might want to so that
39 also is somewhat cumbersome. Just a thought.
40

41 **CHAIR LOWELL** – I was able to reword my question. Do we know what the
42 average lot size is for hillside residential areas? Do we have lots that are steeper
43 than 25% or smaller than 10 acres?
44

1 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't know the answer to that
2 right offhand. It certainly is something we could look into but I don't know the
3 answer to that.

4
5 **CHAIR LOWELL** – And what would the option be if that was a situation where
6 we had a lot that was subdivided and it's a five acre parcel but it's on the side of
7 a hill that is straight up? Is it an undevelopable lot?

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – It would be developable to the
10 extent that it could comply with our Code requirements. I mean so.....

11
12 **CHAIR LOWELL** – The Code requirement is one dwelling unit per 10 acres. I
13 mean, if it's a five acre lot, it itself is excluded. So I don't know how you could
14 build half a dwelling unit. It was just a, it's a hyperbolic question I'm just throwing
15 out there. Okay, I know we have a few Public Comments. Did we want to have
16 more comments from?

17
18 **VICE CHAIR SIMS** – Yeah.

19
20 **CHAIR LOWELL** – Okay.

21
22 **VICE CHAIR SIMS** – I did have, so I mean when you look at this only where
23 there really is any real demonstrable (more stringent) is in the lower slope areas
24 where one unit per the acre for less than 10% where the City is two to the acre.
25 But in the footnotes there it says (in a subdivision), which would be a Parcel Map
26 I assume or a Tentative Tract that you have to have a two acre average. So
27 really I mean, at the end of the day, this is only less.....I mean if there was a
28 clause in here that you could have for a single lot development you could get
29 some flexibility. But I really don't see much difference, if you were doing a map,
30 it's very, very similar and in some of the areas and setbacks and so forth you
31 have more flexibility in Moreno Valley.

32
33 **COMMISSIONER BARNES** – In Riverside, if you have a two acre average, you
34 can get five lots whereas in Moreno Valley you can only get one.

35
36 **CHAIR LOWELL** – If it's a 25% slope.

37
38 **COMMISSIONER BARNES** – If it's a 25% slope.

39
40 **VICE CHAIR SIMS** – Yes, yeah, okay. I don't think we're going to have a
41 breakdown on the floodgate to do four lots on 25%.

42
43 **CHAIR LOWELL** – I do like the general rule for the City of Riverside where they
44 had an average half acre lot size (two acre average). It makes sense. That way,
45 if somebody has a big piece of land and it's really steep, if they are really clever
46 and really ingenuitive that they can develop four lots on a 10-acre-parcel have at

1 it. I mean, it still has to come before the Review Board and it still has to come
2 before the City. So the City still has a say so. It's not a carte blanche to do
3 whatever you wish. And I don't see a whole lot of people chomping at the bit to
4 build on the side of a steep slope.

5
6 **COMMISSIONER VAN NATTA** – Yet.

7
8 **CHAIR LOWELL** – Yet, you're right. Yet.

9
10 **COMMISSIONER BARNES** – The ability to take advantage of the average is a
11 big advantage as opposed to a strict one per 10 acres.

12
13 **VICE CHAIR SIMS** – I agree with you. A weighted average of the contour would
14 be a way to apply the slope so you could get to a....

15
16 **COMMISSIONER BARNES** – Yeah and the average lot size is a benefit
17 because five on 10 acres versus one is a big advantage.

18
19 **CHAIR LOWELL** – Okay, well let's move over to the Public Speaker Slips. Let's
20 call up Mr. Roy Bleckert real quick if that would be okay?

21
22 **COMMISSIONER VAN NATTA** – Yeah, I think it's already been said so you can
23 take me off.

24
25 **CHAIR LOWELL** – Okay. Mr. Roy Bleckert, if you'd like to come up.

26
27 **SPEAKER ROY BLECKERT** – The Hillside Ordinance Development
28 Restrictions and everything has been a 30 year battle in this City ever since we
29 became a City. We still sit here. We still do not have very little hillside
30 development mostly because of the confiscatory regulations and rules that we
31 have put in like, oh you can't move these rocks. We have an abundance of
32 rocks. Let's not worry about those. But one of the points I would like to make is
33 what you do is you trade off density on the bottom because you're not allowing
34 the big executive-type homes up on the hillsides, so now you have to cram more
35 density on the bottom. Commissioner Lowell pointed it out. If you can fit these
36 in, creative ways to fit developments in on a piece of property, let's allow that.
37 Moreno Valley has a very unique topography. It does not fit the Riverside
38 Ordinance or the San Juan Capistrano or wherever so our Ordinance needs to
39 be crafted to Moreno Valley and it needs a lot of flexibility in it. It needs a lot of
40 where you can go look at it because I will tell you this. A lot of those lots that you
41 see graded on the hillside up there were graded by the Bleckert Construction
42 Company. Does that name sound familiar? And it was done with a lot of
43 creative ways on how to do it and that was back in the day when we were in the
44 County that they would work with that. There's a proposed annexation. Why
45 would the property owners over there want to come into the City of Moreno
46 Valley when there are more confiscatory regulations and prohibitive roadblocks

1 to get your development? Fix this City before you try to ruin somebody else's.
2 Then you might have a decent chance of actually building this area up. This
3 whole discussion has gone on. Six months this body looked at it and we're still
4 asking the same questions that I heard six months ago. We're not moving
5 forward with it. We need to sit down as a community and figure this out very
6 quickly or else the world is going to pass us by like it has done in the last 30
7 years. Do you want to continue to dig the hole that we've been digging for 30
8 years? The first law hole is stop digging. We ain't learned it yet. Hopefully
9 before I leave this earth, we will learn that law.

10
11 **CHAIR LOWELL** – Thank you very much. You've probably have opened the
12 Public Comments portion, so it's officially opened now.

13
14 **ASSISTANT CITY ATTORNEY PAUL EARLY** – It's not a hearing item so it's
15 fine.

16
17 **CHAIR LOWELL** – I wasn't certain. Mr. Tom Jerele, Sr. please come up.

18
19 **SPEAKER TOM JERELE, SR.** – Tom Jerele, Sr. I am speaking on behalf of
20 myself and a little bit on behalf of the Sundance Center where I spent a little time
21 there because those commercial centers are affected by planning decisions in
22 the community. Chairman Lowell, Vice Chair Sims, Commissioners, alternate
23 Commissioners, and Members of the Staff and public both here in the chambers
24 and watching at home: First I'd like to thank the Planning Commission. I heard
25 some really, really good insightful (good direction). I think it came up, I can't
26 remember if anybody used it but innovation. You've got to be innovative. I was
27 talking to our Planning Director a couple of days ago and bottom line on these
28 rugged properties, in fact I think one was on the picture there. If you look at it
29 from the bottom up, you'd say oh you can get three houses up there. But if you
30 get up there and walk the dirt, yeah I used to do it and there is a couple out here
31 that can testify that I used to do that in these rugged hills. One 40-acre piece is
32 about 125 really good optimum view sites. Now these weren't big one acre level
33 pads. They were cut into the slope and then you really got the road system or it
34 is more of a driveway system. It may look somewhat like a spiderweb when it's
35 done, but it will meet the Codes and bring utilities in because one of the key
36 issues is you have to allow the density to pay for the infrastructure. Water is
37 exceptionally expensive. And one other big bonus to this, not only does this type
38 of development (this high-end housing) raise the property values overall and
39 raises our image, it brings future industry leaders, future employers,
40 professionals to our community. It will provide role models for our kids, people
41 who shop in our stores, contribute to our charities. But moreover because of the
42 higher margins that will be there, water as we all know is a precious commodity.
43 I think it was about a year-and-a-half ago they turned our water off in Moreno
44 Valley. A lot of people didn't know. They kind of kept it real low key until Friday
45 night and I think they put up a notice saying the water was going to be off until
46 Monday morning we hope at the Mill Street Plant. They had to change a big

1 valve because something was leaking out there, and we had enough supply to
2 make it until Tuesday morning but that scared me. I thought that was really
3 creepy if we ever ran out of water in the City. So in this type of development, I
4 think the margins are high enough that we could condition the projects that, if it
5 requires a million gallon tank, give us an extra million gallon tank. Yeah, it's
6 going to cost some money but it will pencil out. It will still make sense, so that
7 there is backup not only for fire flows in that area but for the community at large.
8 So there are a lot benefits. I think it is imperative. It needs to be achieved
9 tonight, and I think you're on the right course, is to provide some clear direction
10 to our City Council, to the Staff, and more importantly to the development
11 community that this community wants to attract and see developed some high
12 quality custom and semicustom or even tract. Clustering is a very quality thing to
13 do. It is a good thing to fund infrastructure costs and a myriad of reasons, so
14 thank you for hearing my comments tonight. Thank you Commissioners.

15
16 **CHAIR LOWELL** – Thank you Mr. Jerele. Up next is Mr. Hines.

17
18 **SPEAKER TOM HINES** – I have a lot of faith in our current Staff. Mr.
19 Sandzimier, Jeff, Mark Gross and anything that is brought through them by a
20 builder or a developer, I am sure is going to go through there their inspection
21 before it gets to you guys. But you still have the chance to look at any project
22 that is brought forth. Moving earth is cheap. You can move a lot of earth real
23 quick. We did millions of yards of cubic dirt in Dos Lagos. We went down 187
24 feet to bedrock to take care of a contaminated soil and then we took it to an EPA
25 approved dumpsite and then we filled the hole back in and built two beautiful
26 lakes. Dos Lagos means two lakes. We did have to line them. Otherwise, all
27 the water would drain out because of all the sandy soil. But we moved a lot of
28 dirt. We had 28 earth movers running at one time, and I didn't get hit in my car
29 once. Of course, it was a red car. But I couldn't take all of the Badlands and in
30 three years make all level lots. It's just a matter of how many earth movers you
31 move in. Yeager and Sukut can do it. Those are big companies. They've got
32 lots of earth movers. It's no problem moving dirt and rocks. Let the builders
33 have the opportunities to bring their projects to Mr. Sandzimier. Let them decide
34 whether or not they can bring them to you. I have complete faith in what they
35 would do with you. Trust our Staff whether it be a five acre, two-and-a-half acre,
36 one acre lot, city lots, condominium projects, even small apartment complexes
37 with a lot of vacant space around to be beautiful sites for high-end people that
38 would like to move to our City and have a beautiful view of our valley. You still
39 get the chance to approve them or deny them. Give them the flexibility to do
40 what they do best. Thank you.

41
42 **CHAIR LOWELL** – Thank you very much. Any other comments? Any other
43 questions or concerns?

44
45 **COMMISSIONER VAN NATTA** – I think it's all very well to say that we have a
46 lot of faith in our current Staff. I think the reason for regulations is so that they

1 will withstand the changing of the guard. I don't think any of us want to see
2 anybody come in and level our hills. I think what we're looking for is a way to
3 develop the hillsides to be able to place properties, to place homes in the hills
4 that will be attractive and add to the neighborhood (add to the appeal of the City)
5 and not just have a developer go in there and level everything down and build as
6 many houses as can fit on the hills. That's not what we're looking for. So we
7 said earlier, yes, we do want to have a little more flexibility, a little more ability to
8 develop but we do have to put some restrictions on it. We do have to put some
9 limits on it and not just have faith that whoever is at the helm at the time
10 somebody comes forward is going to make the right decision.

11
12 **CHAIR LOWELL** – I don't see anybody else wanting to have anymore
13 comments, so I don't know what else you'd like from us Mr. Sandzimier and Mr.
14 Bradshaw.

15
16 **VICE CHAIR SIMS** – I guess I would like, I know there is a lot of talk but just to
17 give this conversation context, how many total acres are we talking about here
18 approximately?

19
20 **CHAIR LOWELL** – 100, 1000?

21
22 **VICE CHAIR SIMS** – Yeah, yeah, no I mean he said 10%. I don't know.

23
24 **PLANNING OFFICIAL RICK SANDZIMIER** – I honestly don't know what the
25 total acreage is. I think the acreage of the whole City, 52 square miles is about
26 33,000 I think I was calculating at one point (33,000 acres). I think if we have,
27 you know maybe 10% of that land, that's a quick little snapshot up there. I'm not
28 even sure if that's even accurate but that would be about 3000 acres kind of
29 sprinkled around. That's just my quick analysis. What I think I've heard this
30 evening, I think that Jeff and I and Mark Gross will go back and look at our Code.
31 You focused on the density comparison being key, so we can look at the other
32 jurisdictions and see how we're calculating density, and if there is an opportunity
33 to provide some additional opportunity by looking at those standards we can do
34 that. I think the slope analysis calculation and the method using a weighted
35 average was a key point that I think I heard there that we can look at and see
36 how our Code is working with regard against other cities and see how that works.
37 The height and understanding better the flexibility in height if there is going to be
38 any terrace grading or anything that's kind of built into a slope, or you might have
39 basements or even just stories in order to accomplish the square footage you're
40 looking at one a steep slope. If you use any sort of....

41
42 **CHAIR LOWELL** – Height options or something.

43
44 **Planning Official Rick SANDZIMIER** – Heights or those sorts of things. If our
45 Code is restrictive in that area, we can look at that and just see and make sure
46 that we've got the right standards in place. I heard a comment about allowing for

1 innovation in the design. I think I heard a couple of comments from different
2 Commissioners that you're not open, I mean you're open to the idea of different
3 types of architecture. It doesn't have to be a certain type of home that sits nice
4 and flat on a piece of property that you're okay with the stilts and the other types
5 of things if it works. And if you allow the people with the ware with all and the
6 money to be creative, we'll just have to make sure our Code is allowing for that. I
7 think that's what I heard. I think one of the speakers touched on water supply as
8 being key. Fire protection would be an issue in our hillside residence. On other
9 projects I have worked on that are hillside related, fire protection was a key
10 concern in providing a gravity of federal water system or water supply is
11 important rather than using lift systems that may have other challenges. So I can
12 look and see if our Code has anything in that regard. And then I think we
13 touched a little bit on sewer and septic systems, which I think I brought up, but I
14 think I did hear at least another Commissioner say that should be a
15 consideration. So we can look at our Code in those regards and where we might
16 be lacking or we might need some modification. I think that's good direction that
17 we can take back to our City Council, so I think the discussion has been very
18 helpful.

19
20 **CHAIR LOWELL** – I had two additional comments that just kind of came to my
21 brain. We are talking about sewer, and one of the options that I've utilized in the
22 past is a private lift station per house. It's called E/One. It's the brand name of
23 the company, and they have a little grinder pump that has I think a 400 gallon
24 capacity and it has a one inch or two inch service line that is a pressure line all
25 the way out to a gravity feed sewer system. So, if the sewer was remote and
26 you're going through really hard rock, this can be shallow. It can be maybe one
27 to two feet of cover. It can follow the terrain, and it has a pretty good amount of
28 it. I can pump pretty far. I don't know if we want to look into the possibility of
29 allowing something like that. Maybe not that company specifically but that type
30 of a system. It will help sewerage instead of having septic, which is difficult in a
31 rocky area. You can move your sewage to a more desirable area. And then the
32 other thing I was thinking about is I just recently went to Avalon and Avalon and
33 Catalina Island has very similar topography to our hills, and they have a lot of
34 homes built right on the rocky hillside. And I was curious if we would like to look
35 into their Hillside Development Ordinance and see how that would compare.
36 Granted we won't want as dense of a development, but they do have a pretty
37 well-established history of building on hillside.

38
39 **PLANNING OFFICIAL RICK SANDZIMIER** – The last thing, I should've
40 mentioned this. I forgot. It sounded like we do want to take a close look at our
41 General Plan goals with regard to preservation of slopes and this sort of thing. If
42 a developer wanted to come in and do some sort of innovative grading to maybe
43 flatten some areas and we're still achieving the overall interest of the community I
44 think is what I'm hearing come across. I don't think we want to be too restrictive,
45 but I think we want to be appreciative of what we do have. I think that's the

1 message I'm taking there. I don't know if Jeff had anything else to offer if he took
2 any other notes.

3
4 **ASSOCIATE PLANNER JEFF BRADSHAW** – I've wrote down all the same
5 things. I don't have anything to add.

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay, again thank you very much
8 for the comments.

9
10 **CHAIR LOWELL** – Okay, I think that moves us to the Public Hearing Items
11 finally.

12
13
14 **PUBLIC HEARING ITEMS**

15
16
17 **CHAIR LOWELL** –

- 18
19
20
21 2. Case: PA15--0019 Conditional Use Permit
22
23 Applicant: Rudy Dekermenjian
24
25 Owner: Gene Cole
26
27 Representative: Ramon Baguio
28
29 Location: 11745 Steeplechase Drive
30
31 Case Planner: Gabriel Diaz
32
33 Council District: 3
34
35 Proposal: PA15-0019 Conditional Use Permit
36

37
38 **STAFF RECOMMENDATION:**

39
40 Staff recommends that the Planning Commission **APPROVE** Resolution No.
41 2016-06, and thereby:

- 42
43 1. **DENY** Conditional Use Permit PA15-0019 based on the findings
44 contained in Planning Commission Resolution 2016-06.
45
46

1
2
3 **CHAIR LOWELL** – So the first item up is Case PA15-0019, Conditional Use
4 Permit. The Applicant is Rudy, I cannot pronounce your last name. I apologize.
5 The Case Planner is Mr. Gabriel Diaz.
6

7 **ASSOCIATE PLANNER GABRIEL DIAZ** – Thank you Chairman and
8 Commissioners. The project is located at 11748 Steeplechase Drive. That's
9 located in Council District 3. The Zoning is Residential 2 (R2). The current
10 owner is Gene Cole. The proposal is for a Conditional Use Application that will
11 convert a 4493 square foot single-family residence into a 12-bed congregate
12 living health facility on a 0.53 acre site. What is congregate living? It's basically
13 for people that are disabled. The City Municipal Code Section 9.09.160 requires
14 approval of a Conditional Use Permit for a Residential Care Facility. The
15 purpose and intent of this section is to ensure that residential care facilities caring
16 for more than six residents do not result in adverse impact to the adjacent
17 residential uses or surrounding neighborhood. The project site is comprised of
18 an existing single-family home, one story on a fully developed site. The project
19 site is within an existing residential neighborhood and is surrounded by fully
20 developed existing single-family homes. The project is within the residential R2
21 Zoning District. The adjacent properties to the north, east, west, and south are
22 all zoned R2 Residential District 2. No additional square footage is being
23 proposed. However, significant interior modifications, additional exterior doors,
24 parking modifications, and an exterior emergency generator is being proposed.
25 The new floor plan includes 10 bedrooms, common area, a foyer, kitchen, pantry,
26 laundry room, a nurse's station, physical therapy room, two ADA bathrooms and
27 one additional restroom. Each bedroom will have an exterior door. Ten new
28 doors are being proposed to be added to the home. There we have an aerial
29 view of the property. It is a large home. Let me give you a floor plan. Here is
30 the existing Floor Plan. No additional square footage is being added. The green
31 is supposedly the front setback. Here is the proposed generator, and here is the
32 Floor Plan. You can tell that each bedroom has a door. Let me leave you with
33 the elevations. That is existing elevations. Here we have proposed elevations.
34 The existing residence is not consistent with the Municipal Code Standards for
35 the R2 Zoning Standard regarding setbacks from the property lines. The south
36 property line, the southerly setback of four feet is nonconforming to the current
37 residential standard of five feet. Let me go back to the Site Plan. The Site Plan
38 south property line shows the house being four feet away and it should be five.
39 Since six of the 10 doors are proposed to be added on the south side of the
40 residence in close proximity to the neighboring single-family residence, a four
41 foot setback does not allow for an area of landscaping along the side yard of the
42 residence, which could be better screened the use from the adjoining properties.
43 Therefore, as designed, the placement of the additional doors on the south side
44 and around the house will not conform with the other existing residences in close
45 proximity. For the proposed project at this location, the Applicant has not
46 provided adequate information to fully evaluate whether certain impacts may

1 pose an adverse impact on adjacent residential uses and the surrounding areas.
 2 During the review process, Planning Division requested additional information
 3 regarding the noise generated by the proposed generator. The Applicant did not
 4 provide the required information to adequately evaluate the potential for the noise
 5 from the project on the surrounding residential areas. Therefore, it is not
 6 possible to evaluate the project with regard to the Municipal Code Noise
 7 Regulation Chapter 11.80 and the Noise Policies of the General Plan at this time.
 8 The proposed project at this location is not consistent with all General Plan
 9 Policies. General Plan Policy 2.2.17 establishes a policy to discourage
 10 nonresidential uses on local residential streets that generate traffic, noise, and
 11 other characteristics that would adversely affect nearby residents. In addition,
 12 traffic at this location was reviewed. Based upon the conclusions of a Traffic
 13 Impact Analysis prepared by LSA Associates dated January 12th, 2016, the
 14 number of vehicle trips generated from the proposed project is three times
 15 greater than vehicle trips projected for build-out under the existing residential
 16 land use. Access: The project will have, and it currently has access off
 17 Steeplechase Drive. Currently, the project has two driveway approaches that
 18 form a circular driveway. The proposed project will redesign this area by deleting
 19 the circular driveway but keeping the two driveway approaches. The project
 20 proposes a total of seven parking spaces for the proposed use. A minimum of
 21 seven parking spaces is required at this facility. Here is the breakdown for the
 22 parking: Two nurses, one for the nurse shift. There is a doctor. There is a
 23 delivery person. There is a guest parking. And there is one handicapped space.
 24 Three of those parking spaces will be located in the existing garage, and the
 25 other four will be in the driveway area. The area will be reconfigured. Here is
 26 another General Plan Policy. General Plan Policy 2.3 (Community Design)
 27 states that the design of the community specifically affects the quality of life. A
 28 pleasing physical environment reinforces the image of the City as a secure,
 29 comfortable, and attractive place. In the long-term, good design makes
 30 economic sense. It helps to maintain or improve property values. Good design
 31 attracts the finest businesses, the best customers, and the most valued
 32 employees to the community. It attracts people who desire a pleasant
 33 environment in which to live, work, and shop. As proposed, the design at this
 34 location the proposed use conflicts with the policies of the General Plan. There
 35 was notification in accordance with Section 9.02.200 of the Municipal Code.
 36 Public notification was sent to all property owners of record within 300 feet of the
 37 proposed project site on March 1st. In addition, a Public Hearing Notice for the
 38 project was posted on the project site on March 3rd and published in the local
 39 newspaper (Press Enterprise) on March 3rd. There was a concerned neighbor
 40 that submitted a letter to the City and that is part of your Staff Report. I included
 41 it as Attachment 7. This letter was not supportive of the proposed use. I have
 42 had other neighbor's call asking about the project and most said they would be
 43 attending the meeting. Most neighbors wanted more information about what was
 44 going on and what was being proposed, and I believe we have several members
 45 of the public and the neighborhood here in attendance. Environmentally,
 46 Planning Staff has reviewed the request in accordance with California

1 Environmental Quality Act Guidelines and has determined the project has the
2 potential for impacts on the environment. Mitigation Measures have been
3 developed in the event the Planning Commission chooses to approve the project.
4 However, because Staff is recommending denial of the project at this time,
5 environmental action is not required. Staff recommendation: Based on Staff's
6 detailed analysis, Staff is not recommending approval of the proposed project.
7 Staff recommends that the Planning Commission **APPROVE** Resolution No.
8 2016-06 and thereby **DENY** Conditional Use Permit PA15-0019 based on the
9 findings contained in Planning Commission Resolution 2016-06. This concludes
10 Staff presentation.

11
12 **CHAIR LOWELL** – Thank you very much. I know we all have a lot of questions
13 on this project. Do we have any questions for Staff? If not, I would like to open it
14 up to Public Hearing so we can hear the citizens and then we can go to our
15 Commissioner debate if that's okay. Perfect, at this time I would like to open the
16 Public Comments portion. And our first speaker is Ms....

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – You should ask the Applicant to
19 speak first.

20
21 **CHAIR LOWELL** – I apologize. I am out of order today. I'd like to invite the
22 Applicant up. I'm sorry. My brain is not working.

23
24 **APPLICANT RAMON BAGUIO** – My name, for the record, is Ramon Baguio,
25 4273 Canoga Avenue, Woodland Hills, California. Yes, it took me four hours to
26 get here today. Just on the note about the hillside. I live on a hillside, but I'm at
27 the bottom of the hill. But your hills here are pretty nice so it would be kind of
28 cool if you guys put some more houses there. Alright, so I think there are some
29 misconceptions here about what a congregate living health facility is. This is a
30 new use in California. It was designed....it was a proposed use to allow people
31 that are not walking to be in a place that feels like home. It's not meant for.....it's
32 not going to be a sober living house. It's not assisted living. It's not adult living.
33 It's not senior living. It's certainly not a clinic, and it is certainly not a hospital.
34 And these things have to be designed in a way that it feels like residential, so I do
35 agree with Planning that that is the case. Now what we originally proposed was
36 not to do all this parking because at the other sites we've done, we've only been
37 required to do three or four. I understand Planning's thought that a doctor is
38 going to be there full time, but no the doctor visits once a week. The patients are
39 not eating food. Most of them are on IV, so there are no real groceries being
40 sent to the site and the linen is washed on site. It's not being delivered to site
41 either. The patients are not on life support, and they are stable. As we did in our
42 projects in LA, we asked the ambulances and the local fire department to go on
43 quiet mode if we do call them and they don't come up with a siren. They are not
44 mentally disturbed. They are not in the condition they are in because of drug use
45 or any kind of abuse, and this is not certainly a drug or alcohol recovery center. I
46 know I've heard this before, not just about this project but in other projects, when

1 neighbors have come to me and said well what stops you from going later and
2 making it into a drug rehabilitation place? That's simply not the case. It can't
3 happen like that. They have two different requirements. If someone wanted to
4 do that, they would have to apply for a whole new Conditional Use Permit.
5 CLHF's were established by the State to offer an alternative to prolonged and
6 sterile hospital stays. The sites must strictly remain residential in nature. The
7 idea is to make the patients feel like they are at home, not a cold and sterile
8 hospital environment. There is no activity outside. There is no signage stating
9 that it is a congregate living health facility. There is no walk-in service. Someone
10 just can't go up to the house and say I want to live here. Visitors can only come
11 by appointment only, and we restrict that so that they can only come one at a
12 time. These sites are quiet. We invited several neighbors and one particular
13 neighbor to visit our other sites, but he was not responsive to it so that he could
14 see firsthand how quiet it is. We invited the Planning Department, but due to
15 complicated schedules this also did not happen. If the Planning Department or
16 the neighbors had actually seen a site, they could witness firsthand that these
17 sites are so quiet even some of the neighbors don't even know that a CLHF
18 exists there. There is almost no activity on the site and the belief that there are
19 vehicles and personnel constantly in and out of the driveway is simply false.
20 Even now, especially seeing all the people here tonight opposing this, I
21 encourage people to visit these sites and see how important these houses are for
22 those who live there and their loved ones. The first one that was approved was
23 in Los Angeles for 12 beds. The Planning Department there did not force the
24 issue on parking. Because of this, we were not forced to show an expanded
25 parking lot like we were asked to do here. So, yes, I designed the parking lot like
26 that. But I definitely did not want to design the parking lot like that. I wanted to
27 keep the circular driveway, and I was hoping the Planning Department would
28 accept the fact that we only need three spaces. We don't need seven. Never
29 ever would we fill up a parking lot like that and certainly not on the street. I agree
30 with the public here tonight. I wouldn't want to live next to a parking lot, but this
31 is the first time this has been asked of us. If we could've done it the way we
32 wanted to in the beginning, there would be much less visual impact than what
33 was imposed on this site. Once again, this is not adult care. This is not senior
34 living. This is not sober living. There is no signage, and it is actually prohibited
35 doing signage according to State Regulations. The inhabitants are not as
36 fortunate as us here. We can walk. We can still interact with fellow humans, and
37 we can still enjoy our world. The most important aspect of a CLHF is to give
38 these very challenged people and opportunity to live out their lives in a place that
39 feels like home. I have been at many public hearings, five of them for CLHF's
40 like this. I understand Planning's recommendations of denial. There are a lot of
41 people here tonight opposing this. So it looks like we'll probably get denied
42 tonight. I'm ready to accept that, but on behalf of the unfortunate few that would
43 probably like to live in a place like this we will continue this process to the City
44 Council if it is denied tonight. We still want an opportunity to show these Moreno
45 Valley citizens what is proposed is not being misconstrued. We are open once
46 again to invite anyone at our cost to these facilities to see for themselves. And,

1 again, we extend this invitation to Planning. Reality cannot be accurately
2 described in plans and written narrative. Once someone actually sees firsthand
3 what a congregate living health facility is then they can see not just how quiet
4 and unobtrusive it is, but even more important how special these sites are for
5 those who get to live in them. And before I would like to thank the Council and
6 the Planning for me out, I would like address one particular issue which was the
7 traffic generation which states that we will have 33 visits are our site every day.
8 And LSA was the one who did our Traffic Study. There was no use in LSA's
9 book called congregate living health facility so they were told to choose the
10 closest one, which is adult assisted living which is not our facility. They are not
11 being assisted. They are in bed. They are on gurneys. And the only reason
12 they are there is because their families do not want to put them in a hospital.
13 They want them to live out the rest of their lives in a quiet place that feels like
14 home. And if anyone would like to have any questions for LSA, they are here as
15 well. Thank you.

16
17 **CHAIR LOWELL** – Thank you very much. Do we have any questions for the
18 Applicant?

19
20 **COMMISSIONER VAN NATTA** – Yeah, I do.

21
22 **CHAIR LOWELL** – Go for it.

23
24 **COMMISSIONER VAN NATTA** – Okay so just to understand what you're talking
25 about on the people who are living here, are they people who are like terminally
26 ill?

27
28 **APPLICANT RAMON BAGUIO** – No. No there are special guidelines for who
29 is vetted to come here. For example, let's say an 18-year-old quadriplegic, they
30 can live here. Okay? So it's someone who is going to need prolonged care, like
31 a doctor is not necessary to be on site at all times.

32
33 **COMMISSIONER VAN NATTA** – Okay because you characterized it as people
34 who are in bed and on feeding tubes.

35
36 **APPLICANT RAMON BAGUIO** – No I didn't say they were on feeding tubes. I
37 said that they were.....

38
39 **COMMISSIONER VAN NATTA** – Well you did. You said that groceries aren't
40 going to be delivered.

41
42 **APPLICANT RAMON BAGUIO** – No, they are on IV's.

43
44 **COMMISSIONER VAN NATTA** – They are on IV's?

45
46 **APPLICANT RAMON BAGUIO** – Yes.

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COMMISSIONER VAN NATTA – Okay, IV’s but not feeding tubes. So they are not eating?

APPLICANT RAMON BAGUIO – Some of them aren’t, yes.

COMMISSIONER VAN NATTA – Some of them are? Can you guys keep your comments to yourself while I ask questions? You’ll have your opportunity to talk. I just want to get a clear picture of what this is. So it could be somebody who is eating but is quadriplegic?

APPLICANT RAMON BAGUIO – Yes.

COMMISSIONER VAN NATTA – Or it could be somebody who is on IV’s and nonmobile?

APPLICANT RAMON BAGUIO – Yes.

COMMISSIONER VAN NATTA – And you said they are not going to be going outside. So the quadriplegic young man who is 18 years old isn’t going to be taken outside and given some fresh air from time to time?

APPLICANT RAMON BAGUIO – No.

COMMISSIONER VAN NATTA – No?

APPLICANT RAMON BAGUIO – No. There is no activity proposed outside at all.

COMMISSIONER VAN NATTA – No activity outside at all. That sounds almost cruel. Okay then if these people cannot move from their beds and they are confined to their beds, which is what you said, then why are there exterior doors to every room?

APPLICANT RAMON BAGUIO – If there is a fire, they can be moved out.

COMMISSIONER VAN NATTA – So it’s to remove them in case of a fire or an emergency?

APPLICANT RAMON BAGUIO – Yes.

COMMISSIONER VAN NATTA – So they wouldn’t be going in and out of these doors on a regular basis?

1 **APPLICANT RAMON BAGUIO** – No this strictly, this is a State Requirement for
2 CLHF’s that they can do that. So it’s not for the patients to go in and out of their
3 rooms. No, it is strictly for fire reasons.

4
5 **COMMISSIONER VAN NATTA** – Okay now you mentioned that there would
6 only be one visitor at a time by appointment per the regulations.

7
8 **APPLICANT RAMON BAGUIO** – Yes.

9
10 **COMMISSIONER VAN NATTA** – Now is this your Regulations, State
11 Regulations? What regulates the number of visitors? Let’s say on Sunday
12 afternoon, you know four of your residents have family members that want to
13 come visit.

14
15 **APPLICANT RAMON BAGUIO** – Then we tell them only one at a time and we
16 give them a schedule.

17
18 **COMMISSIONER VAN NATTA** – One per patient or one per the entire facility?

19
20 **APPLICANT RAMON BAGUIO** – One per the entire facility. There are never
21 going to be two families visiting at the same time or multiple families visiting at
22 the same time.

23
24 **COMMISSIONER VAN NATTA** – Okay I don’t have any other questions at this
25 time.

26
27 **COMMISSIONER BAKER** – I have one question here. Is there one of these
28 facilities somewhere in the vicinity of Riverside County?

29
30 **APPLICANT RAMON BAGUIO** – No. The nearest one is going to be Desert
31 Hot Springs and then the nearest one after that would be in LA and Simi Valley.

32
33 **COMMISSIONER BAKER** – I’m going to be there tomorrow. Can you give me
34 the address in Desert Hot Springs?

35
36 **APPLICANT RAMON BAGUIO** – Yes, Sir.

37
38 **COMMISSIONER BAKER** – Because I’d like that.

39
40 **COMMISSIONER VAN NATTA** – You said it’s going to be. There is one there
41 now?

42
43 **APPLICANT RAMON BAGUIO** – Desert Hot Springs just got approved, so it’s
44 getting built right now.

45
46 **COMMISSIONER BAKER** – Oh, it’s not built?

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APPLICANT RAMON BAGUIO – No.

COMMISSIONER VAN NATTA – Where is the nearest one that is actually built and operating?

APPLICANT RAMON BAGUIO – Los Angeles and in Simi Valley.

COMMISSIONER VAN NATTA – Los Angeles and Simi Valley?

APPLICANT RAMON BAGUIO – Yes.

COMMISSIONER VAN NATTA – Did you bring any pictures or anything to show us what those look like?

APPLICANT RAMON BAGUIO – Well we actually gave them to Planning Department as well, yes.

PLANNING OFFICIAL RICK SANDZIMIER – We have one picture of one of the facilities. And, by the way with regard to the facility in Los Angeles if this is the same one the gentleman referred to, it was approved as a 12 bed. We did contact the City of Los Angeles to discuss that. It was originally operating as a six bed facility, which is allowed without a Conditional Use Permit. And so it had been operating as a six bed for quite some time before it was approved as a 12 bed. That was a key consideration of the Staff here. And one of the things we had talked to the Applicant about was, instead of going to a full 12 bed, there was the option of possibly starting out as a smaller facility of six beds. The original application that came in on this particular one was 18 beds and so they've actually ratcheted it down from 18 beds down to 12, which is the current proposal, but we did look through and try to vet all those issues. And we did contact the City of LA and used the Google Maps tool, which helped us produce that picture. Even though we did not make a trip out to Los Angeles, we did try and do as much investigation as we could on that property.

COMMISSIONER VAN NATTA – Okay. Then a followup question to that is, I know you mentioned that their families want them in a home-like environment.

APPLICANT RAMON BAGUIO – Um-hum.

COMMISSIONER VAN NATTA – Can you achieve a home-like environment in a house that is not so close to other houses since they are not going to be going outside anyway like say a little bit more rural area that doesn't have neighbors so close.

APPLICANT RAMON BAGUIO – Our house in LA is actually even more dense than the other that we're in now. And, yes, we are looking for sites. A lot of

1 CLHF's are looking for sites like that, yes. But there is also a requirement to be
2 within a certain distance of certain facilities.

3
4 **COMMISSIONER VAN NATTA** – Okay I could just see it being easier to
5 approve something if it wasn't so close to other neighbors if it was on maybe a
6 little bit larger parcel of land where there was more spacing and maybe a more
7 direct road that isn't so narrow and just going up into the one.

8
9 **APPLICANT RAMON BAGUIO** – I would agree with you on that, Ma'am.

10
11 **COMMISSIONER VAN NATTA** – Okay.

12
13 **COMMISSIONER GONZALEZ** – I have a question. Hi. How did this project
14 come about? Can you give me a background, the origin how this home/how this
15 site was selected? How is the relationship? I know you're the representative
16 and the owner and then the applicant, so how is that all related?

17
18 **APPLICANT RAMON BAGUIO** – Okay, so the Applicant (Rudy) was searching
19 out houses within the area, not just here but in Riverside and Palm Springs
20 (multiple sites) and I'm not familiar enough with the whole real estate angle of
21 this and the purchasing and everything. But they saw this house and it was for
22 sale and they looked at the size of it and the way it was built. It is a very nice
23 home, and they thought it would be appropriate for something like this. And they
24 saw how quiet the neighborhood was because that is important for them too that
25 it is quiet.

26
27 **COMMISSIONER GONZALEZ** – Thank you.

28
29 **CHAIR LOWELL** – Vice Chair Sims.

30
31 **VICE CHAIR SIMS** – Good evening. So I noticed in the paperwork it says this
32 property....well I have two questions. So there are 12 beds and what is the total
33 occupancy with Staff?

34
35 **APPLICANT RAMON BAGUIO** – There are two nurses on Staff 24 hours, so
36 there are two shifts.

37
38 **VICE CHAIR SIMS** – So there would be a total of 14 people at all times?

39
40 **APPLICANT RAMON BAGUIO** – Yes.

41
42 **VICE CHAIR SIMS** – Okay, so my next question then is I noticed it's a septic
43 system. So typically, if this was a residential home, how is the sewer going to be
44 handled with this?

45

1 **APPLICANT RAMON BAGUIO** – There would be a new septic system put in
2 place. There would be a new tank.

3
4 **VICE CHAIR SIMS** – Have you done the geotechnical work so that will work>

5
6 **APPLICANT RAMON BAGUIO** – No we haven't. No.

7
8 **CHAIR LOWELL** – Commissioner Gonzalez, you're up next.

9
10 **COMMISSIONER GONZALEZ** – Oh, I'm good.

11
12 **CHAIR LOWELL** – Perfect, we had Commissioner Sims, so Commissioner
13 Barnes you're next.

14
15 **COMMISSIONER BARNES** – I'm up?

16
17 **CHAIR LOWELL** – Yes.

18
19 **COMMISSIONER BARNES** – Alright I'm not sure whether this is best suited for
20 you or for Staff but you mentioned that this facility is based on a new state
21 category of facilities?

22
23 **APPLICANT RAMON BAGUIO** – Yes.

24
25 **COMMISSIONER BARNES** – Can somebody expand on what was the purpose
26 of this new category? What drove this and?

27
28 **APPLICANT RAMON BAGUIO** – I can't answer as to what the State or Health
29 Services.....

30
31 **COMMISSIONER BARNES** – That's what I'm getting at. Is this something that
32 is somewhat new and doesn't fit into the squares that we have for categorizing
33 this thing. The way it's explained, it sounds a little bit unique.

34
35 **APPLICANT RAMON BAGUIO** – I'd like to point out one thing. When you
36 first....I did the first approval for LA. There was a lot of confusion in the
37 beginning because no one knew where to put it. So, when we first came in, they
38 said it's a Conditional Use Permit Elder Care. Then when we showed them our
39 operations, they were like oh this is not elder care. This is assisted living. Wait,
40 no. So it took us three months to figure out whether or not this was a CUP or a
41 Zoning Variance. At the end, it became a Zoning Variance and got approved as
42 a Zoning Variance. Now that it is in the books, now the City of LA recognizes
43 that we need a Conditional Use Permit for it and not a Zoning Variance. But, in
44 the beginning, it took 10 trips to Planning to figure out what category to put it in
45 and they realized there is no category to put it in. So we have to call it a Zoning

1 Variance because it is none of those things. It is not assisted living. It is not
2 elder care.

3
4 **COMMISSIONER BARNES** – I guess that’s what I’m getting at.

5
6 **APPLICANT RAMON BAGUIO** – It doesn’t fit. It doesn’t fit when we say this is
7 assisted living and then we’re thrown with a Traffic Generation Study that says
8 we need seven parking spaces when we have never done seven parking spaces
9 at one of these sites. Our intention was to not touch the front yard at all.

10
11 **COMMISSIONER BARNES** – Can we get LSA to speak to the issue of the
12 traffic and confirm that what was done was?

13
14 **LSA ASSOCIATES, JOE URZUA** – Good evening. My name is Joe Urzua. I’m
15 a Transportation Planner at LSA Associates.

16
17 **COMMISSIONER BARNES** – I guess my question is, based on what he had
18 said earlier that the criteria that you applied to this particular use isn’t necessarily
19 reflective of how he thinks that it’s going to be used, and can you speak to that
20 comment?

21
22 **LSA ASSOCIATES, JOE URZUA** – Based on my understanding of the project,
23 our trip generation is a little conservative. What we did is we used rates for an
24 assisted living facility. Based on the definition of assisted living facility as
25 comparing in our trip generation manuals, it is a facility that provides oversight or
26 assistance with activities necessary for independent living to the mentally or
27 physically limited persons, so independent living. These activities include
28 transportation, medication administration, social and physical activities. Based
29 on the project description, most of the patients at the proposed facility will be
30 nonambulatory, unable to move, unable to do any physical activity. Additionally,
31 the client has said that visits to the site will be limited and only available by
32 appointment. Therefore, our trip generation that we provided may be a little
33 conservative and overestimate the amount of trips on a daily basis.

34
35 **COMMISSIONER BARNES** – Okay, thank you.

36
37 **CHAIR LOWELL** – How would the trip generation rate be compared to a large
38 house that had 12 bedrooms that wasn’t a medical facility?

39
40 **LSA ASSOCIATES, JOE URZUA** – A large house with 12 bedrooms. We
41 usually do a trip generation based on units, but if it is a large house with 12
42 bedrooms most likely it would be considered an apartment or a duplex. And, in
43 that case, it would be 0.5 (I don’t know off the bat) but I think 0.5 trips per unit.
44 So it would be roughly about six trips.

1 **CHAIR LOWELL** – So how would that compare to the 30 something? Would it
2 be more or less? You’re saying it will be six trips a day?

3
4 **LSA ASSOCIATES, JOE URZUA** – I don’t have the trip generation to apply
5 here.

6
7 **CHAIR LOWELL** – I’m just asking for a ballpark.

8
9 **LSA ASSOCIATES, JOE URZUA** – I’m sorry. What was your question?

10
11 **CHAIR LOWELL** – We are trying to deliberate whether or not this is an assisted
12 living facility. If it doesn’t fit that category, how would it compare to a mansion-
13 type home with 12 bedrooms with 12 residents?

14
15 **LSA ASSOCIATES, JOE URZUA** – Oh, well if you compare it to a mansion with
16 12 rooms and 12 residents, 12 residents there would drive. I think, based on the
17 description as Ramon had said, the patients there would not drive.

18
19 **CHAIR LOWELL** – Correct, but I’m saying the assisted living was generating
20 maybe 33 (something around there) trips per day?

21
22 **LSA ASSOCIATES, JOE URZUA** – Thirty-three trips on a daily basis.

23
24 **CHAIR LOWELL** – If it was a mansion or big 12 bedroom house that had 12
25 residents, it would be 12 trips a day you say?

26
27 **LSA ASSOCIATES, JOE URZUA** – No, not 12 trips a day. If it was a mansion
28 or a big house, you’d probably have to analyze it based on more of an apartment
29 type use or a number of people.

30
31 **CHAIR LOWELL** – So it would go, you think it would be greater than or less
32 than the assisted living volume? I’m not holding you to any specific numbers, it’s
33 just.....

34
35 **LSA ASSOCIATES, JOE URZUA** – Maybe the peak hour. Based on the peak
36 hour, it would be similar. But, on a daily basis as a sure thing, I don’t have that
37 information in front of me right now.

38
39 **CHAIR LOWELL** – I appreciate it. Thank you. Any other questions for LSA?
40 Nope? Great. Okay, any other questions for the Applicant before I move on? I
41 don’t see any hands going up. Okay, I appreciate it. Before we go to our
42 Commissioner Discussions, I would like to open up the Public Comments portion.
43 Public Comments is now officially open. Our next speaker is Glenn Pavlick. We
44 do have about 20 speakers, so we have Glenn coming up first. Then, we have
45 Kenneth McLemnon, and then we have Nora Navas. If you could kind of line up
46 in the que and just be ready to go. The floor is yours.

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SPEAKER GLENN PAVLICK – Ready?

CHAIR LOWELL – Yes, Sir.

SPEAKER GLENN PAVLICK – Okay. As you know, my name is Glenn Pavlick. I live on Steeplechase Drive. Of course, I'm opposed to the 12 bed medical living facility. This project area will have a major impact on my neighborhood and community I live in. Many of the neighbors and I have concerns regarding decreased property values, street parking, and increased traffic problems, noise and security problems, air pollution, and oxygen use will increase the risk of fires and explosions. According to Permit Applications, significant modifications will be made to the property that has already been discussed. There will be 10 doors. There will be 12 bedrooms with a 12 bed facility. The guest parking, they are saying one spot by appointment only. That means, if I have somebody living in that facility that I have to make an appointment to go see them, and they will be ailing and you don't know when they will meet paths. I could have a mother there that is ailing and one guest facility I could call in and I could say well you could have an appointment in two weeks. She may not be on this earth in two weeks. Another exterior modifications of tan exterior doors and a proposed parking lot in the front instead of the nice looking circular driveway makes it look like more of a commercial building than a residential facility. I also have concerns with fumes from proposed emergency diesel generator that, if all the power goes off, it's going to be running and producing many fumes in close proximity to the neighbors that are nearby and breathing problems. We checked the internet and there were problems resulting from medical living facilities such as this and residential community complaints are noise and employees arriving and leaving at all hours of the day and night. Parking for one guest is one of the biggest issues. There is a need for this type of business in our world, but a business should be in a commercial area not in a residential area. It can reduce the quality of living for the residents of our neighborhood. I ask for a vote against allowing this business in our residential community. Thank you.

CHAIR LOWELL – Thank you very much. The next speaker is Kenneth McLemnon.

SPEAKER KENNETH MCLEMNON – Good evening.

CHAIR LOWELL – Good evening.

SPEAKER KENNETH MCLEMNON – Listening to the gentleman speak, I don't know what assisted living is if you have a quadriplegic that depends on somebody to take care of them at that house. Obviously, they are going to have two nurses on call or on board and that's probably going to mean three shifts of people going in and out. It just sounds like an assisted living facility. One of my

1 other concerns is where is he getting his patient's from? Are they coming from
2 private sector? Are they coming from the State? Are they coming from Federal?
3 Where are these people coming from and what's their, you know, what's really
4 going on there and how are they getting paid for it? Steeplechase has a island
5 system that runs up the middle of the street. It is...any cars going up to that
6 house on Steeplechase would have to go two or three houses past that pull a u-
7 turn around the island and then go back down. That's really going to be a lot
8 more traffic visibly just right in front of those houses right there all the extra traffic
9 on the u-turns and whatever danger that might cause. Like I said, the assisted
10 living thing, property values, increased traffic. It sounds like it also might be
11 some type of a Hospice. We'd be explaining to our children, you know, why is
12 the mortician always coming to this place? They obviously come around quite a
13 bit. We have new families on the block now. The block is starting to go younger
14 again. You know, it's gone through phases (younger/older). We have a lot of
15 new kids on the block. And that's basically about it. I know a lot of people are
16 going to touch a lot of other points on this too, so I will let them have the time.
17 thank you.

18
19 **CHAIR LOWELL** – Thank you, Sir. Our next speaker is Nora Navas followed by
20 Hector Navas and Lonnie Fitzgerald.

21
22 **SPEAKER DIANA WEHBE** – Hi, good evening. I'm actually Diana Wehbe. I
23 am not Nora but Nora asked if I could go in her place and I'm scheduled to speak
24 I just don't know when.

25
26 **CHAIR LOWELL** – Perfect. So is Nora not here?

27
28 **SPEAKER DIANA WEHBE** – She is. She just said she is not ready. I think she
29 got a little nervous. You guys are kind of intimidating so.

30
31 **CHAIR LOWELL** – Okay, well okay then.

32
33 **SPEAKER DIANA WEHBE** – I'm the honest one, so if you didn't pick that up.

34
35 **CHAIR LOWELL** – What was your name again? What was your name again?

36
37 **SPEAKER DIANA WEHBE** – Diana. Last name Wehbe. I love you, Nora.

38
39 **CHAIR LOWELL** – There you go. I will bring you up to the top. Nora, would it
40 be okay if I moved you to last? You're not quite ready yet?

41
42 **SPEAKER DIANA WEHBE** – Oh no, she won't.

43
44 **CHAIR LOWELL** – Can I move you to last?

45
46 **SPEAKER DIANA WEHBE** – I'm not ready period. That's a period.

1
2 **CHAIR LOWELL** – I'll move you down a couple. How about that? Could we
3 cancel Nora Navas and move her down a little bit? Go ahead Diana Wehbe.
4 We'll reset the timer too.

5
6 **SPEAKER DIANA WEHBE** – Thank you. Good evening and thank you for
7 having us here. I want to thank you first and foremost, Meli. Is that correct?
8 Okay. Thank you for your important questions. I was sitting there, and I was
9 getting really excited because you literally did all the work for us and that's why
10 we're all mumbling because we came so over prepared for this. It has been
11 months that we have been preparing just for this one day. I missed school today.
12 I missed church today to come here, and by the amount of people that have
13 showed up you can see that this is not just a neighborhood. Thank you. This is
14 not just a neighborhood, this is an extended family. And I'm just, I'm not here to
15 give you facts. There's so many others that are going to come do that, but I just
16 want to give you a little bit of a background on this neighborhood. I'm 29 years
17 old. I've lived right next door to this house that is being sold or could be sold to
18 be a proposed business for 23 years of my life. I went to high school. I went to
19 college in Moreno Valley. I grew up watching my friends who didn't live in such
20 fortunate neighborhoods struggle in their neighborhoods. They struggled
21 because the people who lived in their neighborhoods made it a living hell for
22 them. Our neighborhood is the type of neighborhood where, if my mom who gets
23 in a car accident and is t-boned at the bottom of the street, the neighbors literally
24 rush from top to bottom who are sitting in this room today to come help her
25 before the ambulance gets there. My neighborhood is the type of neighborhood
26 where, if a car does get in a car wreck by a drunk driver in front of our house, all
27 of the neighbors in the middle of the night before we could even get outside of
28 our house to see who hit our car, our neighbor is already there taking care of it,
29 taking pictures, finding out if people are okay. That's the type of neighborhood
30 we live in. And so the people you see here are all a part of that neighborhood, a
31 safe neighborhood, a comfortable neighborhood, and a neighborhood that is not
32 like other neighborhoods in Moreno Valley and I'm sure you know that. Police
33 get called constantly in Moreno Valley. They've actually nicknamed it, in my
34 generation, Murder Valley. I don't know if you've heard that nickname. That's
35 not a great nickname for us as a City because they are so many shootings and
36 deaths and I grew up around that. That's what I grew up around. But I also grew
37 up seeing my street and my neighborhood and my family and the extended
38 members of that family on that street thrive because we cared for each other.
39 And so, Ramon, I would like to extend an invite back to you if you're even still in
40 this room or if you're watching outside, I would love to go see who you're helping.
41 I run a nonprofit and I help people every single day. That's what I do. I quit my
42 9-5 job at a radio station to help the homeless, to help those who are struggling
43 with disabilities and I do it in and outside of residential areas. And it is possible
44 to do outside of residential areas. It's done every single day. But this specific
45 residential area is different than the other neighborhoods in Moreno Valley. You
46 can take a walk and a drive and you'll see that. The people here genuinely care

1 about their neighbors. They care about what goes on in the neighborhood and
2 they love each other and that's very important for a neighborhood. And it's not
3 that we're opposed to caring for others, it's just that this neighborhood raises
4 children and takes care of their own and their grandchildren. And so, on this
5 neighborhood, we would like to plead and ask that we keep it that way as one of
6 the safest neighborhoods in Moreno Valley. And I'd like to ask that you take all
7 of that into consideration. This is not just a business, this is not just a gathering
8 but all of these people here they care. They didn't show up to yell. They didn't
9 show up to scream. They showed up because they care just as much about my
10 mom getting t-boned at the bottom of the street as they do about every single
11 person that lives on our block. Thank you.

12
13 **CHAIR LOWELL** – Thank you very much. Hector Navas followed by Lonnie
14 Fitzgerald and a Chuck Bontjes. I'm assuming you're not Hector?

15
16 **SPEAKER LONNIE FITZGERALD** – My name is Lonnie Fitzgerald. I reside at
17 11645 Steeplechase Drive, Moreno Valley. I've resided there for the past 18
18 years. I'd like to talk about a different type of issue. I'd like to talk about, if PA15-
19 0019 is approved by Moreno Valley, as to the liabilities to Moreno Valley.
20 Specifically, it was spoken here that a mitigation of the noise, proposed noise
21 objection, was to ask to go in a quiet mode. Now to get to Steeplechase Drive,
22 you have to be on Ironwood. There are two schools, one elementary, one
23 middle school a couple of blocks from. In 2015, Palm Middle School had an
24 enrollment of 1293 children, a block or so away. Cloverdale Elementary School
25 had an enrollment of 795 students. Now those schools operate on basically the
26 same schedule, so two times a day or maybe three times a day we have traffic
27 backed up all the way from Perris to somewhere most times beyond
28 Steeplechase. So you're going to ask someone, you're going to make a call for
29 an emergency and ask the responder not to do the job that he's paid to do by the
30 City of Moreno Valley. And by asking the responder not to do that, also you're
31 creating a problem with the person that you're calling on behalf. So what does
32 this mean? It means that Moreno Valley has to have really deep pockets at
33 some point in time. Plus, in time maybe not tomorrow or maybe not the next day,
34 there is going to be a problem. Additionally, you're asking the person....let me
35 back up a second. Let me strike that. Additionally, the proposal is that in order
36 to mitigate again that applicant in good faith make the call. Now it comes to
37 another thing. Whose lying and whose telling the truth? Did you make this call,
38 did you not make this call?

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman. We are having a
41 problem with our timer. I just wanted to let you know. I'm timing him as well.

42
43 **CHAIR LOWELL** – Go ahead, Sir.

44
45 **SPEAKER LONNIE FITZGERALD** – How much time do I have?

46

1 **CHAIR LOWELL** – You’ve got a little bit more time. Go for it.

2
3 **SPEAKER LONNIE FITZGERALD** – Okay, yeah because there’s more.
4 There’s the issue of traffic on Steeplechase Drive. Now even though there has
5 been a report as to the number, but it doesn’t mean anything. Nothing means
6 anything actually that has been said here by the Applicant because the Staff for
7 the City or for the Planning Department has asked for information in order to
8 make an intelligent decision. They, by their own words, have not been given that
9 information to make an intelligent decision. So any decision made here for the
10 Applicant would be against an intelligent decision because you don’t have the
11 information.

12
13 **CHAIR LOWELL** – Thank you very much. The next speaker is Chuck Bontjes.

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – Would you like me to do the
16 timing or do you want to time it up there?

17
18 **CHAIR LOWELL** – Whatever. I’ll do it too just to be on the safe side.

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

21
22 **SPEAKER BARBARA BONTJES** – Hi. I’m Barbara Bontjes. This is my
23 husband, Chuck. And I’d like to introduce myself to the community. My husband
24 and I have just purchased a house on Steeplechase.

25
26 **SPEAKER CHUCK BONTJES** – You’re not nervous are you?

27
28 **SPEAKER BARBARA BONTJES** – Steeplechase two blocks from where the
29 proposed nursing facility will be. Two houses, I’m sorry but it is. It’s a nursing
30 facility. It’s a nursing home, and it’s also a business that is being planted in the
31 middle of a community. I’m spending one-half million dollars on this house that
32 we’re buying. We put the bid in probably a week before we even knew that this
33 business was going in. Had we’d known beforehand, we may not have. But
34 after tonight, after meeting the people, I want to be a part of this community. I’m
35 going to turn this over to my husband to see if he has any comments. I didn’t
36 come prepared tonight. I’m sorry.

37
38 **SPEAKER CHUCK BONTJES** – Well we’ve been looking for houses for
39 months. One of our main requirements was neighbors, neighborhood. We
40 scoured the neighborhood. Tony will be our next door neighbor, which he’ll be
41 speaking soon and the neighbors are great. We fell in love with the
42 neighborhood, the house, and all the people around it. I understand the need for
43 their proposal. My father was afflicted with Alzheimer’s and I had him in an
44 assisted living. It was a good facility and I understand the need for it. I just don’t
45 feel that the placement of that in this type of a residential neighborhood is
46 appropriate. I’m getting almost as bad as you are now. So, if that’s the case and

1 perhaps if it does get approved, we may decide to look further elsewhere
2 because we love the neighbors that we've met. They are great people. The
3 houses are beautifully maintained. It's a great neighborhood. We fell in love with
4 it and the neighbors the houses that we saw, and we want to be part of that
5 neighborhood and become part of the Moreno Valley Community. So that is all
6 we have to say tonight, and I thank you for your attention.
7

8 **CHAIR LOWELL** – Thank you very much. Harry Wilson. We have a Kathleen
9 Ballard and a Danny Schwier. Harry Wilson? Okay, so you're okay? How about
10 a Kathleen Ballard?
11

12 **SPEAKER KATHLEEN BALLARD** – Hi. My name is Kathleen Ballard. I live on
13 Kalmia Court, which is the first street up on Steeplechase. I'm a registered nurse
14 and what he is describing to you is a nursing facility. It's a nursing home. If
15 you're giving IV's and you have a licensed nurse in there to do that. If these
16 people cannot move, cannot take care of themselves and he says they are bed-
17 bound, you need more than two people to be turning these people. They have to
18 be turned every two hours. You have State Guidelines that you have to follow as
19 a nursing facility. It's an assisted nursing facility. It's not a nursing home. I don't
20 know what he's.....I've never seen this kind of facility in a residential
21 neighborhood. You can go to Canyon Crest. They have assisted living facilities.
22 They look just like home. So I don't understand what he's saying as far as you
23 want to give them the home structured life. I understand that. I appreciated Ms.
24 Van Natta's questions too because she was right on where I was going at. If
25 you're not going outside and you're limiting these people's visitations I would be
26 questioning number one, if I called there and said I want to come see my son and
27 I was told I have to make an appointment, he's not going there. Why am I being
28 told that I can't come and see my son unless I make an appointment. I'm paying
29 for him to live there. This is a business. This is not a residential....this is not
30 something that should be put in a residential neighborhood. There are plenty of
31 areas. Like we said, there is a KinderCare that was on Ironwood. That's a
32 business. That has not been run for years. That could be turned into a facility.
33 It's already a business in an area. You can't bring a business like this into a
34 residential home. We all bought there. I've lived there for 21 years. I'm not
35 going to be happy if it's there. I bought into this neighborhood because I wanted
36 to be in a residential neighborhood. If I wanted to be in an industrial
37 neighborhood, I would've bought into an industrial area. I just don't understand
38 how you can say 10 exit doors outside is not going to look like a residential
39 building. When I built my garage on my lower property, I had to build that with
40 the City Guidelines of that it was going to look residential. We had to put
41 windows into the sides. We had to make it look like every other building in the
42 house in that area to conform to that area's standards. What they are asking to
43 do is taking that standard completely out of residential. You're making it into an
44 industrial building. Parking spots, 10 exterior doors, an emergency generator
45 backup. There's also things, I don't know what the guidelines are for them, on
46 emergency situations. At the hospital, we have to conduct so many fire drills. I

1 don't know what their guidelines are for that, but if it's a facility that's a nursing
2 facility they have to have emergency response things of conducting emergency
3 procedures that they'd have to do on a monthly basis. And it's not just daytime
4 hours, it's in the middle of the night. So a fire alarm could be going off. They
5 have to do everything like they would do as a regular fire. We don't know what
6 their standards are going to be, so we're just asking you to please look at all that
7 stuff before you grant any of this because that is not what we live in this
8 neighborhood for.

9
10 **CHAIR LOWELL** – Thank you very much. We have a Danny Schwier. Danny
11 Schwier? Nope? Going once, going twice, Schwier. Sorry, I SATWIER is what I
12 have.

13
14 **SPEAKER DANNY SCHWIER** – Good evening. My name is Danny Schwier. A
15 couple of things first. We all live on half acre to three-quarter acre parcels. So, if
16 the City sent out notices within 300 feet, half of us didn't get a notice. So I think
17 there would be some consistency that common sense would have to apply here
18 that if we're living on half to three-quarter acres and our lots are 200 feet in width
19 you've got to have some different guidance as to sending out notice that is more
20 appropriate. This project reminds me of a visit that I made in Tennessee a
21 couple of months ago. One of our relatives are very ill and I visited this facility,
22 and it's a pretty large facility. It's not a 12 bed, probably more like 40 to 50 beds.
23 While we were visiting there, I noticed various stages of patients. Some of them
24 did walk around. Some of them were on crutches. Some of them were in
25 wheelchairs and some of them were totally bedridden. Within an hour of being
26 there, I noticed an alarm went off in the building. We thought that there was a
27 fire, so we were thinking we had to evacuate. It's a fire, so we're thinking we had
28 to evacuate. The nurse came in and closed our door while we were visiting and I
29 asked her what was going on. And she said one of the patient's died and we
30 close all the doors and this is the procedure we go through when the ambulance
31 comes to pick up the body. Now this is a residential community and the last thing
32 we need there is having ambulances coming all hours of the night taking them to
33 the hospital or perhaps even taking them to the morgue. That is not the type of
34 neighborhood that we want to live in. In our area, we have a very hard dirt. It's a
35 decomposed granite. Half of our residents, our septic tanks have failed and it
36 does not percolate well and half of our residents don't have septic tanks. They
37 have cesspools. So if you take a four bedroom house and convert it into a 12
38 bedroom house, that's 240% extra load on the existing septic tank system or
39 even the new septic that they may design. That's real problem in our area, so I
40 would strongly argue against any type of septic tank that will support a 12
41 bedroom residence regardless what size septic tank they are going t be installing
42 there. Lastly, we have a Residential Code for a reason and the last thing we
43 need is a proliferation of assisted living in an upscale neighborhood that's on
44 Steeplechase. Thank you.

Minutes Acceptance: Minutes of Mar 24, 2016 7:00 PM (APPROVAL OF MINUTES)

1 **CHAIR LOWELL** – Thank you very much. Next we have Tony Wehbe. Last
2 time I butchered a name.

3
4 **SPEAKER TONY WEHBE** – Hi. I'm Tony Wehbe. I live adjacent to the
5 property, subject property. I'm a Senior Engineer, County Sanitation District for
6 25 years. He talked about septic tank and you asked about septic tank, and I'm
7 going to answer that. The ground that these homes are sitting on is hard clay
8 that is not porous or sandy. These houses are designed to have only four or five
9 people living in them and most of the water that discharges from the septic tanks
10 don't go on leaching lines anymore. They have septic holes like they are
11 leaching holes for like 15 feet in the ground. Most of these leaching holes work
12 at nighttime when everybody is rested but only with four or five people living in it.
13 With 12 patient's, and I don't buy the idea that two nurses are going to take care
14 of everybody. According to the State, there should be one nurse for every three
15 patients, so they should have at least four nurses per shift; having four nurses
16 coming every day to the building, shifting the cars from the parking lot and taking
17 off and on and switching all this parking during the day and parking on the street
18 having 12 nurses coming to the facility every day besides the doctors and all the
19 other paramedics and all the equipment. They will have an average of 25 people
20 putting soiled water in it from washing the clothes that he says they going to do
21 all the washing. Maybe they don't eat much, but they are going to be using the
22 kitchen and some of them are going to be taking showers. These septic tanks
23 are going to be loaded. They will saturate the leaking tanks and the water will
24 have no other way but going upward, seeping on the street, and going down to
25 the property next door to Mr. Robinson's house as they are sitting here. They
26 are sitting right below that subject property. This septic tank, no matter what the
27 size they put in, the land does not percolate the water that goes into them as fast
28 as the way they are going to put them in. There are going to be 20 people living
29 in that house at anytime during the day. Putting that into the septic tank is going
30 to flood the septic tank and then create foul odor from the septic tank. On the
31 other hand, they discussed other issues but I have a specific issue here. My wife
32 is very, she has a very strong case of asthma and allergies to smoke and to any
33 smells. She cannot smell anybody smoking or the smell of the generator that
34 they are going to be turning on. The generator, the standby generator, will be on
35 when electricity is off on the whole neighborhood. That means there is no air
36 conditioner in the house to go inside and turn it, which means that we are going
37 to go outside to breathe if it is hot weather and then we are going to have a
38 standby generator sitting right below me. I have pictures of our property. I sit
39 right above the subject property. There is only four feet between us. I breathe
40 on top of that subject property. We see everything that goes down below us and
41 then having to put the standby generator in the backyard that means all the
42 smoke is going to come to us. And then she just cannot, I mean most nurses
43 and then doctors smoke. They are going to go outside and smoke their
44 cigarettes. She cannot smell that. And then she has a report from the doctor
45 that she is very sensitive.

Minutes Acceptance: Minutes of Mar 24, 2016 7:00 PM (APPROVAL OF MINUTES)

1 **CHAIR LOWELL** – Thank you.

2
3 **SPEAKER TONY WEHBE** – To smoke. That means, if they get approved, we
4 must leave the neighborhood.

5
6 **CHAIR LOWELL** – Thank you very much, Sir.

7
8 **SPEAKER TONY WEHBE** – And we don't want to leave the neighborhood.
9 We've lived there for 25 years.

10
11 **CHAIR LOWELL** – Thank you very much.

12
13 **SPEAKER TONY WEHBE** – Alright, thank you.

14
15 **CHAIR LOWELL** – Enrique Marin followed Fernando Guzman and Tom Torres.

16
17 **SPEAKER ENRIQUE MARIN** – My name is Enrique Marin. I live on Kalmia up
18 the street there and of course we're all in the neighborhood. You know, we've
19 seen everybody grow up and everything too. As we were talking earlier about
20 our neighborhood like how she was stating about the neighborhood kids. And we
21 were talking about her kids, our neighborhood, which she lives down (actually
22 she is the next-door neighborhood to these people here) about her boys and all
23 that stuff. And now we're talking they were all kids and now they are growing up.
24 You know, four of them are cops and then two of them are teachers and stuff like
25 that. Like I said, it's a great neighborhood where we have a lot of people moving
26 on from Moreno Valley. But we would like to see our town keep on growing.
27 And, like I said, our homes in the hillside I have an amazing view of the whole
28 City. I mean people come up to our neighborhood, they see it and say (my gosh,
29 this is Moreno Valley)? This does not exist here but it does. But, anyway, there
30 are a lot of questions here and another thing that he had brought up, with today's
31 technology he should have a website where everybody can go to. Hey, this is a
32 facility here. He doesn't have that. Wow. And another thing, he lives in
33 Woodland Hills. Why doesn't he have one of these things in Woodland Hills? I
34 don't think they'll approve it. He'll have triple the amount of people right away.
35 And then also, I'm sure that any of you would not love to have one of his houses
36 by your homes either. We're a neighborhood and we'd like to keep it that way.
37 And the septic tanks I remember my wife told me the same thing. She say, golly
38 that's going to be a 12 bedroom home or facility. And the first thing that came to
39 my head, wow, they better redo the septic tank because there is two of us here
40 and we try to conserve our water as much as possible because talking about you
41 never want to see that water come up and that's it. That's one thing you do want
42 to see because let me tell you, boom, that's \$300.00 right away. You need to
43 come and drain our tank. Like you said, our ground is, it's not crazy. Our
44 neighbor would have to go about 300 feet before he found some soft ground so
45 he could get into dig. So before they find the ground perfectly where they can dig
46 into. And appeal to the City. Somebody had mentioned appeal to the City. You

1 want to get stuff. I mean some of that stuff does not appeal to the City. I mean
2 we're like a nice neighborhood and all that stuff. He says, oh yeah, can you tell a
3 realtor to come look at this new home that we're trying to sell now. Plus, oh
4 yeah, we have a 12 or 13 bedroom. It was a 12, but you know what, they added
5 more rooms and now it's 23 bedrooms or whatever. You know, I think once they
6 are in there I think they are going to add onto it. Also, traffic. There is a lot of
7 traffic. They took a study in Kalmia. Cars were hitting 70 miles an hour up our
8 street and that is recorded by Traffic. You can check with Traffic and that study
9 was done about less than a month ago. We had the most traffic going up Kalmia
10 for being a residential and the amount of houses that we have. And added on
11 with 33 more people and stuff like that, that is going to be a lot.

12
13 **CHAIR LOWELL** – Thank you very much.

14
15 **SPEAKER ENRIQUE MARIN** – And handicapped parking, that's going to have
16 to be parking so thank you.

17
18 **CHAIR LOWELL** – Thank you very much. Next we have Fernando Guzman,
19 Tom Torres, and David Bachtel.

20
21 **SPEAKER FERNANDO GUZMAN** – I'm Fernando Guzman and most of my
22 neighbors covered whatever I was going to say, so I'm good.

23
24 **CHAIR LOWELL** – Thanks. I like those comments. Those are the best. Next
25 we have Tom Torres. We have a David Bachtel and Nancy Lucido.

26
27 **SPEAKER TOM TORRES** – Thank you. With respect to your Agenda, first of all
28 I'd like to ask you, is there any reason why with as many people as we have here
29 interested in this project that we couldn't go before the other one?

30
31 **CHAIR LOWELL** – It was an oversight. I apologize. I agree. I didn't realize the
32 Hillside Residential thing would be so long.

33
34 **SPEAKER TOM TORRES** – Yeah because it has been an hour-and-a-half
35 before it got to us.

36
37 **CHAIR LOWELL** – I know. I apologize. It was my mistake. Look at me. It was
38 my mistake. I apologize.

39
40 **SPEAKER TOM TORRES** – Secondly, I've lived on Steeplechase for nearly 40
41 years. It's been a good while. I've seen a lot of people come. I've seen a lot of
42 people go. Now with what that man came about to his proposed plan for this 12
43 bed facility, I oppose it and I'll tell you why. We have a house as you well know,
44 totally different. It's a halfway home. I'm the corner house on Steeplechase and
45 Ironwood. I have seen our neighborhood completely change since that house
46 came into effect. Now I know that it is totally different. It's kind of a halfway

1 home. It's supposed to be for young ladies 17 years of age and under, but
2 they've violated that several times. We see the police there probably four times a
3 month. Okay now knowing that this is a different kind of facility, I still the way I
4 see it is that it's all about money. These guys ain't got enough money to go to
5 commercial zone and do this kind of thing, why do they come to our
6 neighborhood? That's what it boils down to. It's about money. Let them go find
7 a commercial zone and be done with it because I don't think....we're not in a
8 position anymore to tolerate anymore of this. Like I was telling you, once they
9 get their foot in the door it's a whole different thing. That gentleman that came in
10 here and spoke about people being handicapped and disabled, I'm a 100%
11 disabled war veteran. I can raise hell with the best of them, so we never know
12 what's going to happen. You know what I mean? Things change. Just like they
13 did with this halfway home. So I think, with what I've seen now, there's a great
14 opposition. I don't think this is going to happen. But let me take that a step
15 further. I just found out today that, if they want to make it a six bed facility, they
16 don't even have to inform us. Am I right?

17
18 **AUDIENCE MEMBER** – You're right.

19
20 **SPEAKER TOM TORRES** – Okay. So now they have a secondary option to do
21 this, and I think it is probably your obligation to let us know if this is going to take
22 place. Don't you think they have an obligation to let us know? That's the way I
23 feel about it. If not, we can take this to another echelon with our legislation or
24 congressional matter. But I think it really is your obligation to let us know if they
25 take this secondary option to make it a six bed facility. Thank you.

26
27 **CHAIR LOWELL** – Thank you very much. David Bachtel. We have Nancy
28 Lucido and Joe Lucido.

29
30 **SPEAKER DAVID BACHTEL** – Hi. My name is David Bachtel. I'm at 26042
31 Mirage Court. I'm on the backside of the proposed facility. I've lived in Moreno
32 Valley for 17 years. I'm a board-certified environmental engineer. I was Division
33 Engineer for LA County Sanitation District for 30 years. I'm now a consultant. I
34 think what we have here is a perfect nexus of hillsides, lack of economic diversity
35 in Moreno Valley because we're paving the place with warehouses, and no
36 demand for higher-end properties. I've known Gene since I've moved here for 17
37 years and the Wehbe's and what's happening is Gene can't find somebody to
38 buy an absolutely stunning home because people who have the ware of all to do
39 that won't live in Moreno Valley because of the quality of the general community.
40 What they don't know, of course, is what it's like for us who live there. In any
41 case, I wanted to point out that Steeplechase has been around for about 40
42 years and it doesn't meet the current standards for development. As a matter of
43 fact as a person who lives initial he community and walks around, there's a big
44 hill circle that a lot of take, there are no sidewalks on Steeplechase and those
45 individual lanes are fairly narrow. And, when people park on that street, it
46 becomes very dangerous, especially because those houses are built right up to

1 the edge of the....the walls go almost to the edge of the pavement. There is
2 nowhere to walk except in the street. And, when you bring more traffic in there
3 especially people backing in and out, it's going to create a lot more dangerous
4 situations. And trust me, when people get tired of doing the u-turn on
5 Steeplechase, they will come up Lasselle and go in that direction and people
6 speed on that all the time. So, other than that, I think that the other issue is that
7 the pavement on Steeplechase is very bad. We have all those pine trees in the
8 center that grow roots out into the street, so additional traffic is just going to make
9 the street deteriorate faster. So thank you very much for the opportunity.

10
11 **CHAIR LOWELL** – Thank you, Sir. Next we have Nancy Lucido, Joe Lucido,
12 and Abdon Orozco. Nancy Lucido? Anybody? Joe Lucido? Going once, going
13 twice. I see somebody pointing. Okay. I'll give them a chance at the very end if
14 they come back. We have Abdon Orozco. Okay, we have Shelly Lindekugel and
15 then the last speaker is Alicia Schimpff. Perfect.

16
17 **SPEAKER SHELLY LINDEKUGEL** – Hello. My name is Shelly Lindekugel. I've
18 got to tell you, Hey Meli, I've got to tell you I wasn't fired up when I got here but I
19 am fired up now. I've got to say we've lived in Moreno Valley since 1982 and
20 we've lived at 26180 Northshore Drive since 1989. There's been a lot of
21 information out here today. I think it's awesome that so many of our community
22 and so many people in our neighborhood have shown up. We've lived in that
23 community for a long time. I want to say that Mr. Baguio said that there was a lot
24 of confusion about this type of business that is proposed to go in on
25 Steeplechase and I want to say I don't think we're confused. I think we know
26 what we want and we live there and we pay taxes for that area and we support
27 that area. He also said that the citizens of the proposed site would be fortunate
28 to live in a residential setting like this. Well you know what, that's how we feel.
29 Isn't it? Yeah. I'm just going to speak quickly to what I know. I've been a real
30 estate salesperson in Moreno Valley since 1989. Meli and I have worked
31 together. Danny Schwier and I have worked together. I've sold five houses on
32 Northshore and there is only 10 houses on that street. I know that neighborhood
33 really well. I walk it on holidays and put flags in the front yard and it's a very
34 tight-knit community. Kitty Ballard, her son David and my son Danny went to
35 high school together. Mark Basham, congratulations on your marriage. Hello.
36 They live on Steeplechase. I know them. I know your house. I don't know you,
37 but I know your house. I know exactly where you live. With Danny, okay, there
38 you go. Danny Schwier and owns a real estate office here in Moreno Valley and
39 has been doing business here in Moreno Valley for a very long time. Jenny
40 walks the neighborhood every single morning, so what I'm just trying to say is we
41 are a tight-knit community. Someone mentioned about the house at the bottom
42 of Steeplechase, and he said that the police are there every (four times a month).
43 I drive up and down Steeplechase two, three, four times a day and I see police
44 cars there all the time. I just want to say the precedent that this sets. There's
45 already been a precedent set with the house set at the bottom of the hill. Now
46 here we're talking about another one and then pretty soon another one and I just

1 want to end up with the fact that this house has been targeted for this kind of a
2 business because it's a 4500 square foot one-story home. That's why. It doesn't
3 have anything to do with the neighborhood, it just fits their needs well. that
4 neighborhood over through Dalehurst is one of the highest priced neighborhoods
5 in Moreno Valley, and we don't want it there and that's just a simple as it can be.
6 thank you.

7
8 **CHAIR LOWELL** – Thank you very much. With that said, that was the last
9 speaker. I know there were a few people that filled out Speaker Slips that have
10 not spoken yet. Would you like to speak? If not, then I will be closing the Public
11 Comments portion. Last chance, going once, going twice....Public Comments
12 are now closed. Now we are moving onto our Commission Discussion.
13 Speakers finished. Close that one. Give me a second to clear this out for a
14 second. I can't clear that out. Erica, could you move Alicia Schimpff from the
15 speaker que? Commissioner Van Natta, you have questions/comments.

16
17 **COMMISSIONER VAN NATTA** – I have comments. I can appreciate the fact
18 that this is a type of a home that is very much needed. I think I agree with most
19 of the people in the room saying that this is not the right place for it. There were
20 a few inconsistencies I felt in the presentation. There was talking about that they
21 didn't feel that that number of parking spaces were needed and they didn't see
22 why they were required to put additional parking spaces in there that they wanted
23 to leave that circular drive. That certainly would like nice with just the circular
24 drive but that's not....I do believe that the additional parking spaces would be
25 needed even if we're talking. Was there something you wanted?

26
27 **PLANNING OFFICIAL RICK SANDZIMIER** – I just wanted to, as a matter of
28 protocol before you get into too much Commissioner dialogue, we do usually
29 offer the Applicant an opportunity to come back and rebut any of the comments
30 that have been said. So it would be appropriate maybe just to invite them back
31 for a couple comments before you go any further.

32
33 **CHAIR LOWELL** – I'm a little off kilter today. I apologize.

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – That's okay. Sorry to interrupt.

36
37 **CHAIR LOWELL** – I will let Meli finish and then I will call the Applicant back up,
38 so.

39
40 **COMMISSIONER VAN NATTA** – It's going to take me a while to finish. Go
41 ahead.

42
43 **CHAIR LOWELL** – Okay. I apologize for being out of order, but if the Applicant
44 would like to come up and rebut anything he's heard so far.

45

1 **APPLICANT RAMON BAGUIO** – Sorry you had a really nice TV out there, so I
2 thought I'd look at it from out there. Go ahead, I'm sorry, I didn't.....

3
4 **CHAIR LOWELL** – No, we were giving you an opportunity to rebut anything
5 you've heard so far.

6
7 **APPLICANT RAMON BAGUIO** – You guys have a great neighborhood. I can
8 appreciate that. I think that it's unfortunate that some of you can't see one of our
9 sites. I understand that they are very far away. We didn't.....you can't actually
10 build a CLHF in a commercial neighborhood. It's a requirement that it be built in
11 an R Zone or it be done in an R zone, so the comment that this is somehow
12 going to evolve into some kind of halfway house is also a little misleading
13 because it's not. They simply can't just do that. And, you're right, I'm not a nurse
14 so I don't understand all the activities that are involved with that. I too am
15 involved in a lot of volunteer activities like you are ma'am, and I served my nation
16 too as a veteran. So I understand service and I understand these things, but I
17 can see that there is a lot of uproar about this use here. I am going to take that
18 into huge consideration when I talk to the owner after this, and I wanted to say to
19 the neighborhood I appreciate the things that you've said. And I don't want the
20 neighborhood to feel like this is the kind of project where I'm just going to shove it
21 down your throat. That's simply not the case. And I will learn from what I've
22 heard here tonight for my future projects, so that's....if you want to call that a
23 rebuttal, that's my rebuttal.

24
25 **CHAIR LOWELL** – Thank you very much. Okay, Commissioner Van Natta you
26 were speaking.

27
28 **COMMISSIONER VAN NATTA** – Okay, I'm going to shorten my comments a
29 bit. But I'd have to say that no matter how beautiful the facility might be, and no
30 matter what it looks like, there is no denying the fact that it's going to create
31 some problems within the community. You're going to have to take into
32 consideration the changing of the nursing shifts. If you have only one visitor at a
33 time, which I don't think is realistic; you still need two parking places because
34 they are not going to wait for somebody to leave before they come. Same thing
35 with the change on the shifts on the nurses and doctor comes to visit. You don't
36 know what time or when they are going to be there. There might be emergencies
37 that come up. There's just too much going on for it to be in that particular
38 neighborhood. I agree with that was said about the narrowness of the streets,
39 the fact that there aren't sidewalks there, and there is no way to widen that street
40 or improve it. The problem with the u-turns in order to get to that property. And,
41 just like Ms. Lindekugel, I've been in a lot of the houses out there. Unfortunately,
42 even though I've tried, I've never sold a house on Steeplechase. But I think
43 several people who live in the area pretty much have that area wrapped up. But
44 that's not the neighborhood where this is going to fit. It doesn't mean that it can't
45 be in another residential neighborhood, and there definitely are residential
46 neighborhoods where maybe there is more spacing between the houses. There

1 are wider streets where it would be more suitable. It doesn't have to go in a
2 commercial area. It can still go in a residential area but just not this one.

3
4 **CHAIR LOWELL** – Thank you. Commissioner Ramirez.

5
6 **COMMISSIONER RAMIREZ** – Well having worked with the disabled community,
7 I too echo Commissioner Van Natta's comments. I think that traffic can be an
8 issue, especially for emergency medical response. We know that the first one to
9 arrive on scene is always the big fire truck and for them to be able to turn around
10 they have to go all the way up find a spot to turn around. Once they come down
11 and park right in front of the facility, it's going to block the whole street. In
12 addition to that, I think this project is better suited for a different location. And,
13 because of that, I can't approve this project.

14
15 **CHAIR LOWELL** – Thank you. Commissioner Sims. Vice Chair Sims please.

16
17 **VICE CHAIR SIMS** – I'd like to ask a question. I want to understand about the
18 comment that was made about the lack of having to get approvals for six beds for
19 a six-bed facility. Is there any fact or myth on that?

20
21 **PLANNING OFFICIAL RICK SANDZIMIER** – Our city attorney has been doing
22 a little bit of research on that and we will answer that.

23
24 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yes, there is some truth to that.
25 With respect to State Licensed Care Facilities, certain enumerated ones and this
26 I had to look it up because it was the first time I'd seen this particular title before,
27 but it does fall under the same category as the others and there are a number of
28 limits that the State has placed on local agencies on how they can regulate them
29 when they are six beds or less. One of those is that we cannot require a
30 Conditional Use Permit where one is not otherwise required for the residential
31 use.

32
33 **VICE CHAIR SIMS** – So just to get this straight. So somebody could go do a
34 five bed or a six bed in any neighborhood? There is no entitlement process or
35 any oversight pervious?

36
37 **ASSISTANT CITY ATTORNEY PAUL EARLY** – There is no requirement for a
38 Conditional Use Permit. There may be other related aspects to the project or the
39 development that may require building permits or other types of entitlements.
40 But the CUP process, which is what is in effect in this particular case, is not one
41 that we'd be able to impose.

42
43 **VICE CHAIR SIMS** – Well Meli said a lot and I tend to agree that this doesn't
44 seem as an appropriate use within a neighborhood for a variety of reasons. But
45 mainly, you know, I'm an engineer so I kind of focused in on the septic system. I
46 could see this become a nightmare where you'd have to have it pumped more

1 often than not. It essentially might become a holding tank where you'd have a
2 Vactor truck there often and the whole issue I thought it was very compelling
3 about to avoid the noise consideration to think that there would be a quiet mode
4 on an emergency thing. Next to the school it just seems a conflictive purposes
5 that you just can't overcome, so I would just for those reasons in of itself....I'm
6 not opposed to this type of a situation because there is a need for this but for the
7 uniqueness of this neighborhood I don't think this is an appropriate use.

8
9 **CHAIR LOWELL** – Commissioner Barnes.

10
11 **COMMISSIONER BARNES** – Yeah, it's always interesting to hear the different
12 perspectives. Obviously, the Applicant is trying to get something done and the
13 residents are trying to preserve their neighborhood. Taking everyone at their
14 word, it appears that maybe the State has put everyone in a bind because taking
15 him at his word this type of facility has to go in a residential zone. So, given that,
16 it's not going to be your neighborhood tonight it appears but somebody's
17 neighborhood is going to be affected by this, so it appears that the reality is a lot
18 of community outreach and a lot of pre-selling by the next Applicant in the next
19 location is required. It seems like the facility does have the potential to work but
20 given the fact that this neighborhood already has a facility, to me, that's a
21 circumstance that has to be considered because I think you'd want to distribute
22 these somewhat evenly about the City for the sake of fairness. So, although I'm
23 in favor of it in general, I think this is (as the other Commissioners have said) not
24 the right place. I think it's unfortunate that the Applicant didn't provide the
25 information that the City wanted. I think that worked against him, and I am going
26 to have to vote no also.

27
28 **CHAIR LOWELL** – Commissioner Baker.

29
30 **COMMISSIONER BAKER** – Is Gene Cole, the owner, is he in the house tonight
31 or not? He is? He is outside? Okay. I just don't know exactly what he is
32 thinking here. I guess he is trying to make some money right quick but.....

33
34 **AUDIENCE MEMBER** – That's what he said himself.

35
36 **COMMISSIONER BAKER** – Okay, from what you're telling me, are properties
37 hard to sell down there? Because, when I drove up there, there are about three
38 or four up for sale? Wow. Okay. The other thing I've got on this septic deal, I
39 assume those septic tanks are in the rear portion of the house, right?

40
41 **AUDIENCE MEMBER** – They are in the front.

42
43 **COMMISSIONER BAKER** – Oh, in the front?

44
45 **CHAIR LOWELL** – They are generally in the front.

46

1 **COMMISSIONER BAKER** – Wow. Okay. So then when they come out to pump
2 those once a month there sits a honey wagon, right? And it’s going to happen.
3 Trust me.

4
5 **PLANNING OFFICIAL RICK SANDZIMIER** – We should be careful of the public
6 testimony.

7
8 **COMMISSIONER BAKER** – I kind of, I think this guy needs to get a new buyer
9 to be honest with you. I can’t vote for this.

10
11 **CHAIR LOWELL** – Commissioner Baker, we really shouldn’t be having a back
12 and forth with the citizens.

13
14 **COMMISSIONER BAKER** – Oh, I’m sorry.

15
16 **CHAIR LOWELL** – Because we’re not going back to public testimony.

17
18 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We’ve already closed public
19 testimony so we want to make sure that deliberations are based only on the
20 testimony that was in the hearing.

21
22 **COMMISSIONER BAKER** – Oh, I’m sorry.

23
24 **CHAIR LOWELL** – So continue please but just don’t be asking the audience
25 questions.

26
27 **COMMISSIONER BAKER** – I just had a question on how the sewer was going
28 to get pumped. I didn’t know that. Did you know that? That it was in the front
29 yard?

30
31 **COMMISSIONER VAN NATTA** – They generally are.

32
33 **COMMISSIONER BAKER** – Really?

34
35 **COMMISSIONER VAN NATTA** – Yeah.

36
37 **COMMISSIONER BAKER** – Not in my house.

38
39 **COMMISSIONER VAN NATTA** – Well you can’t get into the, you can’t get to the
40 backyard for.....

41
42 **COMMISSIONER BAKER** – Okay and there’s no way we can put the parking
43 down the side. I don’t like this location at all anyhow but.

44
45 **COMMISSIONER VAN NATTA** – They are too close to....it’s too close on the
46 sides.

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COMMISSIONER BAKER – And I understand this totally. Sorry about that. I didn't mean to get involved with the crowd.

CHAIR LOWELL – No worries. Commissioner Gonzalez, do you have any questions/comments? Vice Chair?

VICE CHAIR SIMS – Just as a side note. With the proposed parking over the septic, the septics are not supposed to be covered. The infiltration...

CHAIR LOWELL – You can't cover it.

VICE CHAIR SIMS – Because then they can't evaporate or anything like that so it's.....

CHAIR LOWELL – Plus the parking concern.

VICE CHAIR SIMS – Yeah, it's just not a doable deal.

AUDIENCE MEMBER – Can I say something?

CHAIR LOWELL – No, not no. It has already been closed. No, we're good. We can talk afterwards. It is very rare when an item comes before the Planning Commission that the Staff so adamantly suggests that we deny a project. In my tenure on the Planning Commission this is the second project. And it's not for a lack of homework or a bias against the project, it is the fact that the project doesn't meet specific requirements. For instance it says, as designed the proposed project will not comply with all applicable Municipal Code Provisions including findings governing the Conditional Use Permit. It says that the project is incompatible with the existing planned use in the vicinity. It says, after careful review and analysis based on the information provided and requested during the review process, the required findings for the CUP cannot be made as identified. Furthermore, it says the identified proposed purpose and intent of this section is to ensure that that residential care facilities caring for more than six residents do not result in an adverse impact on adjacent residences. The list just keeps going on. It says that the project is incompatible. It's the wrong place. This is not something that can be taken lightly when the City, after careful review and back and forth and plan checks, suggest that we deny an application. It's a pretty big to do. Like I said, it's only happened twice. I am an engineer. I design projects for a living. I design residential developments, commercial, whatnot. And if the project doesn't meet the sniff test, if it doesn't on the face look like a good fit, it shouldn't go through. If it's the right project in the right location, I have no problem voting yes. If it's the right project, which this is the type of facility that is needed (there is a need for it). But, if it's in the wrong location, it shouldn't be approved and on that note on the City's guidance, I cannot in good faith approve

Minutes Acceptance: Minutes of Mar 24, 2016 7:00 PM (APPROVAL OF MINUTES)

1 this project either. As a matter of clarification, there is a little unique situation to
2 this. A yes vote to approve the Resolution is to deny the project. Is that correct?

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes

5
6 **CHAIR LOWELL** – We’d move to vote a yes vote, an affirmative vote is denying
7 the project. With that said, would anybody like to make a motion on this project?

8
9 **COMMISSIONER VAN NATTA** – I would like to.

10
11 **CHAIR LOWELL** – I will move to the vote.

12
13 **COMMISSIONER VAN NATTA** – You’ll let me do that, huh-uh?

14
15 **CHAIR LOWELL** – I will let you do that if you want to click to move button.
16 Make the motion.

17
18 **COMMISSIONER VAN NATTA** – Okay I move that we **APPROVE** Resolution
19 No. 2016-06 and thereby **DENY** Conditional Use Permit PA15-0019 based on the
20 findings contained in Planning Commission Resolution 2016-06.

21
22 **CHAIR LOWELL** – We have a little technical glitch over here. One of our
23 Planning Commissioner’s computers just turned off, so we will have to do a
24 rollcall vote. So we have a motion by Commissioner Van Natta. Who would like
25 to second?

26
27 **COMMISSIONER BAKER** – I’ll second it.

28
29 **CHAIR LOWELL** – We have a second by Commissioner Baker. Can we have a
30 rollcall vote please?

31
32 **COMMISSIONER RAMIREZ** – Yes

33
34 **COMMISSIONER GONZALEZ** – Yes

35
36 **COMMISSIONER VAN NATTA** – Yes

37
38 **COMMISSIONER BARNES** – Yes

39
40 **VICE CHAIR SIMS** – Yes

41
42 **CHAIR LOWELL** – Yes

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – You forgot Commissioner Baker.

45
46 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – I apologize.

1
2 **COMMISSIONER BAKER** – Yes

3
4 **CHAIR LOWELL** – With that, the motion carries 7-0.

5
6
7 Opposed – 0

8
9
10 **Motion carries 7 – 0**

11
12
13 **CHAIR LOWELL** – Do we have a Staff wrap-up on this item?

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – This is a Conditional Use Permit,
16 which is an appealable action by the Planning Commission. If any interested
17 party is interested in making an appeal, the appeal would be directed to the City
18 Council through the Director of Community Development and that has to be
19 made within 15 days of this action. And, if an appeal is received, we would
20 agendize it for a Council Hearing within 30 days.

21
22 **CHAIR LOWELL** – Thank you very much. Can we take a five minute bathroom
23 break? I'd like to reconvene at 10:00 please. Thank you.

24
25
26 **PLANNING COMMISSION MEETING BREAK**

27
28
29 **CHAIR LOWELL** – There we go. Welcome back. Thank you for allowing us to
30 take a break. The time is 10:06 and we'd like to continue our Public Hearing
31 Items. We're moving onto Item No. 3, which is Tentative Tract Map and
32 Conditional Use Permit for a Residential Planned Unit Development. Tentative
33 Tract Map No. is PR. The application is P15-066. The Conditional Use Permit is
34 P15-067. The Applicant is Beazer Homes, and the Case Planner is Mr. Mark
35 Gross.

- 36
37
38
39 3. Case: Tentative Tract Map No. 36933 (P15-066) and an
40 amended Conditional Use Permit (P15-067) on a 29
41 acre parcel of land in the R15 (Residential 15) and
42 OS (Open Space) land use districts. The project
43 proposes a maximum 274 small lot residential
44 detached Planned Unit Development (PUD), one
45 additional lot for a designated recreation area and 45
46 lettered lots for common open space purposes.

1 Portions of the subject property were previously
2 graded.
3
4 Applicant: Beazer Home
5
6 Owner: Beazer Homes Holding Corp.
7
8 Representative: Pacific Development Solutions Group
9
10 Location: Southeast corner of Eucalyptus Avenue and Fir Street
11
12 Case Planner: Mark Gross
13
14 Council District: 3
15
16 Proposal: Tentative Tract Map and Conditional Use Permit for a
17 Residential Planned Unit Development
18
19

20 **STAFF RECOMMENDATION:**

21
22 Staff recommends that the Planning Commission **APPROVE** Resolution No.
23 2016-03 and Resolution 2016-04, and thereby:
24

- 25 1. **CERTIFY** that the proposed project qualifies for an Addendum to the
26 previously certified Mitigated Negative Declaration pursuant to Section
27 15164 of the California Environmental Quality Act (CEQA) as none of
28 the conditions contained in Section 15162 calling for preparation of a
29 subsequent negative declaration have occurred, and the project with
30 mitigation will not have a significant impact on the environment.
31
- 32 2. **APPROVE** P15-066 for Tentative Tract Map No. 36933 to include the
33 subdivision of a 29 acre parcel of land into a maximum of 274
34 residential lots, one lot for a designated recreational area and 45
35 lettered lots for common open space purposes within the R15
36 (Residential 15) and OS (Open Space) land use districts, subject to the
37 attached conditions of approval included as Exhibit A to the resolution.
38
- 39 3. **APPROVE** P15-067 for an amended Conditional Use Permit and
40 Planned Unit Development (PUD) for a maximum of 274 residential
41 lots, one (1) lot for a designated recreation area and approximately 45
42 lettered lots for common open space areas within the R15 (Residential
43 15) and OS (Open Space) land use districts, subject to the attached
44 conditions of approval and Planned Unit Development Guide included
45 as Exhibits A and B to the resolution.
46

1
2 **CASE PLANNER MARK GROSS** – Thank you very much. Chair Lowell, good
3 evening and Members of the Planning Commission. The Applicant, Beazer
4 Homes, is requesting the approval of Tentative Tract Map No. 36933 and an
5 Amended Conditional Use Permit and Planned Unit Development of a maximum
6 of 274 small lot detached residential homes on 29 acres to include individual
7 home sites, a separate lettered lot for community recreation area with pool, spa,
8 and a restroom building and other common open space areas such as a paseo,
9 walking paths, and tot lots and that’s all within the R15 or Residential 15 Land
10 Use District. And when you’re looking at the map, we have a slide up there right
11 there that kind of shows....you can see the project site just south of Eucalyptus
12 and basically bookends. You have a couple of areas in this project that are
13 zoned as R15. That is the developable portion. And then you have a portion
14 right in the center of the project that is actually zoned as Open Space. And, in
15 the open space areas, the project is actually going to be protecting existing rock
16 outcroppings within a nature park and include a drainage basin for drainage and
17 water quality purposes. Now our next slide just kind of gives a little bit of a
18 perspective of the area of what we’re looking at. The project itself is on the
19 corner of Eucalyptus Avenue and Fir Avenue. It’s essentially revised from two
20 previous project approvals that Beazer Homes received approval on, which was
21 a 276 unit attached condominium project and that was approved in 2005 and a
22 275 unit residential small lot detached project that was approved back in 2011.
23 The proposed project is consistent with surrounding land uses, including a mix of
24 single family and multiple family developments in the vicinity. I wish I had a little
25 bit of a light that I could shine over there and show you but you can pretty much
26 see the project site, which is the orange area there. And then below it you can
27 see a couple of established residential neighborhoods. In fact, two areas. One
28 is actually a PUD. It’s actually a smaller lot development. The other is just a
29 standard type of residential development. Then, to the east and to the south you
30 have multiple family apartments that are included there. And so, with that, it is
31 definitely a project that is compatible. There are other commercial and retail type
32 areas around that particular site, and we’ll kind of get into that as we kind of go
33 through the presentation here. Now the design and the location of the project is
34 really going to allow for a very, very walkable community with access to first of all
35 a multiuse trail, which is located just to the south of the project. And this
36 particular project will have access to it. And they also have access to two
37 adjacent commercial centers. Again, we have the Stoneridge Center, which is
38 located north of Eucalyptus (north of the project area) and we also have the
39 Walmart site and that shopping center, which is directly due east of the project.
40 So from a walkability standpoint, this project really has a good walkable situation.
41 Now briefly summarizing the two components of the project, we have a Tentative
42 Tract Map and we have a Conditional Use Permit and Planned Unit
43 Development. And I want to start off with the Tentative Tract Map, which will
44 come up right here. That map is going to delineate and subdivide components of
45 the project into four acres of open space land to include a nature park and
46 drainage basins within the (OS) Open Space Land Use District. And then there

1 will be the 25 acres that will be designated for the home sites themselves and
2 also the common open space amenities that are included in the site and that is
3 within the R15 Land Use District. Now I do want to mention that there are
4 actually two different scenarios involved. The map here that you see and all of
5 the different maps that you have in your packet include 272 residential lots. Now
6 there is the opportunity and you can see on a lot of these different lots or a lot of
7 these different projects you're going to see Appendix A and what is included in
8 Appendix A is this potential land exchange. Now that scenario too is going to
9 include two additional lots that could go up to 274 residential lots and the reason
10 for that is that the Applicant is in the process currently of completing a land
11 exchange with the Eastern Municipal Water District, which owns the lot
12 immediately to the north and to the east of the project adjacent to lot Z and also
13 to Eucalyptus Avenue. Now negotiations are currently under way to provide
14 additional land to Eastern Municipal for improvement of a pump station there.
15 And, once an agreement is reached between the two properties, it would allow
16 for two additional lots up to the maximum 274 residential lots. The second
17 component of the approval on the project before you this evening is we'll go to
18 the next one and this is the Plot Plan coming up, which is associated with the
19 Conditional Use Permit and the Planned Unit Development. The project is
20 meeting allowable Planned Unit Development requirements included in Section
21 9.03.060 of the Municipal Code. The developer in this case is asking for
22 allowable deviations from the Municipal Code and a lot of these things are
23 highlighted in the Planned Unit Development Guide, which we have just a copy of
24 the sheet but you did have the Guide both in your packet and it's on electronic
25 format. Now some of these deviations are going to include lot area, lot
26 dimensions, lot coverage, and setbacks for the project. I do want to give you a
27 little bit of information on the project itself. Lot sizes here are ranging from 1960
28 square feet to 3989 square feet, so they are fairly small. The proposed unit size
29 is actually 1542 square feet to 1982 square feet. The project is not going to be
30 exceeding density requirements in the 15 units per acre requirements or within
31 that R15 Land Use District. It does provide for many community amenities that
32 are found in condominium or apartment type developments and some of those
33 things, and I did highlight them and we can highlight them again, because these
34 are very much walkable situations for the community and that would be walking
35 trails, tot lots, again recreation type aspects; a community recreation area that
36 includes a pool and a spa and a restroom building, as well as some pocket parks
37 that are associated and included. The small lot residential project, in this case, is
38 going to provide for a greater innovation in housing and also in choice of
39 ownership because it's not only going to be for the first-time homebuyer or the
40 senior that may be looking for a home, it's also going to be for the homeowner
41 looking for limited yard maintenance because again these are going to be smaller
42 lots. I do want to talk a little bit about parking for the site. It's 20 x 20 two-car
43 garages. They will have automatic garage door openers as far as the access in,
44 which is not quite the access of your general project. An additional 142 guest
45 parking stalls are provided. That's 137, which would be under the land exchange
46 scenario. Either one is required or exceeding the requirement of the 2.5 guest

1 parking spaces per lot, which would be provided for additional parking
2 opportunities within the community. I want to now just turn your attention over to
3 some of the drawings that we do have for the project. This happens to be a
4 drawing of the community recreation restroom building that would be located in
5 the community recreation area that is located in pretty much the center of the
6 site. There are going to be individual homes. In the packet, there is a number of
7 different scenarios of the different home possibilities, the different square
8 footages, the different elevations. I'm just going to go through four here., kind of
9 the primary examples of some of the four architecture styles. We have Spanish,
10 Cottage, Italianate and Classical so we will just kind of go through some of these
11 here. And there is also, as far as the project goes, with the application we did
12 have a conceptual fence and wall plan as you can see here so it's delineating the
13 areas where the fences and walls will be provided and there is also a conceptual
14 landscape plan showing how the trees will be clustered in certain strategic
15 locations as you can see. And there will be trees throughout, smaller trees in the
16 individual lots and clustered type trees in the paseo's and some of the walking
17 areas and some of the recreational areas of the site. I just want to turn your
18 attention briefly on the environmental determination for the project. The project
19 includes an addendum to the previous Mitigated Negative Declaration in
20 accordance with the California Environmental Quality Act. And, in this case,
21 there are no substantial changes that have occurred from the original project. It's
22 pretty much the same type of a project other than changes to side openings to
23 the homes and individual private yards. But, other than that, this is pretty much
24 the same project that this Commission did see back in 2011 because it does
25 include the paseo's. It includes all the walking and the open space areas
26 throughout. And basically, as I mentioned, there are no changes that have
27 occurred that would require major revisions of the environmental document and
28 there are no new significant environmental effects that have been indemnified
29 with the project versus the two projects that we talked about earlier. The one that
30 was approved back in 2005 and then the other one that was approved in 2011,
31 which are just about one or two units difference. Public Notice was sent to all
32 property owners of record within 300 feet of the site, published in the newspaper
33 and posted on two separate areas on site. Staff did not receive any public
34 inquiries on the project. Staff does recommend at this point that the Planning
35 Commission **APPROVE** Resolution Nos. 2016-03, 2016-04 and I'll try to read
36 these pretty quickly because they are quite condensed. The first one is to
37 **CERTIFY** that the proposed project qualifies for an addendum to the previously
38 certified Mitigated Negative Declaration pursuant to Section 15164 of the
39 California Environmental Quality Act as none of the conditions contained in
40 Section 15162 calling for preparation of a subsequent Negative Declaration have
41 occurred and the project with mitigation it will not have significant impact on the
42 environment. The second recommendation, Staff's recommendation, is to
43 **APPROVE** P15-066 for Tentative Tract Map No. 36933 to include the subdivision
44 of a 29 acre parcel of land into a maximum 274 residential lots with one lot for a
45 designated recreational area and 45 lettered lots for common open space
46 purposes within the R15, Residential 15 and OS (Open Space) Land Use

1 Districts and that is subject to the attached conditions of approval included in
2 Exhibit A of the Resolution. And, finally, to **APPROVE** P15-067 for an Amended
3 Conditional Use Permit and Planned Unit Development for a maximum of 274
4 residential lots, one lot for a designated recreation area and 45 lettered lots for
5 common open space areas within the R15 and OS Land Use Districts subject to
6 the attached conditions of approval, as well as the Planned Unit Development
7 Guide that is included as Exhibits A and B to the Resolution. That does conclude
8 Staff’s Report. We are here to answer any questions that you may have. I do
9 want to mention that the project Applicant, Lenny Dunn of Beazer Homes, as well
10 as Wes Alston who is the project representative they are both here in the
11 audience this evening and are available to answer your questions as well during
12 the Applicant testimony portion of the hearing. Thank you.

13
14 **CHAIR LOWELL** – Thank you very much. Does anybody have any questions
15 for Staff before we invite the Applicant up? I don’t see any hands going up, so if
16 the Applicant would like to come up.

17
18 **APPLICANT LENNY DUNN** – Thank you. Good evening Chairman Lowell, Vice
19 Chair Sims, Planning Commissioners. When you walk into a Chamber for a
20 public hearing and you see a full house you get a little nervous, so I’m quite
21 relieved right now that it wasn’t for our project. My name is Lenny Dunn. I’m with
22 Beazer Homes. I’m the Vice President and Regional Manager for Southern
23 California. First off, I’d like to thank Staff for working with us throughout this
24 project, particularly Rick, Mark. They’ve been our partner over the past several
25 months as we work to really design this project to make it appropriate for the
26 location. I don’t know if you’re aware but Beazer constructed to two projects to
27 the south and the west of the subject property that we’re talking about tonight.
28 It’s been a long time, over 10 years, but we are truly excited to reactivate the
29 project and bring it to completion. One thing I would like to clarify, which Mark
30 mentioned, is the EMWD issue, the land swap. I did receive confirmation this
31 afternoon from EMWD that their Board has approved that swap. So we have a
32 memorandum of understanding with them and we will continue to get that
33 contract worked out. And it looks like that swap will happen, so the lot will be 274
34 lots. That being said, our team is still here to answer any questions you have
35 and I appreciate once again Staff working with us for the past several months.
36 thank you.

37
38 **CHAIR LOWELL** – Thank you. Do we have any questions for the Applicant
39 before we invite public comments? Nope? Okay. Thank you very much. I’d like
40 to open the Public Comments portion. You can still turn in your slip if you’d like.
41 So our first speaker tonight is Mr. Lenny Dunn. Speaker Lenny Dunn. I was just
42 wondering if you’d like to comment on your own project. The next speaker is
43 Rafael Brugueras.

44
45 **SPEAKER RAFAEL BRUGUERAS** – Good evening Commissioners, Staff,
46 Moreno Valley residents and our guests. They all went home and that’s a good

1 thing. You get to see what's really good. I approve and support this project. I
2 live on Bay in Moreno Beach and I downloaded this Agenda on Monday because
3 I wanted to be here today. Not for this, but just to be here to learn how our City is
4 moving ahead because it begins here. I'm sad to see what happened with the
5 project to help the handicapped, but it was a project in the wrong place. This
6 project is in the right place. I'll tell you why. If you're standing at the gate where
7 the public hearing sign is at, to my left is Walmart. But on that corner is Moreno
8 Beach where you have a freeway entrance and exit. If you go to my right, you
9 have Nissen with another freeway entrance and exit, so people have two ways to
10 come into the street and that's a good thing now. What I like about the 274
11 homes that will be built maybe one day, I hope with your approval because it
12 takes your approval to do this, across the street who have been waiting for a long
13 time for more residents to move in will finally have jobs. Those vacant studios
14 will be full one day with businesses. Walmart will increase their sales. Target
15 will increase their sales. Chevron gas station on the corner will increase their
16 sales. Taco Bell and all these little places and you know what happens when
17 they increase their sales, our revenues go up in taxes to help us with things in
18 the City. But the nice thing I learned when I was listening to the gentleman and
19 the Staff, everything is in walking distance. What young family or senior wouldn't
20 love that to go across the street and buy something and come back home? What
21 a convenience for this developer to put their dream in our City, and I wanted to
22 start off to thank them because they could have left eight years ago when our
23 market went down in 2008. They stuck it out and they are back with confidence
24 to know that we're going to do better this time because we have the right Staff.
25 We have the right Commissioners that are listening to the public and dreaming
26 along side of us for our City to grow. So, once again, I'm glad they didn't give up
27 on us. So we should not give up on them. Thank you.

28
29 **CHAIR LOWELL** – Thank you very much. Mr. Tom Jerele, Sr.

30
31 **SPEAKER TOM JERELE, SR.** – Tom Jerele, Sr. again speaking on behalf of
32 myself. Chair Lowell, Vice Chair Sims, Commissioners, Members of the Staff
33 and public, the Applicant both here in the chambers and watching at home first of
34 all let me compliment you on that last hearing. And I really want to commend
35 Chair Lowell. It's an exception rather than a rule that the community
36 leader/politician (if you will) has the graciousness to apologize to the public and
37 that was a good call and I just want to commend you for that, although this
38 Planning Commission has been really good on a lot of issues. I've been
39 following you guys probably four or five years and I brag on you guys all the time.
40 I think you're very well balanced and you give a lot of good direction on a lot of
41 things, so I thank you all for your service. It's kind of a thankless job but it's an
42 important one. I support the project. Number 1, it is zone compliant so there is
43 no issue there. I think it is very, very nicely laid out. I love the open space and
44 paseo element. It's a good example of what you can do in tradeoff by working
45 with the density and allowing the builder to get what they need for a yield in the
46 project and at the same time provide some natural beauty. I like that. I noticed

1 there is quite a bit of parking tucked away for visitors and things like that and that
2 is a really good call. A little bit of constructive criticism for it. I was looking at the
3 elevations and I think we could do a little bit more on the front and back elevation
4 maybe with some candle leavers. You know, a few years ago, there was an
5 architect on the Planning Commission. I forget his name, a very, very nice guy.
6 He is with the Boy Scouts and I run into him at the bank and these are the types
7 of things he might pick up on. I think it would just give a little bit more interest to
8 the houses because they are a little roll looking and they are going to be pretty
9 tightly collected. And I think they can do something, and I know it will add cost
10 but it will also add footage. I think it will add market appealability and maybe they
11 can do corner lots and things like that. And, keep in mind, I understand building
12 from the ground up from the footing, through the framing, through the design,
13 structural engineering so I kind of know what I speak so it's not just a hair-brain
14 idea. And then everything I'd like to see and again, based on personal
15 experience particularly on the sales I was looking for the Staff Report but I
16 couldn't find it, but whether or not there is any lighting in those areas. Where I
17 live in Sunnymead Ranch, they have a real nice trail way. It's not behind my
18 house. It behind houses north and west of me, but in the summer the kids like to
19 congregate there and they smoke their funny cigarettes and party and they do
20 their exchanges back there. And occasionally you've got to call the cops. You
21 know, it gets a little rambunctious. So a little bit of lighting I think would be really
22 good and especially nowadays with LED solar powered and then maybe
23 transferring them over to electric later on. I don't know if there's going to be an
24 HOA. I'm assuming there would be so that's something the HOA could pick up,
25 but I would strongly encourage some lighting pattern for the paseo's and the
26 open space element just to keep it a good safe environment for the future. But I
27 do support the project. I commend Beazer. They are not beginners. They have
28 been around the community for a long time so I thank them for their long-term
29 commitment. Thank you.

30
31 **CHAIR LOWELL** – Next is Chris Baca.

32
33 **SPEAKER CHRIS BACA** – Good evening Council, Planning Commissioners
34 rather. The gentleman developer was concerned with a lack of participation from
35 the community, so I thought I'd come up here and share my two cents. But I am
36 extremely in favor of this project. I'm extremely concerned with the Stoneridge
37 Shopping Center that I believe this project should be put on fast-track and get
38 these houses built and get the people in there because that shopping center from
39 what I've heard Kohls and Super Target may be shutting down. I don't know if
40 that's true but anyhow that shopping center is....we don't want that boarded up or
41 seeing bankruptcy so you need to fast-track this development to feed into that
42 shopping center. I agree with Mr. Jerele that the development is a beautiful
43 development. I like the little open space they've got there and especially the
44 storm retention basin is great. I would probably add a few more swimming pools
45 and maybe not so densely tight with the development but otherwise it needs to

1 be fast-tracked and we need to do something about that shopping center. Thank
2 you very much.

3
4 **CHAIR LOWELL** – Thank you very much. Would the Applicant like to respond
5 to any of the comments that they’ve heard so far?

6
7 **APPLICANT LENNY DUNN** – First I just want to thank the speakers for being
8 supportive of our project and I do want to clarify to answer your question, yes, in
9 our PUD on Page 5-2 there will be lighting in the paseo’s. And, yes, there will be
10 a homeowners association to maintain all the common elements of the
11 community, so thank you.

12
13 **CHAIR LOWELL** – Perfect. Do we have any questions, comments or
14 concerns? Commissioner Barnes.

15
16 **COMMISSIONER BARNES** – I have a question of fire. One of the conditions
17 requires that there be noncombustible fences along the fire modification zone.
18 The fencing plan shows vinyl on lots one through five. I’m assuming vinyl is
19 combustible.

20
21 **APPLICANT BEAZER HOMES** – When we go into plan check on the project,
22 we will require a fuel modification plan to meet those conditions.

23
24 **COMMISSIONER BARNES** – You’re so patient and quite on that, I thought I’d
25 ask. Thank you.

26
27 **CHAIR LOWELL** – Alright, Commissioner Van Natta.

28
29 **COMMISSIONER VAN NATTA** – I just wanted to say I’m glad to see the
30 building industry kind of reinventing itself and bringing the types of houses that
31 are in demand now. I know back in 2004 to 2006 the trend was towards these
32 humungous homes and the big back yards and all that, and what is called for
33 now and what you’re supplying is midsize homes with lower maintenance
34 requirements and I think they are going to be very much in demand.

35
36 **CHAIR LOWELL** – Commissioner Gonzalez.

37
38 **COMMISSIONER GONZALEZ** – This is more for the Applicant and kind of
39 echoing Commissioner Van Natta, what was the change in the market that you
40 saw from the original plan of condominiums/townhomes to these smaller lot
41 developments? What did you see that made that shift?

42
43 **APPLICANT LENNY DUNN** – To clarify, the 2011 approval was also a small lot
44 detached project. The difference between the 2011 product and the 2016 project
45 that we have today is in 2011 the homes were facing the paseo system without
46 private yards. This project has a combination of private rear yards, as well as a

1 paseo system. The entry of the units will be from the front or the side of the units
2 as opposed to the rear of the units. It's not drastically different from what it was
3 five years ago, but we feel it is more livable. It allows the buyer to be able to
4 have a barbeque in their backyard or their own private area while still maintaining
5 the open space areas and the paseo's.

6
7 **COMMISSIONER GONZALEZ** – Thank you.

8
9 **CHAIR LOWELL** – Vice Chair Sims.

10
11 **VICE CHAIR SIMS** – Mine might also be to the Applicant. I just, out of curiosity
12 on these lots that are stacked and racked real tightly with the three-and-a-half
13 foot minimum setbacks, how do you get the drainage from the backyard to the
14 front? Are there sidewalks that run along between the houses or?

15
16 **APPLICANT LENNY DUNN** – I'm going to allow my civil engineer who is the
17 technical expert on that to answer that question. This is Stan Morris with MDS
18 Consulting.

19
20 **STAN MORRIS** – In each lot, we have a series of yard drains that intersect both
21 the rain from the roofs. They go into the yard drains and we pipe it in
22 underground pipes to a storm drain system in the drives and the alleys.

23
24 **VICE CHAIR SIMS** – Are these cross-lot drainages where they'll have
25 covenants or each individual lot has it's own?

26
27 **STAN MORRIS** – We have reciprocal easements, land use easement, so one
28 homeowner has the use of the yard in between the two houses. But in terms of
29 the area drains, we're keeping those independent of the lot lines.

30
31 **COMMISSIONER BARNES** – So every lot attaches to the storm drain in the
32 street in front of the?

33
34 **STAN MORRIS** – Yes.

35
36 **CHAIR LOWELL** – That goes exactly against the WQMP Standards of
37 impervious disconnect. How do you address that?

38
39 **STAN MORRIS** – You have to give up some things somewhere, and we haven't
40 connected the downspouts to the storm drains (to our yard drains) so they do
41 have a limited area run on impervious soils. So we're not connecting the gutters
42 through the storm drain. They do run on the service to our yard drains.

43
44 **CHAIR LOWELL** – That three foot setback to the fence line, is that concreted or
45 is that dirt?
46

1 **STAN MORRIS** – What it is, we have at least six feet between the houses. That
2 six feet is used by one homeowner and so there is a combination of dirt and a
3 walkway patio stoop. We also have, next to the adjacent house, we have a two
4 foot strip where there can't be any pervious area or any structures.

5
6 **VICE CHAIR SIMS** – So there will be some kind of an Architectural Review
7 Board or the HOA will monitor.

8
9 **STAN MORRIS** – In the HOA in the draft CCNR's, they are limited to certain
10 kinds of structures they put in the side yards, certain amount of concrete surfaces
11 they can put there, and there will be no attachments to the adjacent homeowners
12 building lot.

13
14 **VICE CHAIR SIMS** – I wasn't trying to stir up a hornets nest here. That was just
15 out of curiosity because how do you get the surface drainage out. Thank you for
16 the explanation. I think it's a great project.

17
18 **CHAIR LOWELL** – I had another couple of questions. I was looking over the
19 documents and it says there are easements for the roadways so I'm assuming
20 they are private roadways?

21
22 **APPLICANT LENNY DUNN** – Yes.

23
24 **CHAIR LOWELL** – And they are privately maintained by the HOA. The City has
25 no expense on that?

26
27 **APPLICANT LENNY DUNN** – That's correct.

28
29 **CHAIR LOWELL** – Perfect and I noticed that you kind of hit upon my next
30 question. I was looking for the potential of having a zero foot side yard setback
31 but I think we accomplished that by having offset fences with the fences are the
32 offset so we have like a three foot easement for each lot on the neighbors
33 property?

34
35 **APPLICANT LENNY DUNN** – Yes.

36
37 **CHAIR LOWELL** – And that I didn't notice that until just now, so I didn't look for
38 it but how is that recorded? Is that recorded on the Tract Map? Is it recorded on
39 the Tentative Map? Is it an after the fact?

40
41 **APPLICANT LENNY DUNN** – It could be either way. In the past, we've done it
42 with a separate recorded easement. We have to record it concurrently with the
43 Final Map. There's two ways to do that.

44
45 **CHAIR LOWELL** – Alright. I just, like I said, I just saw this on the fence plan. I
46 didn't pick up on that. The line is typed so wide for the fence but it is really

1 narrow for the lot property line, so I didn't quite pick up that it was an offset
2 property line.

3
4 **COMMISSIONER BARNES** – I had no idea it was zero setback either until just
5 now.

6
7 **CHAIR LOWELL** – It's a three foot setback with the property line but yeah.

8
9 **COMMISSIONER BARNES** – Yeah.

10
11 **APPLICANT LENNY DUNN** – We have several details on the Plot Plan and the
12 Tentative Tract Map that explains that.

13
14 **CHAIR LOWELL** – There's just a lot of paperwork to pick up a little tiny line.

15
16 **APPLICANT LENNY DUNN** – I understand.

17
18 **COMMISSIONER BARNES** – We missed it. Well I like the project way better
19 now. Thank you.

20
21 **CHAIR LOWELL** – Yeah that actually takes a lot of my concerns away.

22
23 **VICE CHAIR SIMS** – Me too. It makes a lot more sense.

24
25 **CHAIR LOWELL** – I was concerned that it was going to be a three foot from the
26 side yard to a fence to a three foot to the building and you'd have this little
27 unusable lot and that's why you guys get paid the big bucks.

28
29 **COMMISSIONER BARNES** – Yep.

30
31 **CHAIR LOWELL** – I actually really like the 2011 approval more than this one
32 with the no fence option and could you explain a little bit or elaborate why you
33 went with a fenced option for a backyard versus a no fence because the no fence
34 option is more open, is more airy, you see a little more green space as your
35 driving down the alleyways or the private roadways. You actually see some
36 landscaping where now you have a five or six or seven foot front yard setback
37 with like enough room for a bush, and you're going to sense for a sense bro-
38 houses and no greenery.

39
40 **VICE CHAIR SIMS** – We're in a drought.

41
42 **CHAIR LOWELL** – You'll make drought tolerant beautiful.

43
44 **VICE CHAIR SIMS** – Yeah, okay.
45

1 **APPLICANT LENNY DUNN** – Is the question why we went from the paseo
2 system to rear yards?

3
4 **CHAIR LOWELL** – My question was what was the driving force from the 2011
5 approval to today by adding the fenced backyards as opposed to removing the
6 reverse fronting houses with the paseo?

7
8 **APPLICANT LENNY DUNN** – What we found is that the purchaser at this
9 location is likely going to be a first-time homebuyer who wants the private yard.
10 You know, part of the private ownership is to have their house and have their
11 yard where they can set up their barbeque, set up their table, and go from the
12 kitchen to the outside and have the barbeque and have people over. Frankly, we
13 started off without having a paseo at all, having larger rear yards and several
14 meetings with Staff we agreed that a combination of a paseo and a rear yard
15 would satisfy everybody’s concerns, so after several deliberations this is where
16 we landed kind of having the best of both worlds.

17
18 **CHAIR LOWELL** – Okay.

19
20 **APPLICANT LENNY DUNN** – And to address the drought, I don’t know who
21 asked that question about the drought and the lush landscaping but the paseo
22 system will be landscaped with drought tolerant material.

23
24 **CHAIR LOWELL** – There won’t be any grass? It will be rocks and cactuses?

25
26 **APPLICANT LENNY DUNN** – There will be a meandering sidewalk. It will be
27 drought tolerant landscaping. There will be benches. There will be....

28
29 **CHAIR LOWELL** – It will be hard to play catch amongst the gravel and cactus.
30 Sorry.

31
32 **APPLICANT LENNY DUNN** – It will not be a football field.

33
34 **CHAIR LOWELL** – Darn it.

35
36 **APPLICANT LENNY DUNN** – But there will be opportunities for recreation.
37 We’ll have a par course and stations where people can walk their dogs
38 responsibly so on and so forth.

39
40 **CHAIR LOWELL** – The original approval in 2011 had the front doors off the
41 paseo. Now that we’re fencing in the access to the paseo, is there opportunity to
42 put a gate from the backyard to the paseo?

43
44 **APPLICANT LENNY DUNN** – Absolutely.

45
46 **CHAIR LOWELL** – Is that included? I wasn’t able to pick up on that.

1
2 **APPLICANT LENNY DUNN** – We have not included a gate. We certainly can.

3
4 **CHAIR LOWELL** – That is something that Staff could look at.

5
6 **APPLICANT LENNY DUNN** – We’re going to have to think about how to do that
7 to protect the privacy of the homeowners so that you just can’t open the gate
8 from the paseo.

9
10 **CHAIR LOWELL** – You can have a lock on it.

11
12 **APPLICANT LENNY DUNN** – I don’t know. I love the idea. We just need to
13 figure out how we can do that.

14
15 **CHAIR LOWELL** – If I had a home there and I had my little six square foot
16 backyard and I had this really awesome open space behind my yard with
17 meandering sidewalks, I’d like to be able to walk from my backyard without
18 having to go to the street and walk around where there are no sidewalks all the
19 way to the paseo when I could just go six feet out my backyard in this nice open
20 space and walk my dog.

21
22 **APPLICANT LENNY DUNN** – So would I.

23
24 **CHAIR LOWELL** – I think it would be an awesome addition.

25
26 **APPLICANT LENNY DUNN** – Agreed.

27
28 **CHAIR LOWELL** – What would be the price point on these properties?

29
30 **APPLICANT LENNY DUNN** – \$200,000’s.

31
32 **CHAIR LOWELL** – Low, mid, high? Somewhere in \$200,000?

33
34 **APPLICANT LENNY DUNN** – You know, from 1500 square feet up to 1900
35 square feet I’m guessing from the from the low to the high \$200,000’s. I know
36 that sounds like a big range. You know, maybe mid \$200,000 to low \$300,000.
37 We’re going up to almost 2000 square feet, so I don’t think that’s beyond the
38 realm of possibility.

39
40 **CHAIR LOWELL** – Awesome. That answered most all of my questions. I
41 originally was coming into this having really bad feelings about the project, and
42 you’ve kind of quelled some of my concerns so I appreciate it.

43
44 **APPLICANT LENNY DUNN** – Thank you.

45
46 **CHAIR LOWELL** – Questions or comments?

1
2 **COMMISSIONER GONZALEZ** – I have one more just for Staff. Will this
3 approval complete the residential component of the SP? Is this pretty much deal
4 with or there is still more vacant land?

5
6 **CASE PLANNER MARK GROSS** – It is actually within that Specific Plan for
7 residential.

8
9 **COMMISSIONER GONZALEZ** – That’s great. Thank you.

10
11 **CHAIR LOWELL** – Any other questions or comments?

12
13 **VICE CHAIR SIMS** – The only other comment is I want to echo we need every
14 shopper for that shopping center. This is a very important project.

15
16 **CHAIR LOWELL** – Can we put it in the conditions of approval that every
17 homeowner shops at Target or Kohls at least once a week.

18
19 **VICE CHAIR SIMS** – I don’t think so but we need shoppers for that shopping
20 center.

21
22 **COMMISSIONER VAN NATTA** – Rooftops.

23
24 **CHAIR LOWELL** – Rooftops. That’s what everybody is calling for. I have a
25 bunch more Speaker Slips. We have Commissioner Sims. Commissioner
26 Gonzalez and Commissioner Barnes, anymore questions?

27
28 **COMMISSIONER GONZALEZ** – No.

29
30 **COMMISSIONER BARNES** – I have a question. The one concern I have goes
31 back to a project that was built quite some time ago here in Moreno Valley, very
32 small lots and the parking in that unnamed project is an absolute mess. And it
33 has driveways and the parking is still a mess. So that’s the only thing that
34 concerns me, and it’s not a deal breaker. But is there a mechanism in the HOA
35 that will allow them to enforce some parking regulations in here so that it doesn’t
36 become like that other unnamed project in Moreno Valley? And, if there is not, I
37 think there should be.

38
39 **CHAIR LOWELL** – Is there additional off-street parking provided on here? I
40 don’t see it.

41
42 **COMMISSIONER BARNES** – 142 guest spaces.

43
44 **APPLICANT LENNY DUNN** – 137 with the additional two lots.

45
46 **CHAIR LOWELL** – I just don’t see it definitive.

1
2 **APPLICANT LENNY DUNN** – So to answer your question, the CCNR’s have
3 not been drafted yet, but I will make sure that they do address the associations
4 ability to control parking. Yeah, I agree that is a very important point.

5
6 **COMMISSIONER BARNES** – And it’s for the benefit of the owners. I mean, I
7 won’t care unless I’m going to visit somebody but that other project is.....

8
9 **APPLICANT LENNY DUNN** – Well I also, you know, correct me if I’m wrong
10 Wes. But, from a fire standpoint with the streets, they may even have to be
11 painted red for fire truck access. Yeah, so parking will probably be prohibited
12 based on the width of the streets.

13
14 **COMMISSIONER BARNES** – Okay, very good. Thank you.

15
16 **CHAIR LOWELL** – Perfect. Any other questions? Commissioner Baker.

17
18 **COMMISSIONER BAKER** – No. I had one other question for the developer
19 there. Is there any chance we can get 360 Architecture on these buildings? I
20 know the one’s facing the public and Dee Young was the one on the Planning
21 Commission with me earlier, and I know that’s always a stickler for the
22 developers. Is that a deal breaker putting the shutters all the way around? I just
23 think it would make a much better looking product.

24
25 **APPLICANT LENNY DUNN** – We’ve talked about this with Staff on numerous
26 occasions and let me explain to you. With the three foot setbacks and the six
27 feet between units, from the street you’re really not even going to see the
28 enhancements you’re talking about on the sides that match up to one another on
29 that six foot difference. So we have shown on the drawings the enhancements
30 that we are going to do when we’re facing a public right-of-way (public street).
31 But, like I said with six feet separation between the buildings, you’re really not
32 even going to see it.

33
34 **COMMISSIONER BAKER** – How about on the back side? I mean you’ll see
35 that, right?

36
37 **APPLICANT LENNY DUNN** – Um-hum.

38
39 **COMMISSIONER BAKER** – Somewhere on the second story?

40
41 **APPLICANT LENNY DUNN** – Where they are visible, yes. So along
42 Eucalyptus, any side of the house facing Eucalyptus will have the enhanced
43 architecture.

44
45 **COMMISSIONER BAKER** – I like the project. I will say that.

1 **APPLICANT LENNY DUNN** – Thank you.

2
3 **CHAIR LOWELL** – Yeah, we can make a motion. Let’s do it. Okay, would
4 anybody like to make a motion tonight?

5
6
7 **VICE CHAIR SIMS** – Well can I make a motion but not have to read the whole
8 thing?

9
10 **CHAIR LOWELL** – If you click the button.

11
12 **VICE CHAIR SIMS** – Can I just say I move that we **ADOPT** Staff’s
13 recommendations to certify the.....

14
15 **ASSISTANT CITY ATTORNEY PAUL EARLY** – If you just read the first
16 sentence without the thereby.

17
18 **VICE CHAIR SIMS** – Okay, got it. Thank you. It’s late. I’m old.

19
20 **CHAIR LOWELL** – You’re good.

21
22 **VICE CHAIR SIMS** – I recommend that the Planning Commission **APPROVE**
23 Resolution No. 2016-03 and Resolution 2016-04.

24
25 **CHAIR LOWELL** – Is that sufficient?

26
27 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Absolutely.

28
29 **CHAIR LOWELL** – Perfect. We have a motion. Do we have a second?
30 Seconded by Commissioner Baker. Please cast your votes. All votes have been
31 cast. The motion passes 7-0. Do we have a Staff wrap-up on this item?

32
33
34 Opposed – 0

35
36
37 **Motion carries 7 – 0**

38
39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – We do. There are two
41 applications that you just approved. We just have two different appeal periods.
42 Both are appealable. The Tentative Tract Map per our Municipal Code has a 10
43 day appeal period. If any interested party is interested in appealing that
44 application, they can file an appeal to the City Council through the Director of
45 Community Development within those 10 days, and it would be agendized for a
46 Council hearing within 30 days. The Conditional Use Permit has the same

1 appeal process, except you have 15 days for that appeal. You also would submit
2 the appeal through the Director of Community Development to the City Council,
3 and we will agendize that for a hearing within 30 days.
4
5
6

7 **OTHER COMMISSION BUSINESS**

8
9 **CHAIR LOWELL** – Perfect. With that, we move onto Other Commission
10 Business, which I don't think we have any.
11

12
13 **STAFF COMMENTS**

14
15 **CHAIR LOWELL** – We have Staff Comments. Do we have anymore Staff
16 Comments or was that it?
17

18 **PLANNING OFFICIAL RICK SANDZIMIER** – That was it.
19

20 **CHAIR LOWELL** – Perfect. I had one comment I was hoping to maybe put on
21 the next Agenda item or the next meeting of revisiting or visiting for the first time
22 the landscape requirements for the low water drought tolerant planting. Some of
23 the projects that I'm working on lately they have zeroscaped where they just take
24 crushed rock and just dump it on the front yard and within a month or two we
25 have weeds that are taller than the native plants that were planted. And I was
26 hoping to talk about possibly putting some sort of a weed barrier underneath the
27 rock between the rock and the dirt, but we need to agendize it and get with Staff
28 on that.
29

30 **PLANNING OFFICIAL RICK SANDZIMIER** – We'd be happy to bring that back
31 as a Non-Public Hearing Item at the next meeting. I have some details and some
32 explanation on what our landscaping requirements are and what are current
33 provisions are for weed barriers or requirements for the barriers.
34

35 **CHAIR LOWELL** – Perfect. I don't know if I can get this to zoom in. I'm trying
36 to see what the date of the next meeting is.
37

38 **PLANNING OFFICIAL RICK SANDZIMIER** – April 28th.
39

40 **COMMISSIONER BAKER** – Is it not zooming in?
41

42
43 **PLANNING COMMISSIONER COMMENTS**

44
45 **CHAIR LOWELL** – Okay, with that, I'd like to adjourn tonight's meeting to April
46 28th.

1
2 **COMMISSIONER VAN NATTA** – You’re supposed to go to Planning
3 Commissioner Comments.

4
5 **CHAIR LOWELL** – I asked for comments. Would anybody else like comments?
6

7 **COMMISSIONER VAN NATTA** – I would.
8

9 **CHAIR LOWELL** – Okay.
10

11 **COMMISSIONER VAN NATTA** – I just wanted to say that Sizzler is open again
12 on Sunnymead and Perris, and we went there for lunch today and it is fabulous.
13 So, if you haven’t been there, go try it out.
14

15
16 **ADJOURNMENT**

17 *Next Meeting: Planning Commission Regular Meeting, April 28th, 2016 at 7:00*
18 *PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street,*
19 *Moreno Valley, CA 92553.*
20

21
22 **CHAIR LOWELL** – With that, I would like to adjourn until April 28th, 2016, the
23 next Regular Meeting of the Planning Commission. Thank you very much.
24
25
26
27
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29
30
31
32
33
34
35

36 _____
37 Richard J. Sandzimier
38 Planning Official
39 Approved
40
41
42
43
44
45
46

Date

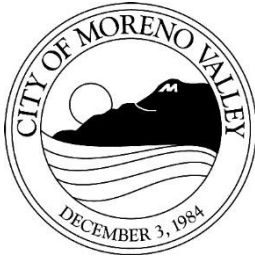
Minutes Acceptance: Minutes of Mar 24, 2016 7:00 PM (APPROVAL OF MINUTES)

1
2
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4
5

Brian R. Lowell
Chair

Date

Minutes Acceptance: Minutes of Mar 24, 2016 7:00 PM (APPROVAL OF MINUTES)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 28, 2016

WEED ABATEMENT AND WEED BARRIERS ON PRIVATE PROPERTY

Case: Discussion Item Regarding Weed Abatement and Weed Barriers

Applicant: City of Moreno Valley

Owner: Not applicable

Representative: Not applicable

Location: City-wide

Case Planner: Chris Ormsby

Council District: Not applicable

DISCUSSION

Background

Planning Commission Chair Lowell recently brought to staff's attention concern regarding the appearance of installed residential landscapes within a new residential tract. The concern is with weed growth in the turfless drought tolerant landscapes. The photographs provided represent a recent project constructed in compliance with new drought restrictions (attachment). These homes were already owner occupied when the photographs were taken.

The requirement for turfless drought tolerant landscapes of all front yard landscapes is a recent development. In May 2015, the Eastern Municipal Water District (EMWD) indicated that the agency would not approve water budgets for any development of new residential single-family homes with front yard turf. This coincided with action by EMWD's Board of Directors on May 8, 2015 to move into Stage 4 of the Water Shortage

Contingency Plan (WSCP). These actions affected front yard landscape plans for new single-family residential tracts that were already approved and, in some cases, under construction. Single-family residential developers had to move quickly to respond to the new requirements. Planning worked with applicants to ensure that this requirement was satisfied consistent with the current Municipal Code requirements.

Municipal Code Requirements

The current Municipal Code provides standards for drought tolerant landscapes and related irrigation. However, the current standards and guidance did not anticipate the requirement for turfless drought tolerant landscapes for all new residential front yards. Therefore, although numerous standards are already in place, minimum standards (e.g. number of plants, spacing of plants etc.) are generally not provided for a turfless drought tolerant landscape.

The Municipal Code includes a requirement that at least one of the model homes for a new tract provide a sample drought tolerant palette. As provided for in the Municipal Code, “A xeriscape-planting concept with a turfless front yard shall be incorporated for at least one of the models and as an option for typical front yards.” This continues to be an on-going requirement for new residential tracts. In staff’s experience, very few homebuyers purchase the upgraded option. However, a “model” landscape plan helps homeowners to better understand the potential design possibilities of a drought tolerant landscape.

A proposed Municipal Code Amendment, being considered as a separate Planning Commission Agenda item on April 28th, provides refinement and clarification to the existing Code requirements for turfless landscapes. With the continuing drought and in light of EMWD’s new requirements, it became apparent to staff that further refinement of the existing single-family landscape standards was needed. Therefore, as part of the proposed Code amendment, staff is adding a number of standards and definitions that will improve guidance to applicants and staff.

With regard to addressing the weed issues identified in the photographs and raised by Chairman Lowell, the addition of a definition of mulch to include rock material will ensure that staff can require a three inch layer of rock material. A deeper layer of mulch can be effective in reducing the potential for weed growth in rock areas.

Weed Abatement

The Code and Neighborhood Services Division of Community Development Department enforces weed abatement on private properties and in particular responds to complaints and concerns with weeds on single-family properties. The applicable section of the Code is as follows:

“C. Landscaping, vegetation, or improved or unimproved property in any of the following conditions:

1. *Property, including any sidewalks and parkways adjacent thereto, containing weeds, dry grasses, dead trees, dead shrubs, or any other material which bears seeds of a wingy or downy nature or which by reason of their size, manner of growth or location, constitute a fire hazard or a threat to public health, or containing weeds, vegetation, grasses, trees or shrubs, including, but not limited to sagebrush, chaparral, and Russian Thistle (tumbleweed) which, when dry, will in reasonable probability constitute a fire hazard or be blown onto adjoining property by prevailing winds;*

2. *Containing stagnant or standing water, refuse, rubbish, offal, excrement or other waste materials which emit an odor;*

3. *Unimproved surfaces of front and visible side yards not completely landscaped and covered with any combination of ground cover consisting of live plant materials, decorative rock, redwood bark, and/or mulch as long as such covering is consistent with any existing land use approvals, permits, entitlements, contracts or environmental document relating to the property; ...”*

Aside from the description provided in Item 1 above, there is no definition in the Municipal Code for a “weed.” For commercial and agriculture uses, there are noxious weeds identified by the U.S. Department of Agriculture. These are weeds that are hazardous to plants and/or the environment. However, experts differ on what a weed is in an ornamental landscape. Based on Colorado State University’s Horticulture Department website, a common philosophical definition of a weed is “a plant whose virtues have yet to be discovered.” More practically, weeds are plants that are not desired and are misplaced in the landscape as they detract from an aesthetically pleasing appearance.

Maintenance of Drought Tolerant Landscaping

Well-designed drought tolerant landscapes can be very appealing, but present challenges for homeowners who do not have experience with drought tolerant plant materials. Unlike traditional landscapes, drought tolerant shrubs and ground cover often need considerable spacing at planting to allow for plant maturity. However, the areas between the shrubs can provide an opportunity for weeds to grow. This is generally addressed by applying mulch which may include wood chips, bark, or rock.

Weed Barriers

A weed barrier is a sheeting material placed down during landscape installation to reduce weed growth. Weed barriers range from plastic to a variety of fabric materials. The City does not currently require weed barriers for project. In general, even when a weed barrier is used a layer of mulch of two or three inches in depth is placed above the weed barrier. Although there are applications where they may be appropriate, many landscape professional and gardening websites do not recommend weed barriers.

Some concerns with the effectiveness of weed barriers include the following:

- A. Weed barriers restrict percolation into the soil, which may conflict with other objectives such as water quality.
- B. Any kind of fabric or plastic that reduces weed growth will also limit leaves or mulch from adding organic matter to the soil making it difficult for plants to achieve full maturity.
- C. A practical concern of root barriers is that in time the barriers will breakdown in the soil and weeds will take root.
- D. Weed seeds can germinate in the mulch or top soil that is placed on top of a weed barrier.
- E. Weed barriers generally do not perform well on steeper slopes as mulch or top soil can wash from the underlying barrier creating an aesthetic concern by exposing the barrier.
- F. Maintenance of weed barriers can be challenging and time consuming. Replacing a swath of fabric in an established landscaped area is nearly impossible without removing the prior weed barrier and starting over.

In reviewing the requirements of several other cities, none of the cities required or recommended weed barriers. The City of Sacramento's guidelines recommend weed barriers only in areas where grass is being removed or under permeable surfaces such as patios and walkways where plants will not be grown. If a weed barrier is used, the City of Sacramento requires that it be permeable allowing both water and air to penetrate. However, no weed barrier will be completely permeable or allow organic material to pass through.

Consistent with this research, the proposed Municipal Code Amendment includes a provision allowing for limited use of weed barriers. The proposed text identifies that "Mulch with an accompanying weed barrier may be used in a limited way when appropriate to a design concept."

Discussion Regarding Improving Turfless Drought Tolerant Landscapes

The proposed Municipal Code Amendment will address existing gaps in the City's current drought tolerant standards, which will help ensure the quality of turfless landscapes. In addition to this effort, the following discussion points are offered which could further the quality and/or maintenance of drought tolerant landscapes:

- A. Explore further amendments to the landscape standards that will establish more specific minimum standards for turfless drought tolerant landscapes.
- B. Research ways to ensure that the drought tolerant landscapes are installed according to the approved plans. Drought tolerant landscapes present challenges for verification in the field. It is much easier to verify that sod has been installed as compared to whether mulch has been provided consistent with the landscape standards. At present, there is no requirement for the project landscape architect to provide verification that residential front yard landscaping is installed according to the approved plans.

- C. Develop a hand-out to address maintenance of drought tolerant landscapes for residential homeowners similar to the hand-out already developed for commercial development. (attached)
- D. Encourage or require developers to provide information to homebuyers with regard to the installed turfless drought tolerant landscape. The information could also include requiring that developers provide information to homebuyers about various resources and websites to assist in the homeowner's maintenance of their front yard. As an example, both Western Municipal Water District (Riverside) and Eastern Municipal Water District (Perris) have demonstration gardens that provide excellent examples of drought tolerant plants and landscapes.

STAFF RECOMMENDATION

This item is presented for discussion and direction by the Planning Commission. No formal action is recommended.

Prepared by:
Chris Ormsby
Senior Planner

Approved by:
Allen Brock
Community Development Director

ATTACHMENTS

1. Photographs Residential Front Yard Landscapin
2. Guidelines for Commercial Landscape Maintenance



Attachment: Photographs Residential Front Yard Landscapin [Revision 1] (2021 : Weed Abatement and



Attachment: Photographs Residential Front Yard Landscapin [Revision 1] (2021 : Weed Abatement and



Attachment: Photographs Residential Front Yard Landscaping [Revision 1] (2021 : Weed Abatement and

GUIDELINES TO COMMERCIAL LANDSCAPE MAINTENANCE

The following guidelines are provided to assist commercial businesses in meeting landscape standards. Landscaping in commercial developments shall be maintained in compliance with the approved landscape plans on file with the City of Moreno Valley and/or the City's Landscape Standards. Landscape Standards, as well as lists of approved shrubs, ground cover, and trees, can be found on the Planning Division webpage at www.moval.org. Please send all questions to planning@moval.org or call 413.3206.

General Provisions

Planters, parking lots and adjacent public rights-of-way shall be maintained free of weeds, and dead grass or vegetation. Exposed dirt is not allowed.

Maintenance

Landscaping shall be maintained in a healthy condition, free from weeds, and trimmed clear of sidewalks and parking spaces.

Irrigation

Irrigation shall be maintained in good working condition, free of leaks and broken lines or valves.

Planters

Parking lot planters shall have trees planted in accordance with the City's adopted Landscape Standards (End Planters — 2 trees/planter, Finger Planters — 1 tree/planter).

Shrubs

Shrubs shall be planted at a ratio of 1 shrub/15 square feet of shrub/ground cover area.

Ground Cover

Ground cover shall be planted 12 inches on center. Mulch (minimum of 3 inches deep) shall cover exposed areas.

Trees

Mature trees (4 inch trunks or greater) shall be retained in-place. If this is not feasible or possible to relocate, the replacement ratio is 3 to 1 using 24 inch box size trees.

Examples of landscaping allowed:



Landscape installed and free of weeds, planter beds mulched.



Landscape installed and mulched.



Contains appropriate landscaping and mulch.

Examples of landscaping not allowed:



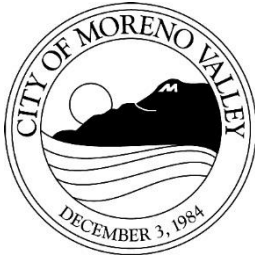
Unmaintained public right-of-way and weeds in parking lot.



Area not appropriately landscaped and contains dead vegetation.



Missing required landscaping and mulch.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 28, 2016

P16-007 & P16-008 - VARIANCE REQUESTS TO REDUCE THE REAR SETBACK OF TWO EXISTING FOUR UNIT APARTMENT COMPLEXES.

Case: P16-007 and P16-008

Applicant: Riverside Housing Development Corp (RHDC)

Owner: Riverside Housing Development Corp (RHDC)

Representative: Riverside Housing Development Corp (RHDC)

Location: 22889 Allies PI and 22899 Allies PI

Case Planner: Claudia Manrique

Council District: 5

SUMMARY

The variance requests are to reduce the required rear setback from 25 to 5 feet for two properties owned by the Riverside Housing Development Corp (RHDC). The proposal is to construct four one car garages for two existing apartment complexes. The project site is located within a Residential 20 (R20) zoning district.

PROJECT DESCRIPTION

Project

A variance may be granted to vary from the strict application of certain zoning standards where there are practical difficulties or unnecessary hardships in the application of the Municipal Code. The authority to grant variances is vested with the Planning Commission.

The Riverside Housing Development Corp (RHDC) submitted the variance applications on February 2, 2016. The variances are requested by the applicant to improve the existing apartment complexes by adding enclosed garages, storage space and laundry facilities. This has already been accomplished for several other buildings owned by RHDC in the vicinity.

The installation of proposed garages and amenities for the two (2) existing four unit apartment complexes located at 22889 Allies Place (APN: 291-293-009) and 22899 Allies Place (APN: 291-293-010) requires a variance from the typical rear setback standard, because based on the property characteristics (e.g. shape, size) the desired garages could not be achieved based on a strict application of the 25' setback. As proposed, the rear setback at the proposed garages would be five feet. In this configuration there would still be approximately 10 feet between the alley and face of garage in order to provide adequate sight distance.

While the Residential 20 (R20) zoning district calls for a rear setback of 25 feet, based on research of other properties in the vicinity staff has discovered that nine of the thirteen properties along Allies Place have been improved with garages with similar reduced rear setback as requested by the applicant (Attachment 1 – Aerial Photograph). Furthermore, in June 2014, a variance was requested and approved by the Planning Commission for a neighboring multiple-family project at 22877 Allies Place. While the garages have been built at 22877 Allies Place, the garages are not reflected on the City's aerial photograph yet. There are also seven properties constructed with garages on Adrienne Way with reduced setbacks to accommodate the garages.

Riverside Housing Development Corporation (RHDC) is a community based not-for-profit corporation which works to revitalize neighborhoods throughout Riverside and San Bernardino Counties by improving the quantity, quality, and condition of affordable housing available for low income households. RHDC is working with the City of Moreno Valley through the multiple-family Neighborhood Stabilization Program (NSP) to assist in acquisition of multiple-family properties. RHDC then rehabilitates and rents these units to low and moderate income qualified families, which is a desired benefit to the City.

The proposed projects at 22889 and 22899 Allies Place involve NSP funding. Other benefits, as warranted, the rehabilitation of the apartment complexes will correct any existing building code violations and improve health and safety concerns with the properties, and improve accessibility for eight residential units (four units per apartment complex). The proposed exterior improvements will enhance the neighborhood's physical appearance (Attachment 2 and Attachment 3 – Site Plan and Elevations).

The approval of the variances will allow for the construction of a total of eight one-car enclosed garages consistent with current parking code standards that call for one covered space per bedroom. The addition of additional storage space and a laundry room, which are also proposed with the project, will be beneficial to future residents of the project.

Site/Surrounding Area

The project sites are located at 22889 Allies Place and 22899 Allies Place, east of Courage Street and west of Pride Lane. Each parcel will be improved with a four unit apartment building (Attachment 4 – Site Photographs). The existing apartment buildings are vacant at this time.

The proposed sites are within the Residential 20 (R20) zoning district. The neighboring parcels surrounding the site are also zoned Residential 20 (R20) (Attachment 5 – Land Use).

Access/Parking

The main entrance to each apartment complex is located on Allies Place. One covered parking space per unit will be provided by the proposed garages at the back of the property along the alley way (public right of way). Additional off-site street parking is available on Allies Place for guests.

REVIEW PROCESS

This project was submitted in February 2016. City staff from various departments reviewed the proposal and worked with the applicant to resolve the issues and interests raised. Key design challenges raised with regard to adequate sight distance and placement of the garage were resolved based on plan revisions, additional background information, and a site visit.

ENVIRONMENTAL

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined the project will not result in any significant effect on the environment, the proposed rear setback reduction does not result in the creation of a new parcel or in any changes in land use or density, and therefore the project qualifies for an exemption under the provisions of CEQA as a Class 5 Categorical Exemption, CEQA Guidelines, Section 15305, Minor Alterations in Land Use Limitation.

NOTIFICATION

In accordance with Section 9.02.200 of the Municipal Code, public notification was sent to all property owners of record within 300' of the proposed project site on April 15, 2016 (Attachment 6). In addition, the public hearing notice for this project was posted on the project site on April 15, 2016, and published in the Press Enterprise newspaper on April 16, 2016.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolutions No. 2016-07 and 2016-08, and thereby:

1. **CERTIFY** that the proposed Variances are exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 5 Categorical Exemption, CEQA Guidelines, Section 15305 for Minor Alterations in Land Use Limitation; and
2. **APPROVE** Variance P16-007 based on the findings contained in Planning Commission Resolution 2016-07; and
3. **APPROVE** Variance P16-008 based on the findings contained in Planning Commission Resolution 2016-08.

Prepared by:
Claudia Manrique
Associate Planner

Approved by:
Allen Brock
Community Development Director

ATTACHMENTS

1. Aerial Photograph
2. Site Plan and Elevations for 22889 Allies PI (P16-007)
3. Site Plan and Elevations for 22899 Allies PI (P16-008)
4. Site Photographs
5. Land Use Map
6. Public Hearing Notice
7. PC Resolution 2016-07
8. PC Resolution 2016-08
9. Revised Resolutions

Aerial Photograph P16-007 & P16-008



Legend

Parcels

Notes

Variance for reduced rear setbacks
22889 Allies PI and 22899 Allies PI
A.P.N(s): 291-293-009 & 291-293-010

415.3 0 207.67 415.3 Feet

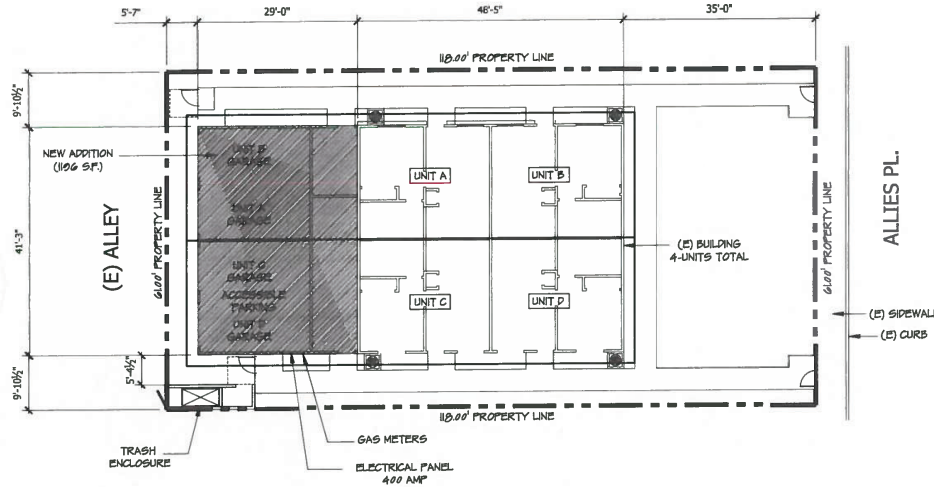
DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and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

Riverside Housing Development Corp.

Fourplex Renovation & Garage Addition

22889 Allies Pl. Moreno Valley, CA 92553

(Plb-007)



PLOT PLAN (SEE ENLARGE SITE ON SHEET A0)

SCALE: 1" = 10'-0"



Sheet Index

SHEET	SHEET TITLE
TS	TITLE SHEET
A0	ENLARGED SITE PLAN
A01	USABLE BATHROOM DETAILS
A02	USABLE KITCHEN AND DOORS DETAILS
A1	FLOOR PLAN
A2	BUILDING SECTION + ROOF PLAN
A3	BUILDING ELEVATIONS
A4	ELECTRICAL PLAN
T24	ENERGY CALCULATIONS
S1	FOUNDATION PLAN
S2	FRAMING PLAN
D-1	DETAILS
D-2	DETAILS
SWP	STRONG WALL PORTAL WALLS DETAILS

Plan Notes

SITE REQUIREMENTS

- CONTRACTOR SHALL IDENTIFY ALL STORM DRAINS, DRAINAGE SWALES AND CREEKS LOCATED NEAR THE CONSTRUCTION SITE, AND MAKE SURE ALL SUBCONTRACTORS ARE AWARE OF THEIR LOCATIONS TO PREVENT POLLUTANTS FROM ENTERING THEM. ALL STORM DRAIN INLETS SHALL BE PROTECTED USING FILTER FABRIC CLOTH TO PREVENT SEDIMENTS FROM ENTERING THE STORM DRAINAGE SYSTEM DURING CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL KEEP MATERIALS OUT OF THE RAIN, AND PREVENT RUNOFF POLLUTION AT THE SOURCE. STORE HAZARDOUS WASTE IN DRUMS AND COVERED BINS AND CONTRACT A COMPANY TO DISPOSE OF IT PROPERLY.
- RECYCLING BINS AND CONTAINERS SHALL BE INSTALLED IN CONVENIENT LOCATIONS ON THE JOBSITE.
- PRESERVE OR RELOCATE EXISTING MATURE TREES AND SHRUBS AS NECESSARY. FENCE ALL OTHER TREES AND SHRUBS FOR PROTECTION FROM EQUIPMENT DURING CONSTRUCTION. PERMEABLE PAVING SHALL BE USED ON DRIVEWAY AND WALKWAYS TO FRONT DOOR.

XAVIER
DESIGN
GROUP

4481 Pondmoor Dr
Riverside
California 92505
951 830 2018

Xavier Hernandez

Xavier Hernandez
principal designer

DESIGNER AND/OR ARCHITECT ASSUMES ALL RESPONSIBILITY AND LIABILITY FOR THE PROJECT. THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PROJECT:
RHDC Fourplex Renovation
22889 Allies Pl.
Moreno Valley, CA 92553

Contact	Project Data	Scope Of Work	Vecinity Map
<p>OWNER: RIVERSIDE HOUSING DEVELOPMENT CORP. CONTACT PERSON: CLEVE STEVENS 951.232.5056</p> <p>PROJECT TO BE PUBLICLY FUNDED</p>	<p>LEGAL DESCRIPTION</p> <p>A.P.N.: 291-293-009-0 LOT SIZE: 7405 S.F. LOT / TRACT: 39 / 2831</p> <p>ZONING INFO:</p> <p>BUILDING ZONE: R-1 CONSTRUCTION TYPE: VB OCCUPANCY: R3-U CITY: MORENO VALLEY COUNTY: RIVERSIDE YEAR BUILT: 1940</p> <p>PROJECT AREAS</p> <p>EXISTING LIVING AREA SQ. FOOTAGE: 1997 S.F. PROPOSED ADDITIONS: 1196 S.F. NEW TOTAL BUILDING AREA: 3193 S.F.</p> <p>LOT COVERAGE: 43%</p>	<ol style="list-style-type: none"> TO REHAB EXISTING 4 UNIT APARTMENT UNITS. ADD NEW 4 CAR GARAGES, A LAUNDRY ROOM AREA AND A STORAGE AREA (1196 S.F. TOTAL AREA) REMOVE AND REPLACE ALL DAMAGED DRYWALL. REMOVE AND REPLACE ALL WINDOWS AS PER WINDOW SCHEDULE. INSTALL 2 NEW WATER HEATERS (100 GAL. & A 40 GAL.) INSTALL NEW SPLIT SYSTEMS HVAC UNITS. INSTALL NEW AC CONDENSERS. REPAIR ALL ELECTRICAL WIRING AS NEEDED. REMOVE AND REPLACE ALL ELECTRICAL PLUGS, SWITCHES AND LIGHTS REMOVE AND REPLACE ALL KITCHEN AND BATHROOM CABINETS. REMOVE AND REPLACE ALL DAMAGED DOORS. PAINT ALL INTERIOR AND EXTERIOR. REMOVE AND REPLACE ALL BATHROOM AND KITCHEN FIXTURES. REMOVE AND REPLACE EXISTING ROOF WITH NEW ROOF TRUSS SYSTEM REMOVE, REPLACE AND RELOCATE ELECTRICAL PANELS. REMOVE, REPLACE AND RELOCATE GAS METERS. <p>APPLICABLE BUILDING CODES:</p> <p>2013 CALIFORNIA BUILDING CODE 2013 CALIFORNIA PLUMBING CODE 2013 CALIFORNIA RESIDENTIAL CODE 2013 CALIFORNIA ELECTRICAL CODE 2013 CALIFORNIA GREEN CODE 2013 CALIFORNIA MECHANICAL CODE 2013 CALIFORNIA ENERGY CODES</p>	

rev date remark

Title Sheet
+ Site Plan

TS

Xavier Hernandez
Xavier Hernandez
Project Manager

I/We warrant any and all responsibility and liability for problems which may arise from the design or construction of the project. We warrant that the design and construction of the project shall conform to the applicable codes and standards which we specify. We warrant that the design and construction of the project shall conform to the applicable codes and standards which we specify. We warrant that the design and construction of the project shall conform to the applicable codes and standards which we specify.

RHDC Fourplex Renovation

PROJECT: 22889 Allies Pl.,
Moreno Valley, CA 92553

PROJECT:

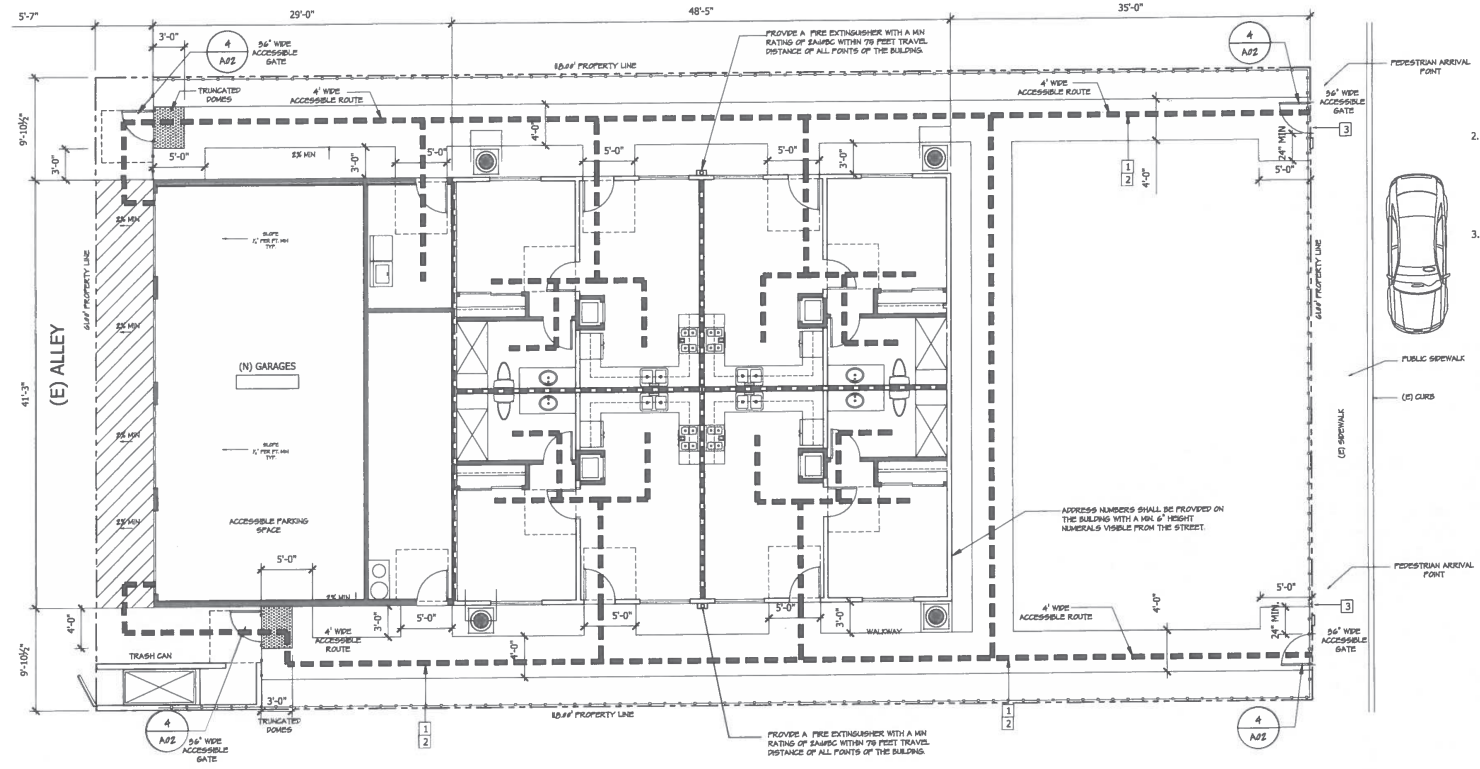
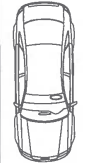
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Enlarged Site Plan

A0

SHEET NOTES

- DASHED LINE TO INDICATE A MIN. 3'-0" WIDE CLEAR PATH OF TRAVEL. SLOPE UP OR DOWN SHALL NOT EXCEED 1:20(5%) WITH GROSS SLOPE NOT TO EXCEED 1/4" PER FT. ABRUPT CHANGES IN LEVEL SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1 UNIT VERTICAL TO TWO UNIT HORIZ. (50%). LEVEL CHANGES NOT TO EXCEED 1/4" MAY BE VERTICAL. ANY OBSTRUCTION THAT OVERHANGS A PATH OF TRAVEL SHALL BE A MIN. OF 80" ABOVE THE WALKING SURFACE AS MEASURES FROM THE BOT. OF THE OBSTRUCTION.
- WALK AND SIDEWALK SURFACES SHALL BE SLIP-RESISTANT AS FOLLOWS.
(A) SURFACES WITH A SLOPE OF LESS THAN 6 PERCENT GRADIENT SHALL BE AT LEAST AS SLIP RESISTANT AS THAT DESCRIBED AS A MEDIUM SALTED FINISH. (B) SURFACES WITH A SLOPE OF 6 PERCENT OR GREATER GRADIENT SHALL BE SLIP-RESISTANT.
- PROVIDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN AT THE PRIMARY PUBLIC ENTRANCE AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL. THE SIGNS SHALL DIRECT PERSONS TO ACCESSIBLE ENTRANCES AND FACILITIES. MOUNTING HT. FOR SIGNS AT DOORS SHALL BE 60" FROM THE WALKING SURFACE TO THE CENTER LINE OF THE SIGN.



SITE PLAN

SCALE: 3/16" = 1'-0"

Xavier Hernandez
Principal Designer

XDC reserves the right and all responsibility and liability for problems which arise from failure to follow these plans, specifications and design intent. Any changes to the plans and specifications shall require written approval from XDC. XDC shall not be responsible for any errors or omissions in these plans and specifications. It is the responsibility of the contractor to verify all dimensions and existing conditions on the job and shall report any discrepancies to the architect prior to commencing the work in location.

PROJECT: **RHDC Fourplex Renovation**
22889 Allies Pl.
Moreno Valley, CA 92553

rev date remark

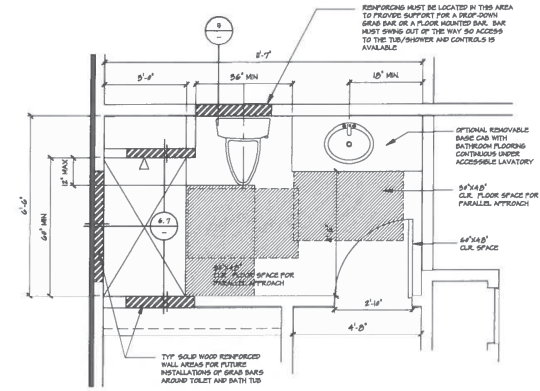
Bathroom
Accessible Details

A01

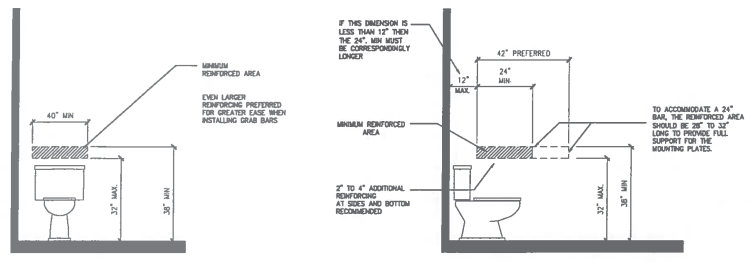
USABLE BATHROOM NOTES
TOILET FLUSH CONTROLS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING. CONTROLS FOR THE FLUSH VALVES SHALL BE MOUNTED ON THE WIDE SIDE OF TOILET AREAS, NO MORE THAN 44" ABOVE THE FLOOR. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 LBS.-FORCE
PROVIDE A LEVER-OPERATED FAUCET CONTROL MECHANISM AT LAVATORY. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL NOT BE GREATER THAN 5 LBS.

DISABLE ACCESS NOTES

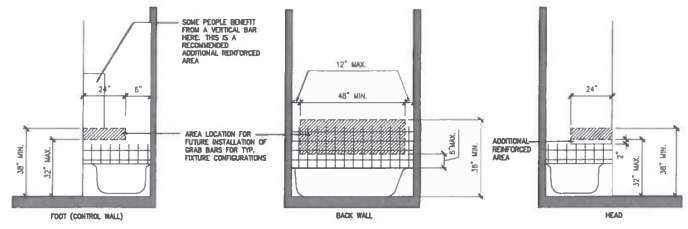
- A CLEAR FLOOR SPACE AT 30" X 48" SHALL BE PROVIDED IN FRONT OF THE SINK TO ALLOW A FORWARD APPROACH BY A PERSON USING A WHEELCHAIR, AND THE CLEAR FLOOR SPACE SHALL BE ON AN ACCESSIBLE ROUTE AND SHALL EXTEND AT LEAST 19" UNDER THE SINK.
- THE ACCESSIBLE SINK SHALL HAVE A MAX. OF 6 1/2" DEEP AND SHALL BE MOUNTED WITH THE COUNTER OR RIM NO HIGHER THAN 34" ABOVE THE FLOOR AND A KNEE CLEARANCE THAT IS AT LEAST 27" HIGH, 30" WIDE AND 19" DEEP.
- HOT WATER AND DRAIN PIPES EXPOSED UNDER SINKS SHALL BE INSULATED OR OTHERWISE CONFIGURED SO AS TO PROTECT AGAINST CONTACT.
- THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER SINKS.
- SINKS LOCATED IN COMMON USE AREAS SHALL HAVE FAUCET CONTROLS AND OPERATING MECHANISM OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL NOT EXCEED 5 FOOT POUNDS. LEVER OPERATED, PUSH TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS.



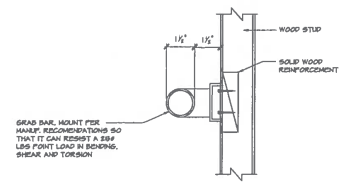
1 ACCESSIBLE BATH
SCALE: 1/2" = 1'-0"



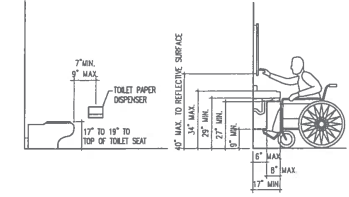
5 GRAB BAR REINFORCEMENT AT TOILET
SCALE: NTS



6 GRAB BAR REINFORCEMENT AT CONVENTIONAL TUB
SCALE: NTS



3 ACCESSIBLE GRAB BAR (OPTIONAL)



2 ACCESSIBLE W.C. AND LAVATORY
SCALE: NTS

7 GRAB BAR AT CONVENTIONAL TUB
SCALE: NTS

Xavier Hernandez

Xavier Hernandez
Project Engineer

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LOWER SHELVING
Lower shelving and/or drawer space shall be provided at a height 48" maximum above the floor.

KITCHEN AND SINK FAUCET CONTROLS
Operable with one hand, with no tight grasping, pinching or twisting of the wrist.

Controls activated with force not greater than 5 lbs.
Acceptance design: lever-operated, push-type and electronically controlled mechanism.

Self-closing valves are allowed if the faucet remains open for at least 10 seconds.

DISABLE ACCESS NOTES

1. THE ACCESSIBLE SINK SHALL HAVE A MAX. OF 6 1/2" DEEP AND SHALL BE MOUNTED WITH THE COUNTER OR RIM NO HIGHER THAN 34" ABOVE THE FLOOR AND A KNEE CLEARANCE THAT IS AT LEAST 27" HIGH, 30" WIDE AND 19" DEEP.
2. HOT WATER AND DRAIN PIPES EXPOSED UNDER SINKS SHALL BE INSULATED OR OTHERWISE CONFIGURED SO AS TO PROTECT AGAINST CONTACT.
3. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER SINKS.
4. SINKS LOCATED IN COMMON USE AREAS SHALL HAVE FAUCET CONTROLS AND OPERATING MECHANISM OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL NOT EXCEED 5 FOOT POUNDS. LEVER OPERATED, PUSH TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS.

USABLE DOOR NOTES

1132A.1 Primary entry doors and required exit doors. The width and height of primary entry doors and all required exit doors shall comply with Section 1126A.1. The requirements of Section 1126A.3 shall apply to maneuvering clearances at the side of the door exposed to common or public use spaces (e.g., entry or exit doors which open from the covered multi-family dwelling unit into a corridor, hallway or lobby, or directly to the outside).

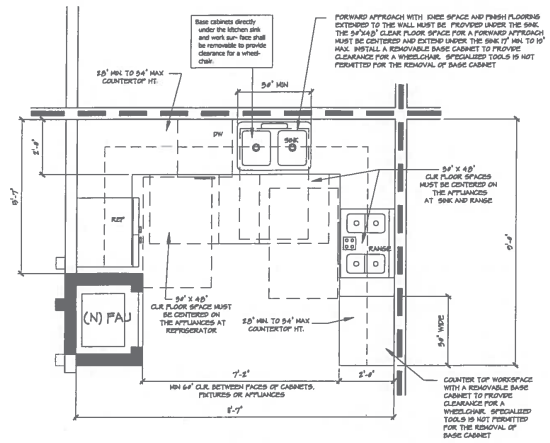
1132A.2 Interior doors and secondary exterior doors. Except as allowed by Section 1109A.2, interior doors intended for entry passage and secondary exterior doors shall comply with this section. The provisions of this section shall apply to the dwelling unit side of doors leading from the interior of the dwelling unit to an unfinished basement or an attached garage.

1132A.3 Width and height of interior doors and secondary exterior doors. Doors shall comply with the following:

1. Doors shall not be less than 6 feet 8 inches (2032 mm) in height.
2. Swinging doors shall provide a net clear opening width of not less than 32 inches (813 mm), measured with the door or doors positioned at an angle of 90 degrees from the closed position. A 34-inch (864 mm) door is acceptable.
3. Swinging doors shall be capable of opening at least 90 degrees.
4. A nominal 32-inch (813 mm) clear opening provided by a standard 6-foot wide (1829 mm) sliding patio door assembly is acceptable.
5. A pair of doors, manual or automatic, must have at least one leg which provides a clear width of not less than 32 inches (813 mm), measured with the door positioned at an angle of 90 degrees from its closed position.
6. The width of any component in the means of egress system shall not be less than the minimum width required by Section 1005.

Accessible Details

A02



1 USABLE KITCHEN

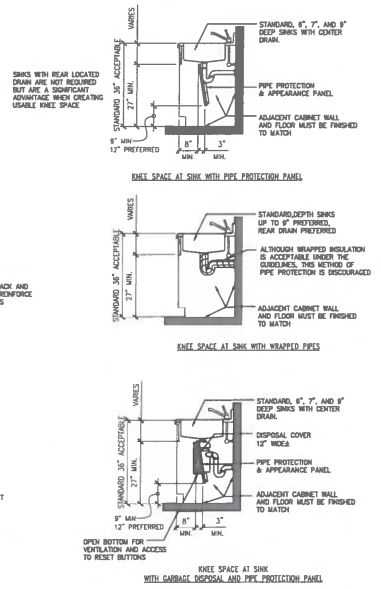
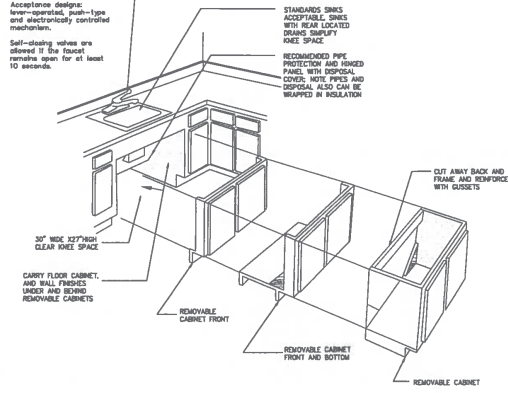
SCALE: 1/2" = 1'-0"

KITCHEN SINKS

Operable with one hand, with no tight grasping, pinching or twisting of the wrist.
Control activated with force not greater than 5 lbs.

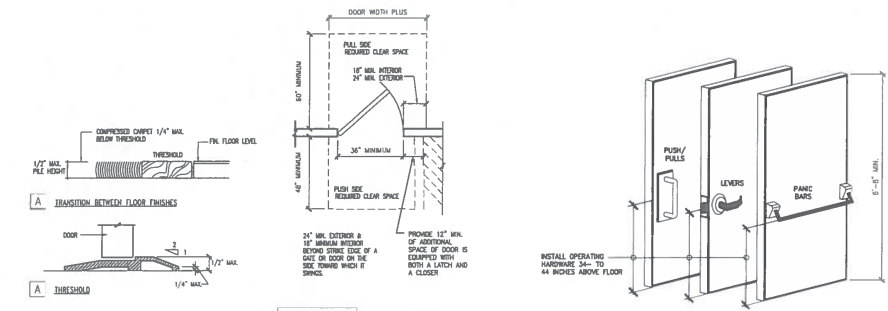
Acceptance design: lever-operated, push-type and electronically controlled mechanism.

Self-closing valves are allowed if the faucet remains open for at least 10 seconds.



2 REMOVABLE CABINETS AT USABLE KITCHEN SINK

SCALE: 1/2" = NTS



ACCESSIBLE DOOR OPERATING HARDWARE

DOOR HARDWARE

1. OPERABLE FROM INSIDE WITHOUT USE OF KEY OR SPECIAL KNOWLEDGE OR EFFORT.
2. OPERABLE BY SINGLE EFFORT LEVER-TYPE DEVICE (NOT REQUIRING GRIPPING).
3. MAXIMUM 34" TO 44"
4. MAXIMUM 8.5 LBS. EFFORT TO OPERATE EXTERIOR DOOR. 5 LBS. FOR INTERIOR.

- NOTES
1. 1/2" MAXIMUM TOTAL HEIGHT WITH 1/4" MAXIMUM VERTICAL CHANGE AT EDGE.
 2. 1.5 SLIGHT BEVEL REQUIRED IF LEVEL CHANGE IS OVER 1/4" VERTICAL LEVEL CHANGE.
 3. 1/4" MAXIMUM VERTICAL LEVEL CHANGE.

THRESHOLDS @ DOORWAYS

4 USABLE DOORS

SCALE: NTS

4481 Pondmoor Dr
Riverside
California 92505
951 830 2018

Xavier Hernandez
Xavier Hernandez
Principal

Site notes are not to be construed as a contract. The architect shall not be responsible for the accuracy of the information provided by the client. The architect shall not be responsible for the accuracy of the information provided by the client. The architect shall not be responsible for the accuracy of the information provided by the client.

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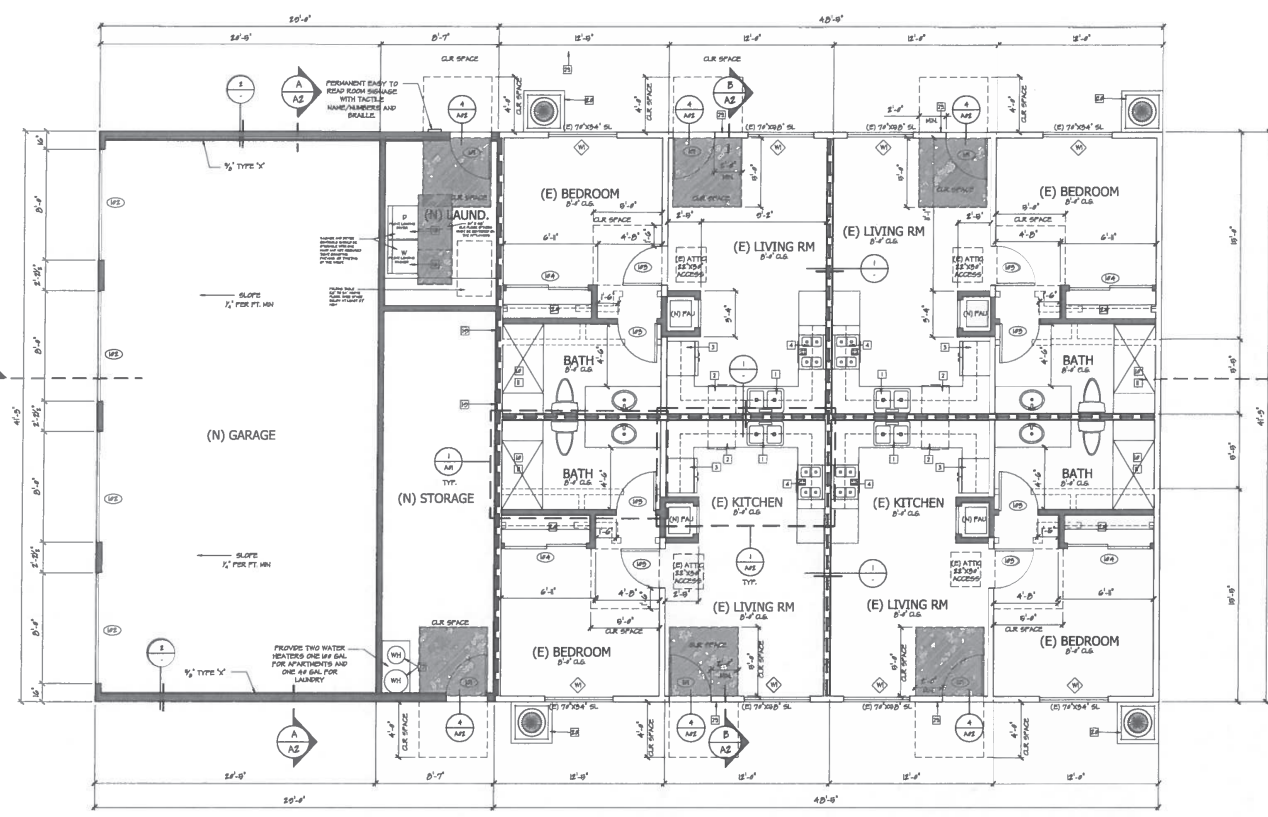
PROJECT: rev date remark

Floor Plan

A1

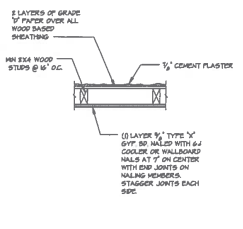
KEYNOTES

- DOUBLE SINK WITH GARBAGE DISPOSAL WITH AIR GAP FOR DISHWASHER.
- DISHWASHER STAKE DISHWASHER WITH AIR GAP-VERIFY DIMENSIONS WITH MANUFACTURER'S SPECIFICATIONS.
- EMERGENCY SHUT OFF REFRIGERATOR SPACE. PROVIDE RECESSED GOLD WATER SHUT OFF FOR ICE MAKER.
- RANGE COOKTOP WITH BURNING HOOD LIGHT AND PAN VENT TO OUTSIDE AIRS.
- DOUBLE OVEN (VENT TO OUTSIDE AIR).
- DYPT. BS. SOFFIT FRETTER TO PLUMB FOR HEIGHTS.
- PAINTER-KEEPER TO PLUMB FOR SIZE.
- SELF-CLOSING TIGHT FITTING. SOLID WOOD POOR WITH 1/4" HX 1/4" HX FIRE PROTECTION WEATHER-STRIPPING AND METAL THRESHOLD.
- RECESSED MEDICINE CABINET.
- 5/8" X 4" FIBERGLASS TUB AND SHOWER UNIT W/ 1/4" HX 1/4" HX CONCRETE FLASTER. CEILING TILE OR APPROVED EQUAL AT WALLS. PROVIDE CURTAIN ROD OR SAFETY GLASS ENCLOSURE. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES.
- RECESSED SHOWER PAN (SEE PLAN FOR SIZE) WITH 1/4" HX 1/4" HX CONCRETE FLASTER. CEILING TILE OR APPROVED EQUAL AT WALLS. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES.
- WALL COVERINGS SHALL BE CONCRETE FLASTER. TILE OR APPROVED EQUAL TO A HEIGHT OF NOT LESS THAN 7' ABOVE DRAIN INLET. MATERIALS OTHER THAN STRUCTURAL ELEMENTS SHALL BE MOISTURE RESISTANT. GLASS ENCLOSURE DOORS AND PANELS MUST BE LAMINATED CATEGORY 1. SWING DOOR OUTWARD. NET AREA OF SHOWER ENCLOSURE SHALL BE NOT LESS THAN 6.54 SQ. FT. OF FLOOR AREA AND ENCOMPASS A 54" DIA. CIRCLE.
- PAN IN ATTIC. PROVIDE LIGHT, POWER, UNRESTRICTED 34" PASSAGE. 54" WIDE WORK SPACE AND ADJACENT AIR SUPPLY. PROVIDE CONDENSATE DRAIN LINE TO OUTSIDE. VENT TO OUTSIDE AND CONSTRUCTION AIR.
- 54" X 54" ATTIC ACCESS. HALL WITH 1/4" HX 1/4" HX CLEAR HEADROOM. PROVIDE SWITCH LIGHT, BAY OUTLET, AND 3/4" SOLID FLOORING TO PAN.
- EMERGENCY SHUT OFF REFRIGERATOR AND WASHDR. PROVIDE RECESSED WATER AND DRAIN CONNECTIONS. PROVIDE SAFETY PAN AND DRAIN AT SECOND FLOOR LOCATIONS.
- PREVER SPACE. PROVIDE PREVER VENT TO OUTSIDE AIR WITH BACKDRAFT SHIMMER. PROVIDE FIRE CALLING IF PREC. PENETRATES FIRE WALL AT WALL LENGTH WITH MAX. 5 ELBOWS.
- WATER HEATER ON A 10" HIGH PLATFORM WITH SEISMIC STRAPS AND VENT TO OUTSIDE. PROVIDE PRESSURE RELIEF VALVE WITH DRAIN TO OUTSIDE AND CONSTRUCTION AIR.
- PRE-PAN GAS ATTACHMENT PRELACE BY LINCOLN 55K-556 PRECET VENT.
- OCCUPANCY SEPARATION BETWEEN GARAGE AND LIVING AREA. PROVIDE HALLWAY OF 34" TYPE 'X' DYP. 50 ON GARAGE SIDE OF WALLS ADJACENT TO GARAGE AND AT ELIMINATE SUPPORTING SEPARATION ABOVE. CEILING SHALL RECEIVE 5 PLANKS @ 9/16" DYP. 50 AT TOP. TRUSSES TO BOTTOM OF THE FLOOR OR ROOF TRUSSES IF SPACING IS GREATER THAN 12". WRAP ALL BEAMS AND SUPPORTING POSTS.
- AC CONDENSER ON WEATHERPROOF PAN 5' ABOVE GRADE. VERIFY SIZE AND LOCATION PROVIDE SEAFY WEATHERPROOF DISCONNECT AND A BAY WEATHERPROOF OUTLET WITH 50'-0" OF UNIT.
- 8/8" TYPE 'X' DYP. 50 AT WALLS AND CEILING AT ENCLOSED UNLIVE SPACE ABOVE STAIRS.
- 3-1/4" X 3" G1 SCREENED COMBUSTION AIR VENTS ONE HIGH WITHIN 8" OF CEILING AND ONE LOW WITHIN 12" OF FINISHED FLOOR.
- 5" PAWNER PIPE BOLLARD.
- PAINT-GRADE WOOD OR VINYL-COATED WIRE. 12" DEEP SHELF AT 67" ABOVE FINISHED FLOOR.
- STUCCO SOFFIT-KEEPER TO EXTERIOR ELEVATIONS FOR HEIGHTS.
- STUCCO SHEET. SLOPE TO DRAIN.
- 844 AMP ELECTRICAL PANEL WITH 1/4" HX 1/4" HX GROUND WITH BOND TO GAS AND WATER PIPING. CONDENSER SHALL HAVE A VERTICAL CLEARANCE ABOVE ROOFS OF NOT LESS THAN 5'-0".
- 36" X 36" HX CONCRETE STUOP.
- ALL PRIMARY OUTRIGERS TO A PILINGING UNIT SHALL BE PROVIDED WITH A PILINGING BELL. CASE OR EQUIVALENT INSTALLATION CONNECTED TO A HALL OF 42" ABOVE THE FLOOR PLANNED TO PERMANENT WEING.



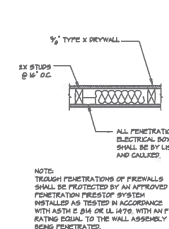
FLOOR PLAN

SCALE: 1/4" = 1'-0"



ONE HOUR EXT WALL.

SCALE: NTS



ONE HOUR FIRE BARRIER

SCALE: NTS

FIXTURE FLOW RATES

WATER CLOSETS:	1.28 GAL PER FLUSH
SHOWER HEADS:	2.0 GAL PER MINUTE
FAUCETS/SINKS/PLAVS:	1.0 GAL PER MINUTE
KITCHEN FAUCETS:	1.8 GAL PER MINUTE

NOTE:
FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS, SHOCK BARRIERS AND SHOCK PARTITIONS OR ANY OTHER WALLS REQUIRED TO HAVE PROTECTED OPENINGS OR PENETRATIONS SHALL BE RESISTANT AND PERMANENTLY IDENTIFIED WITH SIGNS OR STICKERS. SUCH IDENTIFICATION SHALL:
1. BE LOCATED IN ACCESSIBLE CONCEALED FLOOR, FLOOR-CEILING OR ATTIC SPACES.
2. BE REPEATED AT INTERVALS NOT EXCEEDING 50 FT., MEASURED HORIZONTALLY ALONG THE WALL OR PARTITION AND
3. INCLUDE LETTERING NOT LESS THAN 1/2 INCHES IN HEIGHT, INCORPORATING THE SUGGESTED WORDING: "FIRE AND/OR SHOCK BARRIER-PROTECT ALL OPENINGS" OR OTHER WORDING.
EXCEPTION: WALLS IN GROUP # 2 OCCUPANCIES THAT DO NOT HAVE A REMOVABLE DECORATIVE CEILING ALLOWING ACCESS TO THE CONCEALED SPACE.

WINDOW SCHEDULE				
NO.	WIDTH	HEIGHT	TYPE	REMARKS
W1	6'-0"	6'-0"	SLIDER	VENT.

DOOR SCHEDULE				
NO.	WIDTH	HGT.	TYPE	REMARKS
CD1	3'-0"	6'-8"	DC	EXTERIOR ACCESSIBLE DR
CD2	3'-0"	6'-8"	HC	METAL SECTIONAL GARAGE DR.
CD3	3'-0"	6'-8"	IC	INTERIOR USABLE DR.
CD4	2'-0"	6'-8"	IC	INTERIOR WARDROBE USABLE DR.

NOTE:
SHOWERS AND TUB SHOWER COMBINATIONS IN BUILDINGS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE, THERMOSTATIC, OR COMBINATION PRESSURE BALANCE/THERMOSTATIC MIXING VALVE TYPE THAT PROVIDE SCALD AND THERMAL SHOCK PROTECTION. THESE VALVES SHALL CONFORM TO ASSE. HHS. STANDARDS FOR AUTOMATIC COMPENSATING VALVES FOR INDIVIDUAL SHOWERS AND TUB SHOWER COMBINATIONS, OR ASSE. ANSI/CSA B381.1 STANDARD FOR PLUMBING SUPPLY FITTINGS. HANDLE POSITION-GROUPS SHALL BE PROVIDED ON SUCH VALVES AND SHALL BE ADJUSTED PER THE MANUFACTURER'S INSTRUCTIONS TO PROVIDE A MAXIMUM HOSE WATER SETTING OF 50 POUNDS. THE WATER HEATER THERMOSTAT SHALL NOT BE CONSIDERED A SUITABLE CONTROL FOR HEATING THIS PROVISION.

SHEET NOTES

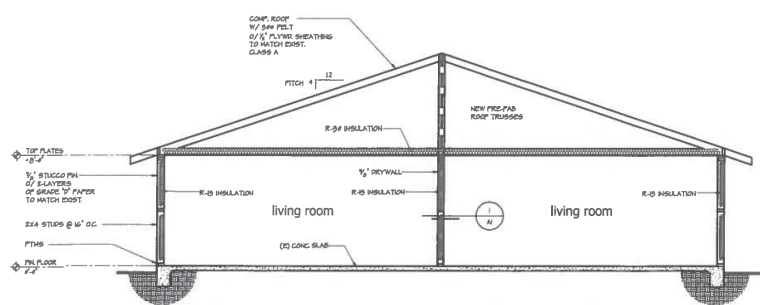
- WALL INSULATION SHALL BE R-10
- ROOF INSULATION SHALL BE R-30
- ALL NEW WINDOWS SHALL BE 20% EAVE



Xavier Hernandez

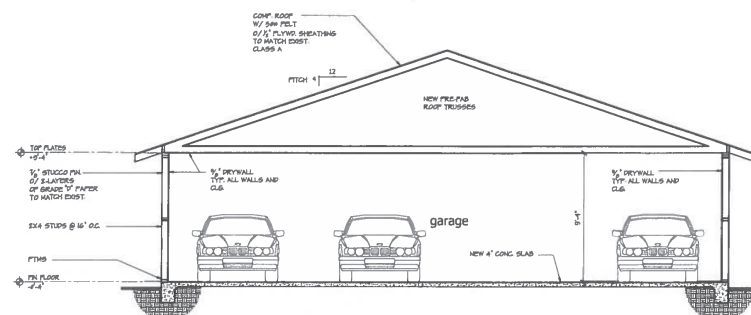
Xavier Hernandez
Project Designer

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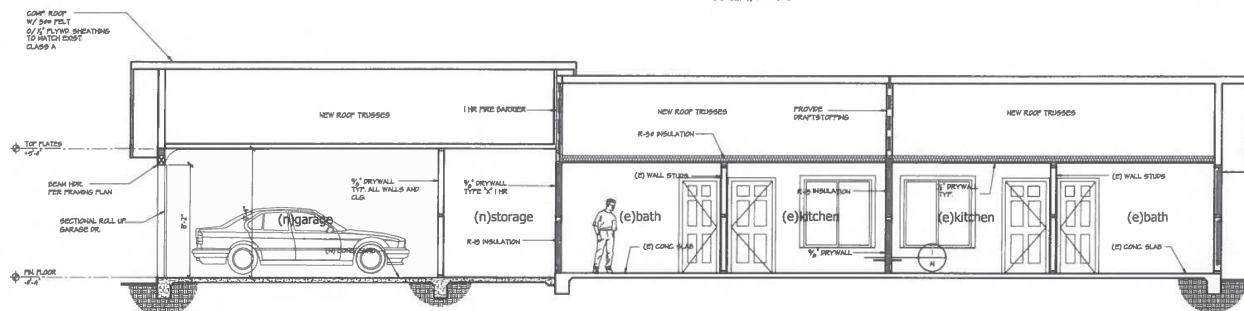
SECTION B-B

SCALE: 1/4" = 1'-0"



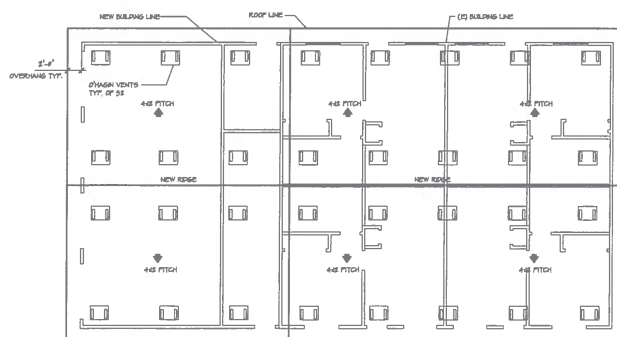
SECTION A-A

SCALE: 1/4" = 1'-0"



SECTION C-C

SCALE: 1/4" = 1'-0"



ROOF PLAN

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

ROOF ATTIC VENTILATION REQUIREMENTS
 PROVIDE A NET FREE VENTILATING AREA OF NOT LESS THAN ONE PER CENT OF THE AREA OF THE SPACE VENTILATED, PROVIDED AT LEAST 84 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED (AT LEAST 3 FEET ABOVE CEILING OR GARAGE VENTS).
 NEW ATTIC AREA SQ. FOOTAGE = 5199 SQ. FT.
 5199 SQ. FT. x 1.0% = 52 SQ. FT.
 21 SQ. FT. x 144 SQ. IN. = 3024 SQ. IN.
 524 SQ. IN. OF VENTILATING AREA IS REQUIRED.
 PROVIDE (2) 24" GABLE VENTS AT 9:18 NET FREE AREA.
 18 VENTS 18" x 18" VENTS LOW
 TOTAL ATTIC VENTILATION PROVIDED = 324 SQ. IN.

PROJECT:

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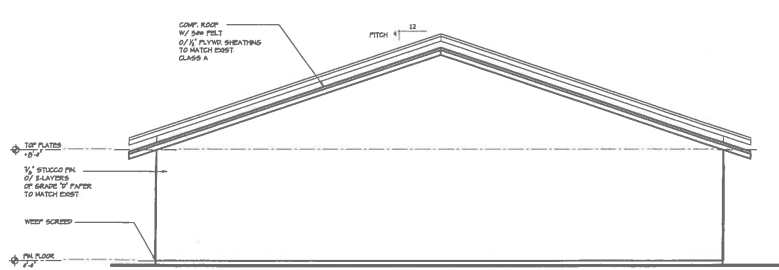
Building Section
+ Roof Plan

A2

Xavier Hernandez

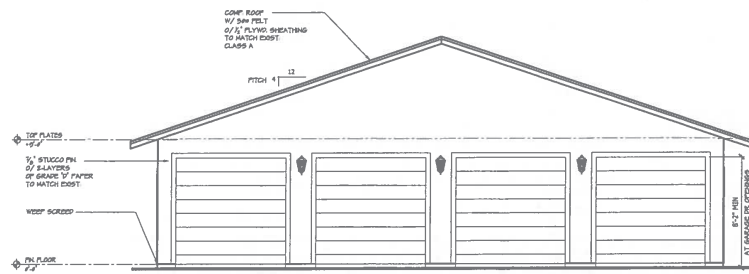
Xavier Hernandez
principal designer

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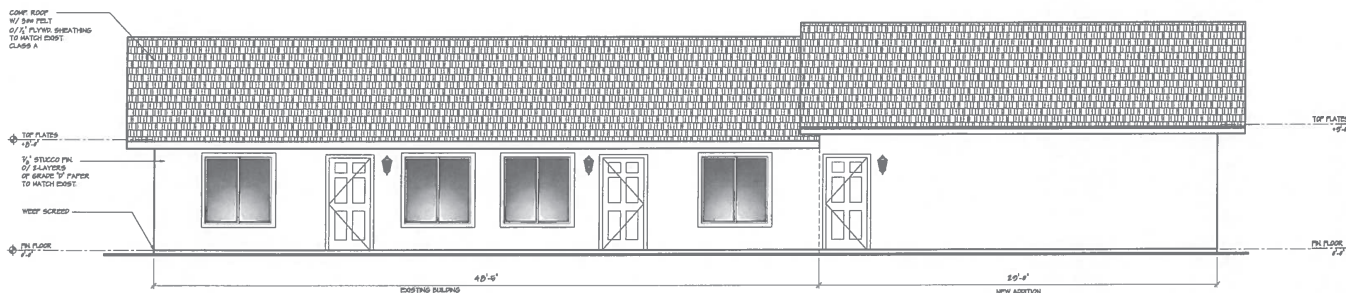
NORTH ELEVATION

SCALE: 1/4" = 1'-0"



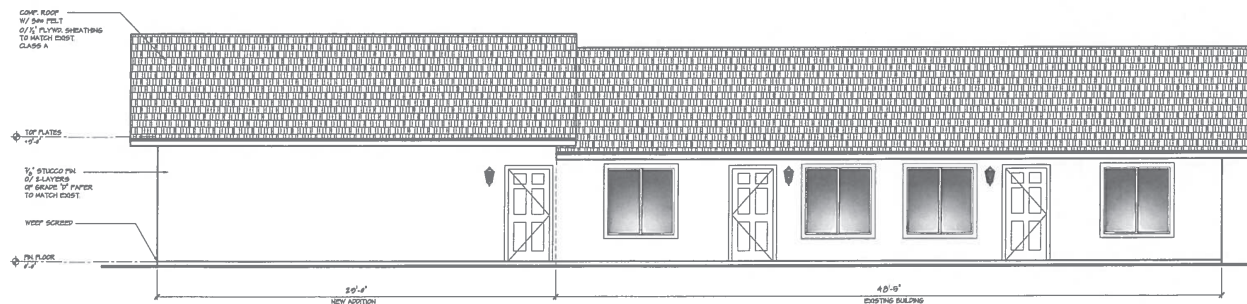
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



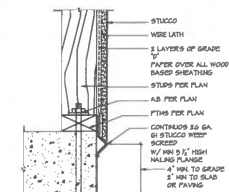
WEST ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"



STUCCO SCREEN

SCALE: NTS

PROJECT: RHDC Fourplex Renovation
22889 Allies Pl.
Moreno Valley, CA 92555

rev	date	remark



Building Elevations

A3

Xavier Hernandez
Xavier Hernandez
Project Designer

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RHDC Fourplex Renovation
PROJECT:
22889 Allies Pl.,
Moreno Valley, CA 92553

rev date remark

Electrical Plan

A4

ACCESSIBLE ELECTRICAL NOTES

Electrical receptacle outlets on branch circuits of 30 amperes or less and communication system receptacles shall be located no more than 48 inches measured from the top of the receptacle outlet box nor less than 15 inches measured from the bottom of the receptacle outlet box to the level of the finished floor or working platform. If the reach is over a physical barrier or an obstruction (for example, a kitchen base cabinet), receptacles shall be located within the reach ranges specified in Section 1136A.3. Physical barriers and obstructions shall not extend more than 25 inches from the wall beneath the receptacle.

Receptacle outlets that do not satisfy these specifications are acceptable provided that comparable receptacle outlets, that perform the same functions, are provided within the same area and are accessible. (1136A.1) See exceptions.

Controls or switches intended to be used by the occupant of the room or area to control lighting and receptacle outlets, appliances, alarms or cooling, heating and ventilating equipment shall be located no more than 48 inches measured from the top of the outlet box nor less than 15 inches measured from the bottom of the outlet box to the level of the finished floor or working platform. If the reach is over a physical barrier or an obstruction (for example, a kitchen base cabinet) switches and controls shall be located within the reach ranges specified in Section 1136A.3. Physical barriers or obstructions shall not extend more than 25 inches from the wall beneath a control.

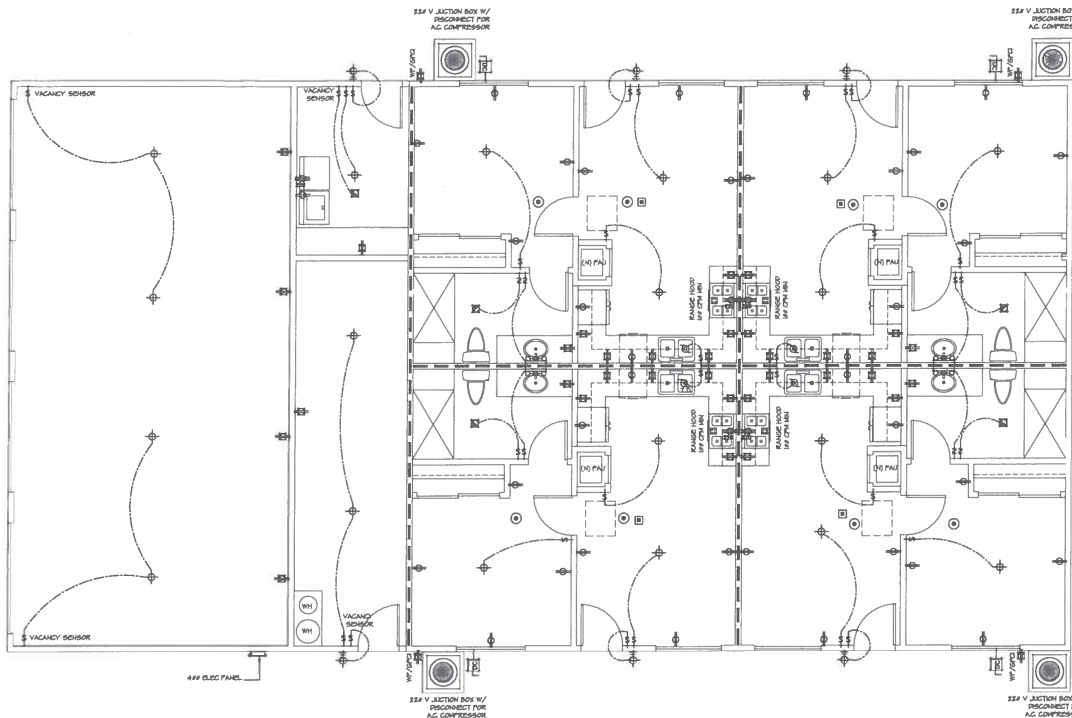
Switches and controls that do not satisfy these specifications are acceptable provided that comparable controls or outlets, that perform the same functions, are provided within the same area and are accessible. Except at appliances (e.g. kitchen stoves, dishwashers, range hoods, microwave ovens and similar appliances) which have controls located on the appliance. (1136A.2)

ELECTRICAL NOTES

- CLOSET FIXTURES TO BE 18" FROM NEAREST STORAGE SPACE.
- OUTLET BOXES IN GARAGE CEILING TO BE CEILING RATED.
- RECEPTACLES SHALL BE INSTALLED VERTICALLY AT 18" (APPROX) ABOVE FLOOR.
- WALL SWITCHES ARE TO BE MOUNTED AT 48" ABOVE THE FLOOR UNLESS NOTED OTHERWISE BY THE DESIGNER.
- ALL BRANCH CIRCUITS THAT SUPPLY 120-VOLT SINGLE PHASE IS- AND 20-AMPERE RECEPTACLE OUTLETS INSTALLED IN DWELLING UNITS SHALL BE PROTECTED BY A LISTED ARC-FAULT CIRCUIT-INTERRUPTER (AFCI) COMBINATION TYPE AND SHALL BE LISTED TAMPER RESISTANT RECEPTACLES.
- RECEPTACLES SHALL BE INSTALLED SO THAT NO POINT ALONG THE FLOOR LINE IN ANY WALL SPACE IS MORE THAN 6 FEET, MEASURED HORIZONTALLY, FROM AN OUTLET IN THAT SPACE.
- PROVIDE GROUND FAULT CIRCUIT INTERRUPTER (GFI) PROTECTION AND ALL BATHROOMS, POWDER ROOMS, OUTDOOR RECEPTACLES, GARAGES AND KITCHEN COUNTERTOPS.
 - IN KITCHEN AND DINING AREAS, A RECEPTACLE OUTLET SHALL BE INSTALLED AT EACH COUNTER SPACE WIDER THAN 6 INCHES AND SO THAT NO POINT ALONG THAT WALL LINE IS MORE THAN 24 INCHES FROM A RECEPTACLE IN THAT SPACE.
- A RECEPTACLE OUTLET SHALL BE INSTALLED IN ANY USABLE WALL SPACE 2 FEET OR MORE IN WIDTH.
- PROVIDE TWO METHODS OF ELECTRICAL GROUNDING: A CLAMP AT HOSE BOX, B. ONE ADDITIONAL #4 BARE-1/2 LONG IN FOOTING AT ELECTRICAL METER LOCATION FOR UPON GROUND.
- PROVIDE TWO 20 AMPERE SMALL APPLIANCE CIRCUITS AT THE KITCHEN. SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS.
- OUTDOOR LIGHTING: ALL LUMINAIRES MOUNTED TO THE BUILDING OR TO OTHER BUILDINGS ON THE SAME LOT SHALL BE HIGH EFFICIENCY LUMINAIRES OR SHALL BE CONTROLLED BY A PHOTOCONTROL/MOTION SENSOR COMBINATION.
- ALL LUMINAIRES SHALL EITHER BE HIGH EFFICIENCY OR SHALL BE CONTROLLED BY AN OCCUPANT SENSOR OR DIMMER. CLOSETS THAT ARE LESS THAN 70 SQ. FT. ARE EXEMPT FROM THIS REQUIREMENT. OCCUPANCY SENSORS MUST HAVE NO MANUAL OVERRIDE, 50 MIN. MAX. THICK AND BE MICROWAVE/ULTRASONIC OR PASSIVE INFRARED TYPE. OCCUPANCY SENSOR LAYOUT MUST BE SHOWN ON PLANS.
- HIGH EFFICIENCY LUMINAIRES MUST BE PIN BASED.
- ALL EQUIPMENT INSTALLED OUTDOORS AND EXPOSED TO WEATHER SHALL BE "WEATHER PROOF".
- RECEPTACLES IN KITCHEN AND BATHROOM SHALL BE INSTALLED ABOVE WORK TOP UNLESS OTHERWISE NOTED ON PLANS.
- PROVIDE A SEPARATE 20 AMPERE LAUNDRY CIRCUIT.
- BATHROOM CIRCUITING SHALL BE EITHER: A) A 20 AMPERE CIRCUIT DEDICATED TO EACH BATHROOM, B) AT LEAST ONE 20 AMPERE CIRCUIT SUPPLYING ALL BATHROOM RECEPTACLE OUTLETS.
- GENERAL PURPOSE LIGHTING FIXTURES IN BATHROOMS CONTAINING A TUB OR SHOWER, SHALL HAVE LAMPS WITH EFFICACY OF AT LEAST 44 LUMEN PER WATT.
- SMOKE DETECTOR MUST BE HAND-WIRED IN NEW CONSTRUCTION W/ BATTERY BACKUP AND ALARMS IN ALL SLEEPING AREAS. MAY BE SOLELY BATTERY OPERATED IN EXISTING CONSTRUCTION.
- A SMOKE DETECTOR, APPROVED AND LISTED BY THE STATE FIRE MARSHALL, SHALL BE INSTALLED IN EACH DWELLING WHEN A PERMIT FOR ALTERATIONS, REPAIRS AND ADDITIONS EXCEEDS \$10000. A BATTERY POWERED SMOKE DETECTOR SATISFIES THE REQUIREMENTS FOR A SMOKE DETECTOR.
- CONDUCTORS NORMALLY USED TO CARRY CURRENT SHALL BE COPPER. FOR ALUMINUM AND COPPER-GLAD ALUMINUM #6 AWG AND LARGER. EXCEPTION: ALUMINUM CONDUCTORS SMALLER THAN #6 AWG MAY BE USED PROVIDED THE METHOD OF CONNECTION IS APPROVED IN ADVANCE BY THE BUILDING OFFICIAL AND THE INSTALLATION IS MADE UNDER CONTINUOUS SPECIAL INSPECTION.
- INSTALL SOLAR POWERED EXTERIOR LIGHTING FIXTURES FOR LANDSCAPING AND ACCENT LIGHTING.
- LED LIGHT FIXTURES SHALL BE USED IN PLACE OF INCANDESCENT OR HALOGEN FIXTURES.

SYMBOLS LEGEND

- FLUORESCENT WALL MOUNT MULTILIGHT FIXTURE
- FLUORESCENT WALL HANG LIGHT FIXTURE
- FLUORESCENT SURFACE MOUNT CEILING LIGHT FIXTURE
- RECESSED FLUORESCENT LIGHT FIXTURE
- EXHAUST FAN W/ FLUOR. LIGHT, PAN - 60" GPM - 1" VENTED TO OUTSIDE AIR. ENERGY STAR RATED W/ HANDSTAT CONTROLS. HANDSTAT CONTROLS SHALL BE CAPABLE OF ADJUSTMENT BETWEEN A RELATIVE HUMIDITY RANGE OF 50 TO 95% SOUND RATED - 15 SONE MAX.
- CARBON MONOXIDE DETECTOR
- SWITCH
- DIMMER SWITCH
- 20 V GFCI DUPLEX OUTLET (AFCI TAMPER RESISTANT)
- AFCI FAULT CIRCUIT INTERRUPTER
- 20 V GFCI DUPLEX OUTLET - HALF HOT
- 15 AMP OUTLET
- GROUND FAULT INTERRUPTER DUPLEX OUTLET
- WEATHERPROOF GROUND FAULT INTERRUPTER DUPLEX OUTLET AT FRONT AND REAR
- A/C DISCONNECT 2" CL. IN FRONT, 1" CL. EA. SEE



ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"

SMOKE ALARMS

SMOKE ALARMS SHALL BE LISTED IN ACCORDANCE WITH UL 207 SYSTEMS AND CONFORMERS SHALL BE CALIFORNIA STATE MARSHALL LISTED.

THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE WHOLE UNIT.

SMOKE ALARMS AND CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING AND BE EQUIPPED WITH A BATTERY BACKUP.

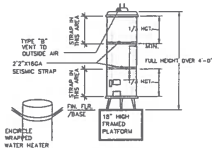
PROVIDE CARBON MONOXIDE ALARMS IN DWELLING UNITS - AT OUTSIDE OF EACH SEPARATE DWELLING UNIT SLEEPING AREA, IN THE IMMEDIATE VICINITY OF THE BEDROOMS, ON EVERY LEVEL OF A DWELLING UNIT INCLUDING BASEMENTS.

SINGLE AND MULTIPLE STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 598. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 597.

LOCATION WITHIN DWELLING UNITS: IN DWELLING UNITS A DETECTOR SHALL BE INSTALLED IN EACH SLEEPING ROOM AND AT A POINT CENTRALLY LOCATED IN THE CORRIDOR OR AREA GIVING ACCESS TO EACH SEPARATE SLEEPING AREA.

WHEN THE DWELLING UNIT HAS MORE THAN ONE STORY AND IN DWELLINGS WITH BASEMENTS, A DETECTOR SHALL BE INSTALLED ON EACH STORY AND IN THE BASEMENT. IN DWELLING UNITS WHERE A STORY OR BASEMENT IS SPLIT INTO TWO OR MORE LEVELS THE SMOKE DETECTOR SHALL BE INSTALLED ON THE UPPER LEVEL, EXCEPT THAT WHEN THE LOWER LEVEL CONTAINS A SLEEPING AREA, A DETECTOR SHALL BE INSTALLED ON EACH LEVEL. WHEN SLEEPING ROOMS ARE ON AN UPPER LEVEL, THE DETECTOR SHALL BE PLACED AT THE CEILING OF THE UPPER LEVEL, IN CLOSE PROXIMITY TO THE STAIRWAY IN DWELLING UNITS. IN DWELLING UNITS THE HEIGHT OF A ROOM OPEN TO THE HALLWAY SERVING THE BEDROOMS, EXCEEDS THAT OF THE HALLWAY BY THE 24 INCHES OR MORE, SMOKE DETECTORS SHALL BE INSTALLED IN THE HALLWAY AND IN THE ADJACENT ROOM. DETECTORS SHALL BE INSTALLED IN ALL SLEEPING AREAS OF THE DWELLING UNIT IN WHICH THEY ARE LOCATED.

WATER HEATER STRAP DETAIL



1" P NUTS SHALL TERMINATE AT THE END OF STRAP.
STRAP BE STRAP AT 1/2 TOP OF TANK ONE STRAP AT 1/2 BOTTOM THEN COMBINATION AIR FOR FUEL BURNING WATER HEATERS WILL BE PROVIDED.
AN ENERGY FACTOR BELOW 0.81 REQUIRES AN 8-10 EXTERNAL BRACKET

4481 Pondmoor Dr
Riverside
California 92505
951.830.2018

Xavier Hernandez
Principal Designer

XDS values are and of responsibility and liability for actions taken with this report to follow these terms, specifications and energy model that comply with the published data and items listed in my work. Installation, interpretation, analysis or modeling that is not stated in my report is not covered and work and is not responsible for all drawings and existing conditions as the model and does not represent any responsibility for the model or any accompanying the work is in review.

PROJECT: **RHDC Fourplex Renovation**
22889 Allies Pl,
Moreno Valley, CA 92553

rev date remark

Energy Calcs.

T24

DISCLAIMER BY AUTHOR'S RECLAMATION STATEMENT
1. I certify that this Certificate of Compliance accurately represents the accuracy and content of the calculations and information provided to me.
2. I warrant that the energy model and performance specifications identified on this Certificate of Compliance conform to the requirements of Title 24, Part 1 and Part 8 of the California Code of Regulations.
3. I warrant that the energy model and performance specifications identified on this Certificate of Compliance are prepared with the assistance provided as other applicable compliance documents, technical specifications, plans and specifications identified in the project description.
4. I warrant that the energy model and performance specifications identified on this Certificate of Compliance are prepared with the assistance provided as other applicable compliance documents, technical specifications, plans and specifications identified in the project description.

Xavier Hernandez
Company: XDS Associates, Inc.
Address: 4481 Pondmoor Dr, Riverside, CA 92505
Phone: 951-830-2018

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CalCERTS, Inc. HERS Registered
Xavier Hernandez
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Registration Number: 218-ADH0124-0000000-000
CA Building Energy Efficiency Standards - 2013 Residential Compliance
Registration Date/Time: 2014-05-08 12:35:21
Report Generated At: 2018-02-08 12:20:17
HERS Profile: CA00713-0
Report Generated At: 2018-02-08 12:20:17

DETAILED INFORMATION

Project Name	ALLES
Calculation Date/Time	12/20/2017 12:20:17
Input File Name	22889 RHDC ALLES.rvt

GENERAL INFORMATION

Item	Value	Item	Value
01 Construction Name	Wood Framed Ceiling	05	12
02 Surface Area	100.00	06	13
03 Material	Wood	07	14

COMPLIANCE RESULTS

Item	Value	Item	Value
01 Building Envelope	Pass	05	12
02 Ventilation	Pass	06	13
03 Cooling Systems	Pass	07	14

ENERGY USE SUMMARY

Item	Value	Item	Value
01 Cooling	100.00	05	12
02 Heating	100.00	06	13
03 Total	200.00	07	14

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RECORDING SPECIAL FEATURES

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BUILDING - FEATURES INFORMATION

Item	Value	Item	Value
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SEE NOTES AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS WHICH ARE NOT INDICATED BY THIS CONTRACT SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS ON THE JOB AND SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO COMMENCING THE WORK IN QUESTION.

RHDC Fourplex Renovation
22889 Allies Pl.
Moreno Valley, CA 92553

PROJECT:

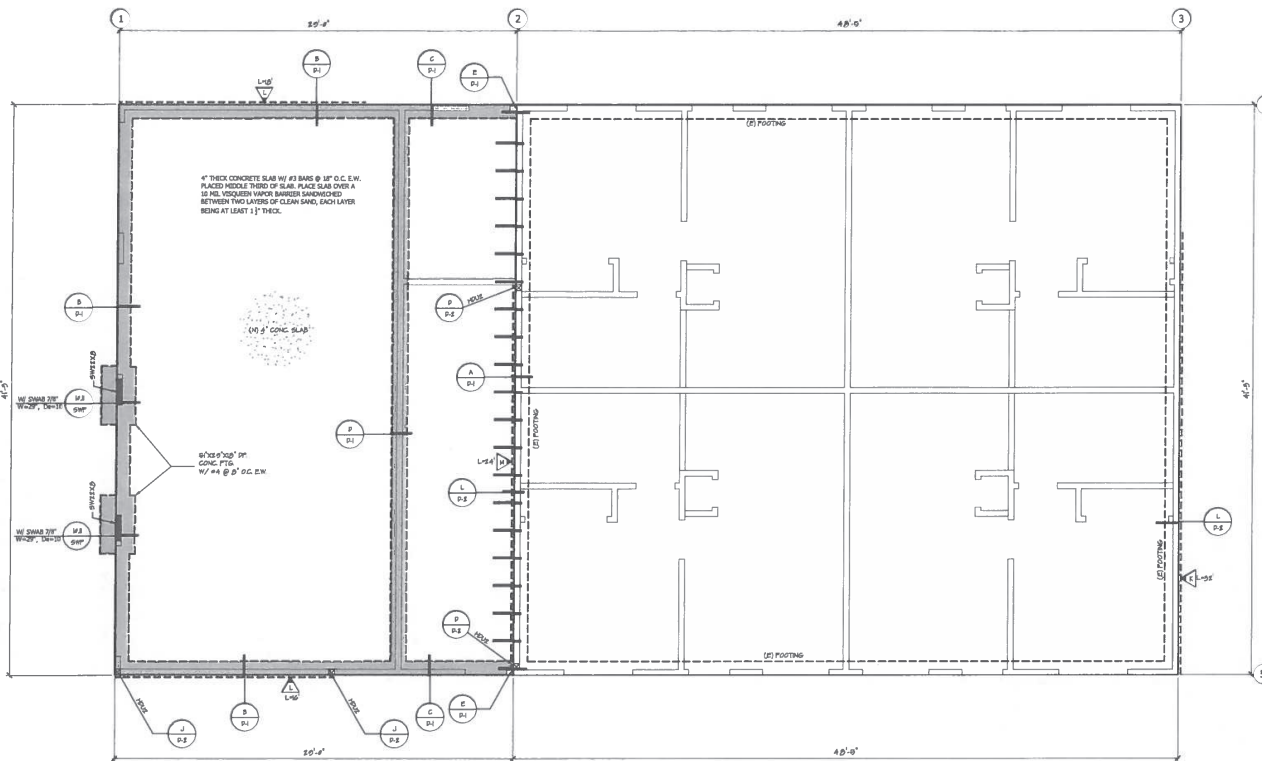
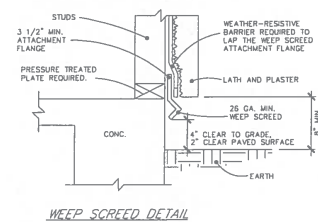
rev date remark

Foundation Plan

S1

NOTES

1. CONCRETE SHALL ATTAIN 2800 PSI IN 28 DAYS, HAVE A WATER-CEMENT RATIO OF 0.45, BE OF TYPE V CEMENT, AND HAVE A MIX OF 5 SACKS CEMENT PER CUBIC YARD, UNDO PER A SOILS REPORT.
2. ANCHOR BOLTS SHALL BE 3/8" DIA. x 10' LONG MIN. W/ 7" MIN. EMBEDMENT W/ 3"x3"x0.229" WASHER PLATES, 2 MIN. PER SILL PLATE, 1/2" MAX. FROM EACH END AND 7/2" MAX. O.C. UNDO.
3. CONCRETE SLAB TO BE 4" THICK, UNDO, OVER SAND AND VISQUEEN.
4. BOTTOM PLATES SHALL BE TREATED D.F.
5. ALL HOLD DOWN HARDWARE SHALL BE SECURED IN PLACE BY TEMPLATE PRIOR TO FOUNDATION INSPECTION. HOLD DOWNS SHALL BE RE-TIGHTENED JUST PRIOR TO COVERING THE WALL FRAMING.
6. LANDINGS SHALL NOT BE MORE THAN 1/2" LOWER THAN THE THRESHOLD OF THE DOORWAY AND MAY BE 3-3/4" MAX. LOWER THAN THE THRESHOLD WHEN THE DOOR DOES NO SWING OVER THE LANDING. EXTERIOR LANDINGS SHALL BE 3/8"x3/8" MIN. WITH A MIN. SLOPE OF 1/4" PER FOOT FOR DRAINAGE.
7. SOIL BEARING PRESSURE USED IS 1500psf MAX., UNDO IN CALCULATIONS.
8. IF FOUNDATION CONTAINS CRIPPLE WALL STUDS OF LESS THAN 14", FRAMING SHALL BE SOLID BLOCKED OR SHEATHED WITH PLYWOOD, PANEL TYPE 'J', CRIPPLE WALLS OVER 14" SHALL BE SHEATHED WITH PLYWOOD, PANEL TYPE 'K' FOR A MIN. OF 50% OF THE WALL LENGTH.
9. FASTENERS IN PRESERVATIVE-TREATED WOOD SHALL BE OF HOT DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL SUCH AS ANCHOR BOLTS, LAG SCREWS AND NAILS (SEE 2304-R-5).
10. FLOOR FRAMING TO BE PRESERVATIVE TREATED (PT) TO INCLUDE FLOOR JOISTS, RIM JOISTS, BLOCKS, POSTS, AND GIRDERS OR PROVIDE EVIDENCE OF AN APPROVED METHOD OF TERMITE PROTECTION BY APPLICATION OF THE PROPER INSECTICIDE BY A LICENSED PEST CONTROL OPERATOR. PROVIDE A COPY OF THE APPLICATION RECEIPT TO THE BUILDING INSPECTOR.
11. REBAR SHALL BE GRADE 60 DEFORMED, PER A-615.



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

RHDC Fourplex Renovation
22889 Allies Pl.
Moreno Valley, CA 92553

PROJECT:

rev date remark

Framing Plan

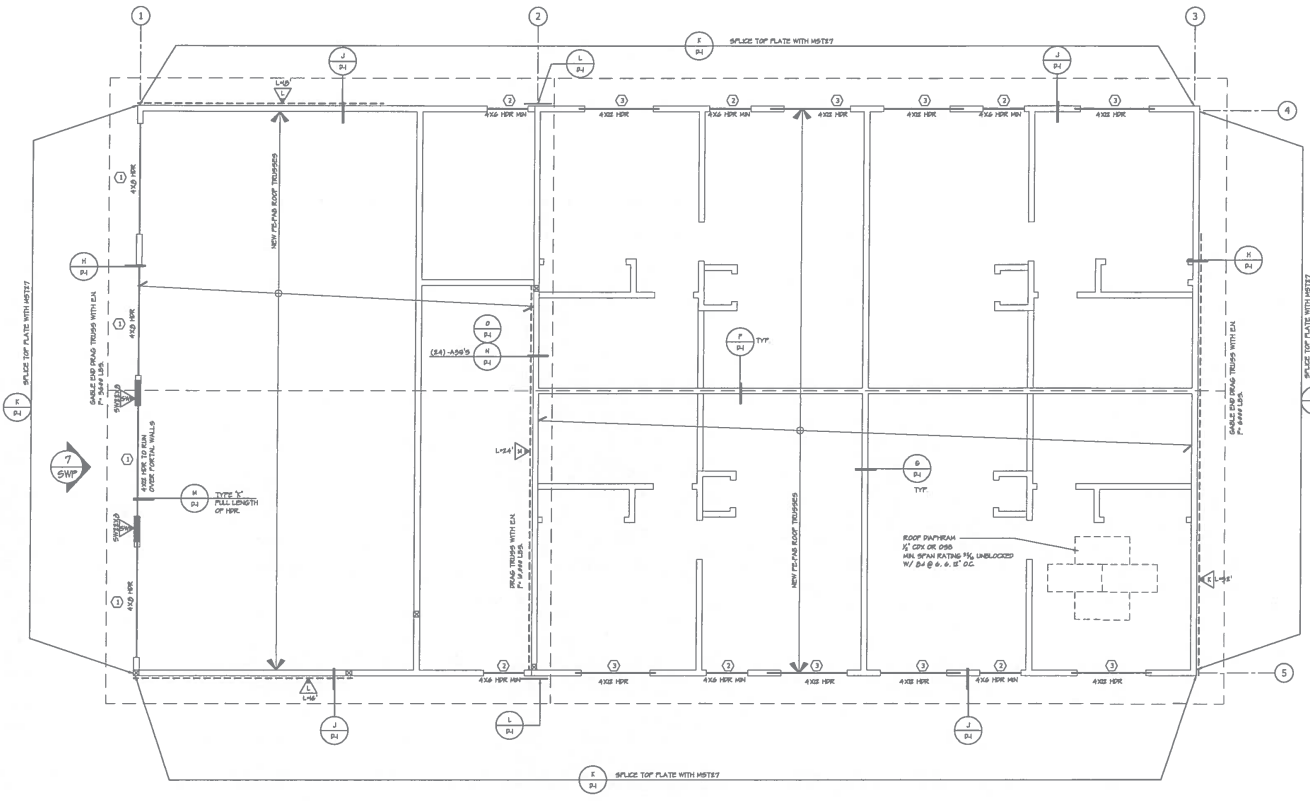
S2

NOTES

1. ALL 2x JOISTS/BEAMS/LUMBER TO BE D.F. #2 OR BETTER, UNO AND GRADE MARKED.
2. ALL 4x AND LARGER BEAMS/HEADERS TO BE D.F. #1 OR BETTER, UNO AND GRADE MARKED.
3. WHERE TRUSSES ARE USED, TRUSSES SHALL NOT BEAR ON INTERIOR WALL UNLESS INDICATED OTHERWISE.
4. ALL HARDWARE SHALL BE OF APPROVED TYPE.
5. FASCIA SHALL BE D.F. OR SPRUCE, UNO.
6. LEAVES SHALL HAVE SHIP LAP, UNO.
7. ALL ROOF DRIPEDGES SHALL HAVE FLASHING.
8. ALL EXTERIOR WALLS SHALL BE 2x4 STUDS @ 16" o.c. UNO. ALL PLUMBING WALLS SHALL BE 2x6 STUDS @ 16" o.c. ANY WALL ABOVE 10'-0" IN HEIGHT SHALL BE 2x6 STUDS @ 16" o.c. UNO. ALL INTERIOR WALLS SHALL BE 2x4 STUDS @ 16" o.c.
9. ALL EXPOSED PLYWOOD SHALL BE CDX.
10. TWO LAYERS OF GRADE 'D' PAPER SHALL BE APPLIED OVER ALL WOOD BASE SHEATHING.
11. WHERE TOP OR SOLE PLATES ARE CUT FOR PIPES, A METAL TIE OF MINIMUM 0.058" THICK AND 1-1/2" WIDE SHALL BE FASTENED ACROSS THE OPENING WITH 6-16# NAILS MINIMUM EACH SIDE.
12. FASTENERS FOR SOLE PLATE NAILING, AND WOOD STRUCTURAL PANEL SHEATHING ON SHEAR WALLS AND DIAPHRAGMS SHALL BE COMMON NAILS WITH FULL HEADS OR GALVANIZED BOX (HOT-DIPPED OR TUMBLED), UNO.
13. HOLD-DOWN CONNECTOR BOLTS IN WOOD FRAMING REQUIRE APPROVED PLATE WASHERS AND HOLD-DOWNS SHALL BE TIGHTENED JUST PRIOR TO COVERING THE WALL FRAMING.
14. JOISTS UNDER AND PARALLEL TO BEARING WALLS SHALL BE DOUBLED.
15. WHERE T-J FLOOR JOISTS ARE USED, DRAG JOISTS, BLOCKING, AND BRG JOISTS SHALL BE 1-3/4" x F3 DEPTH TIMBERSTRAND, UNO.
16. SHEAR WALLS MAY BE ON EITHER SIDE OF WALL WHERE SHOWN.
17. PROVIDE FULL BEARING STUDS AT ALL GORDER TRUSS BEARING POINTS.
18. FASTENERS IN PRESERVATIVE-TREATED WOOD SHALL BE OF HOT DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL SUCH AS ANCHOR BOLTS, LAG SCREWS AND NAILS (CBC 2304.9.5).
19. WHEN TRUSSES ARE USED, TRUSS LAYOUT AND CALCULATIONS SHALL BE APPROVED BY ENGINEER AND BUILDING OFFICIAL PRIOR TO FABRICATION.
20. PLYWOOD SHALL COMPLY W/ PS-85 AND/OR PS2-92 SEE PLAN FOR THICKNESS/ TYP. ALL PANELS TO BE GRADE MARKED.
21. STEEL TUBE TO BE 46 KSI, W SECTIONS A992 GRADE 50 STEEL TO BE PROVIDED BY LICENSED FABRICATOR. WELDING TO BE PERFORMED BY CERTIFIED WELDER W/ CONTINUOUS DEPUTY INSPECTION.

LEGEND	
	DENOTES BEAM NUMBER IN STRUCTURAL CALC'S
	DENOTES PANEL TYPE & LENGTH (SEE SHEAR PANEL SCHEDULE FOR PANEL DEFINITIONS)
PSL	PARALLAM (BY TRUS JOIST), OR APPROVED EQUAL, E=2.0E, Fb=2,900 PSI, Fv=290 PSI (ESR-1387)
LVL	MICROLAM (BY TRUS JOIST), OR APPROVED EQUAL, E=1.9E, Fb=2,600 PSI, Fv=285 PSI (ESR-1387)
GLB	GLU-LAM BEAM, 24F-V4 TYP., 24F-V8 FOR CANTILVERS
TJR	MANUFACTURED I-JOIST (BY TRUS JOIST, ESR-1153), OR APPROVED EQUAL
RR	ROOF RATER
CJ	CEILING JOIST
FJ	FLOOR JOIST
EN	END NAILING
DF	DOUGLAS-FIR
DF #1	DOUGLAS-FIR #1
DF #2	DOUGLAS-FIR #2
DFSS	DOUGLAS-FIR SELECT STRUCTURAL

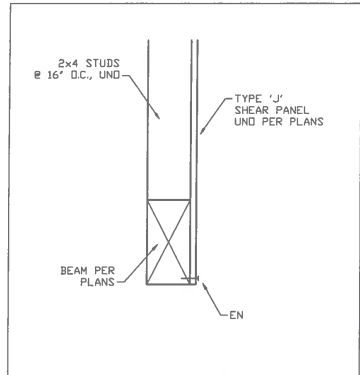
TRUSSES
TWO STAMPED AND WET SIGNED COPIES OF THE TRUSS CALCULATIONS WILL BE REVIEWED AND APPROVED BY THE ENGINEER OF RECORD AND PROVIDED TO THE BUILDING INSPECTOR FOR REVIEW AND APPROVAL PRIOR TO THE ROOF SHEATHING.



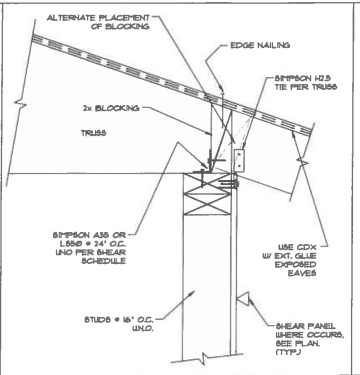
FRAMING PLAN

SCALE: 1/4" = 1'-0"

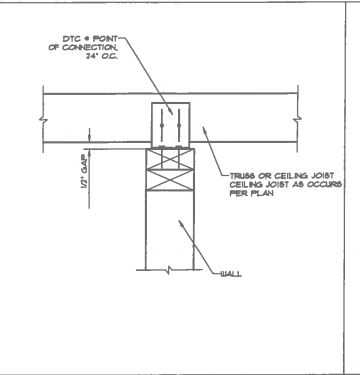
DESIGN CRITERIA
BUILDING CODES
 2012 IBC, CEC, CFC, CMC, CFC,
 CBC, CBCM, ENERGY
 STANDARDS
GRAVITY LOADS
 FLOOR LIVE LOAD: 40 psf
 ROOF LIVE LOAD: 20 psf
 SNOW LIVE LOAD: 15 psf
WIND LOAD FACTORS
 V = 110 MPH
 EXPOSURE CATEGORY: C
 K = 20
 A = 1.29 (p=20)
 K_e = 1.0
 P_g = 20.59 (p=20)
SEISMIC LOAD FACTORS
 SITE CLASS: D
 OCCUPANCY CATEGORY: II
 I = 1.0
 S_m = 1.00
 S_w = 1.50
 S₁ = 0.10
 S₂ = 0.80
 SEISMIC DESIGN CATEGORY: D
 P = 1.5
 R = 8.5
 P₁ = 1.5
 C = 1.0A
 V = 0.5VM



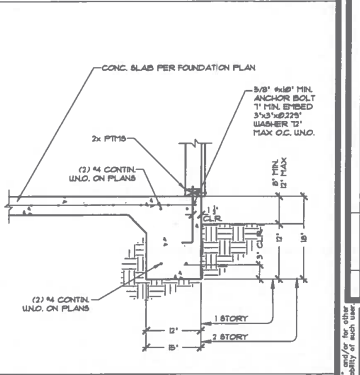
D0486 SHEAR TRANSFER (M)
 SCALE: NONE



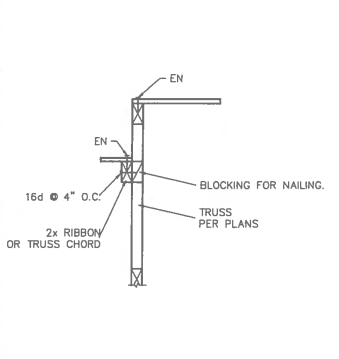
D0084 SHEAR TRANSFER (J)
 SCALE: NONE



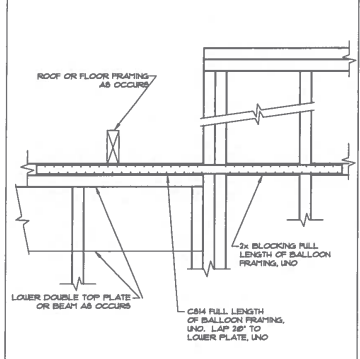
D0102 TRUSS TO WALL (F)
 SCALE: NONE



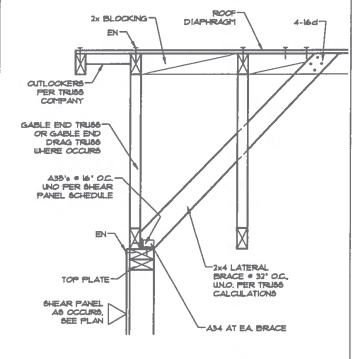
D0025 STRIP FOOTING (C)
 SCALE: NONE



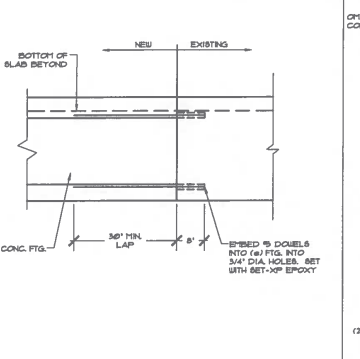
D0124 SHEAR TRANSFER (D)
 SCALE: NONE



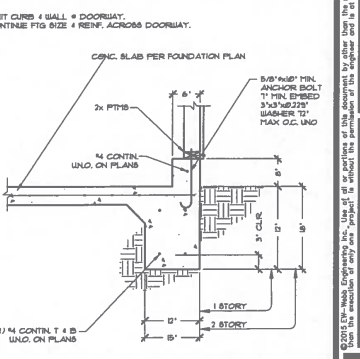
D0152 BALLOON FRAMED WALL (L)
 SCALE: NONE



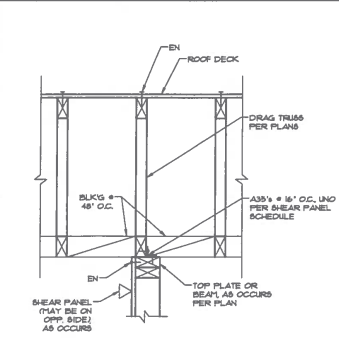
D0068 SHEAR TRANSFER (H)
 SCALE: NONE



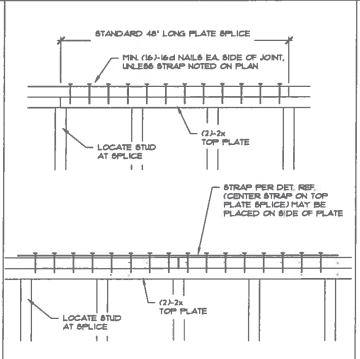
D0076 FOOTING SPLICE (E)
 SCALE: NONE



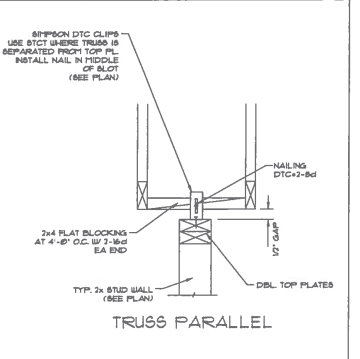
D0024 STRIP FOOTING (B)
 SCALE: NONE



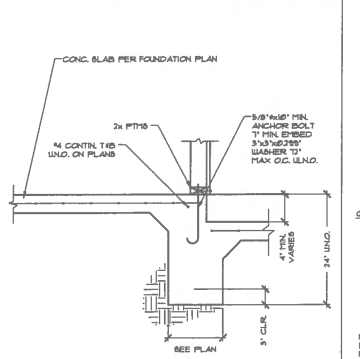
D0063 SHEAR TRANSFER (N)
 SCALE: NONE



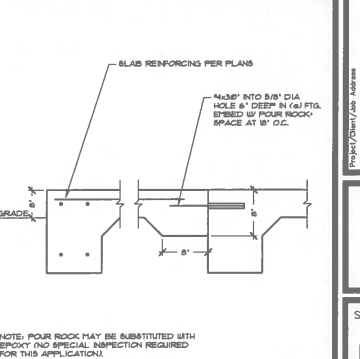
D0209 TOP PLATE SPLICE (K)
 SCALE: NONE



D0127 TRUSS CONNECTION (G)
 SCALE: N.T.S.



D0053 FTG. @ HOUSE/GAR (D)
 SCALE: NONE



D0010 NEW FTG./SLAB (A)
 SCALE: NONE

EW-Webb Engineering Inc.
 1290 Chalmers Ave. E-7
 Redwood City, CA 94061
 (857) 758-2050 - fax (857) 758-2075
 ewwebb.com

DETAILS

Sheet Title

Address
 Addition and Remodel
 for
 RHDC
 22889 Alliee Pkwy
 Moreno Valley, CA 92553

SHEET NO
D-1
 OF SHEETS

HOLDOWN SCHEDULE

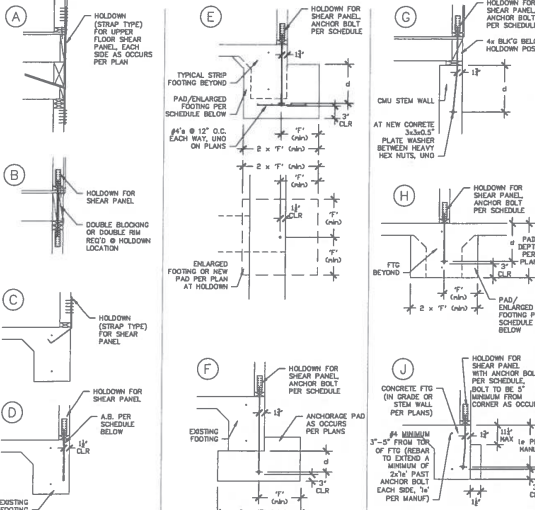


Table with columns: HOLD-DOWN DESIGNATION, MODEL NO., MAX. END STUD, CODE LISTING, CAPACITY, 4. TO 15.16.18.20 NEW CONCRETE FOOTING, ANCHOR BOLT REQUIREMENTS, and EXISTING CONCRETE.

NOTES: 1. END STUD USED LISTED... 2. WARDENING TO BE OF SUFFICIENT STRENGTH... 3. ALL TIE ROD POLYMER FILLERS... 4. ALL TIE ROD POLYMER FILLERS... 5. BOLT HOLES SHALL BE A MINIMUM OF 1/16" IN DIAMETER... 6. BOLT HOLES SHALL BE 1/16" IN DIAMETER... 7. END STUD SHALL BE 1/4" THICK... 8. END STUD SHALL BE 1/4" THICK... 9. END STUD SHALL BE 1/4" THICK... 10. END STUD SHALL BE 1/4" THICK... 11. END STUD SHALL BE 1/4" THICK... 12. END STUD SHALL BE 1/4" THICK... 13. END STUD SHALL BE 1/4" THICK... 14. END STUD SHALL BE 1/4" THICK... 15. END STUD SHALL BE 1/4" THICK... 16. END STUD SHALL BE 1/4" THICK... 17. END STUD SHALL BE 1/4" THICK... 18. END STUD SHALL BE 1/4" THICK... 19. END STUD SHALL BE 1/4" THICK... 20. END STUD SHALL BE 1/4" THICK...

SHEAR PANEL SCHEDULE

SHEAR PANEL TYPE

SILL REQUIREMENTS

SHEAR TRANSFER

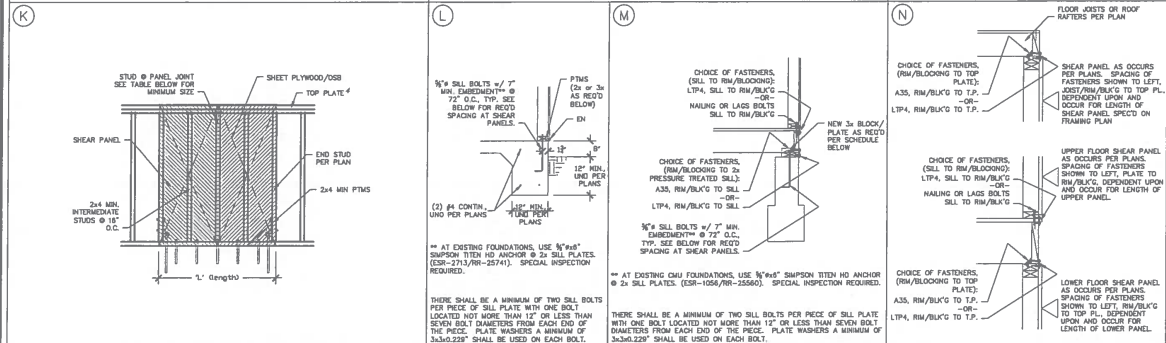
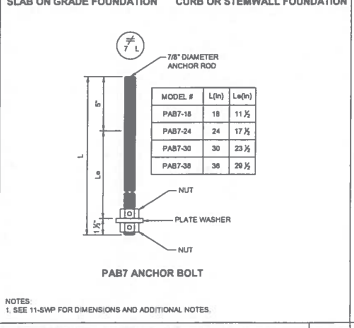
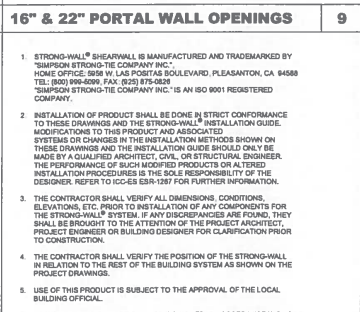
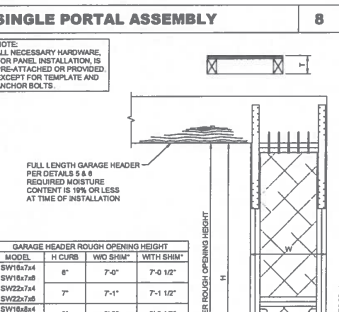
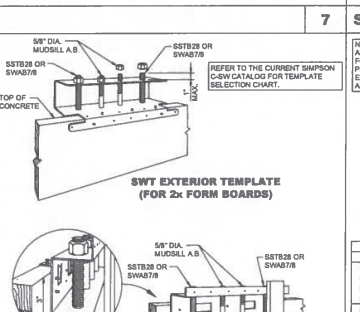
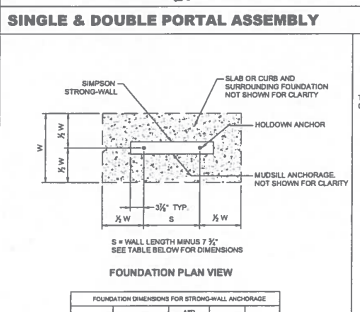
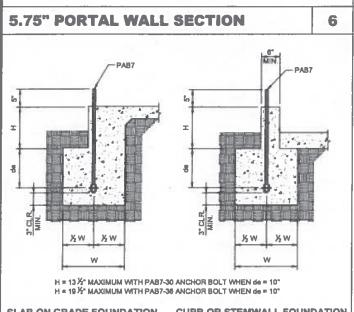
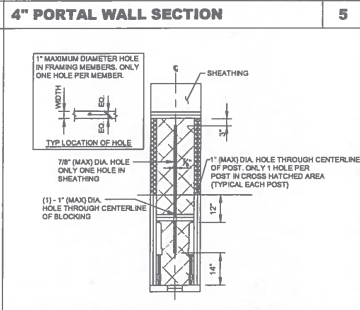
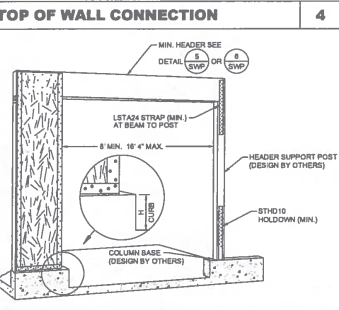
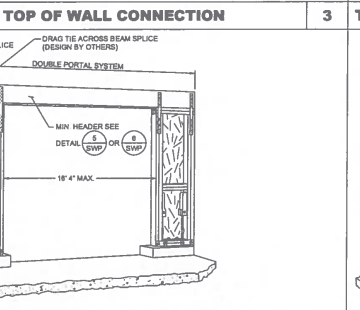
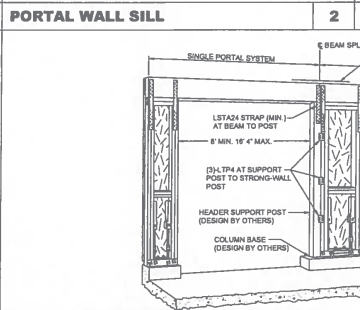
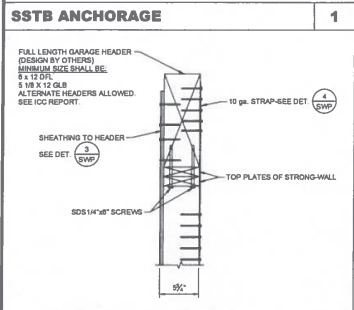
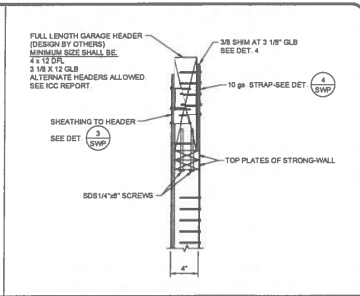
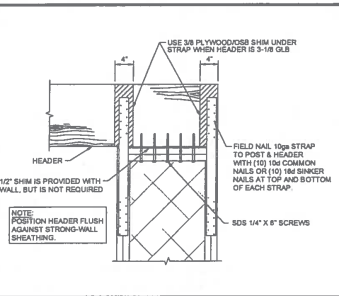
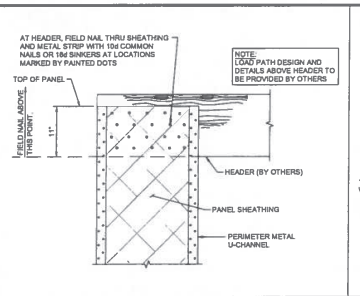
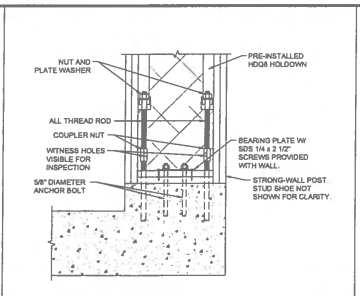
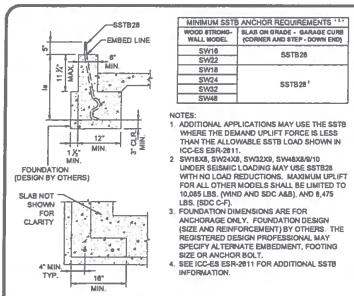


Table with columns: TYPE, PANEL CAPACITY (DPC, LABC), MATERIAL, BLOTTING, NAILING, SILL STUD SIZE, SILL BOLT SPACING, SILL TO RM/BLDG TO SILL, RM/BLDG TO SILL SPACING, SILL TO RM/BLDG TO SILL, RM/BLDG TO TOP PLATE.

NOTES: 1. PLYWOOD/OSB MAY BE SUBSTITUTED... 2. NAILING SPECIFIED FOR PANEL APPLIED TO ALL SIDES... 3. PLYWOOD SHALL BE 3/4" THICK... 4. ALL TIE ROD POLYMER FILLERS... 5. BOLT HOLES SHALL BE A MINIMUM OF 1/16" IN DIAMETER... 6. BOLT HOLES SHALL BE 1/16" IN DIAMETER... 7. END STUD SHALL BE 1/4" THICK... 8. END STUD SHALL BE 1/4" THICK... 9. END STUD SHALL BE 1/4" THICK... 10. END STUD SHALL BE 1/4" THICK... 11. END STUD SHALL BE 1/4" THICK... 12. END STUD SHALL BE 1/4" THICK... 13. END STUD SHALL BE 1/4" THICK... 14. END STUD SHALL BE 1/4" THICK... 15. END STUD SHALL BE 1/4" THICK... 16. END STUD SHALL BE 1/4" THICK... 17. END STUD SHALL BE 1/4" THICK... 18. END STUD SHALL BE 1/4" THICK... 19. END STUD SHALL BE 1/4" THICK... 20. END STUD SHALL BE 1/4" THICK...

Right margin containing project information: SHEAR SCHEDULE & HOLDOWN SCHEDULE, Addion and Remodel RHD, and SHEET NO. D-2 OF SHEETS.

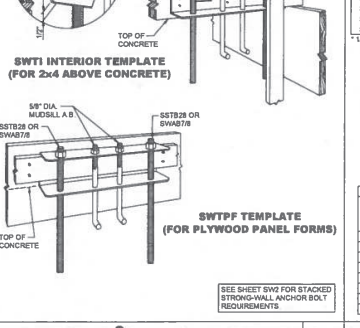


FOUNDATION PLAN VIEW

S = WALL LENGTH MINUS 7\"/>

SEE TABLE BELOW FOR DIMENSIONS

FOUNDATION DIMENSIONS FOR STRONG-WALL ANCHORAGE	CONDITION	ASD		ASX	
		W (IN)	H (IN)	W (IN)	H (IN)
SEISMIC	CRACKED	13,100	27	6	
	UNCRACKED	13,100	20	18	
	CRACKED	13,100	24	6	
	UNCRACKED	13,100	25	6	
WIND	CRACKED	6,300	18	6	
	UNCRACKED	6,300	22	6	
	CRACKED	13,100	29	6	
	UNCRACKED	13,100	27	6	



GARAGE PORTAL WALL TABLE

MODEL	W (IN)	H (IN)	T (IN)	NUMBER OF FASTENERS IN BOTTOM OF WALL	NUMBER OF HOLDOWN ANCHOR BOLTS	ASSEMBLED WALL WEIGHT (LB)
SW16B74	16	74	4	8-SDS 1/4x8	2-6#6	217#
SW16B78	16	78	4	8-SDS 1/4x8	2-6#6	217#
SW16B84	16	84	4	8-SDS 1/4x8	2-6#6	217#
SW16B90	16	90	4	8-SDS 1/4x8	2-6#6	217#
SW22B74	22	74	4	10-SDS 1/4x8	2-6#6	217#
SW22B78	22	78	4	10-SDS 1/4x8	2-6#6	217#
SW22B84	22	84	4	10-SDS 1/4x8	2-6#6	217#
SW22B90	22	90	4	10-SDS 1/4x8	2-6#6	217#

- STRONG-WALL® SHEARWALL IS MANUFACTURED AND TRADEMARKED BY SIMPSON STRONG-TIE COMPANY INC., HOME OFFICE: 808 W. LAS PORTAS BOULEVARD, PLEASANTON, CA 94588 TEL: (800) 999-5099 FAX: (925) 875-5829 SIMPSON STRONG-TIE COMPANY INC. IS AN ISO 9001 REGISTERED COMPANY.
- INSTALLATION OF PRODUCT SHALL BE DONE IN STRICT CONFORMANCE TO THESE DRAWINGS AND THE STRONG-WALL INSTALLATION GUIDE. MODIFICATIONS TO THIS PRODUCT AND ASSOCIATED SYSTEMS OR CHANGES IN THE INSTALLATION METHODS SHOWN ON THESE DRAWINGS AND THE INSTALLATION GUIDE SHOULD ONLY BE MADE BY A QUALIFIED ARCHITECT, CIVIL, OR STRUCTURAL ENGINEER. THE PERFORMANCE OF SUCH MODIFIED PRODUCTS OR ALTERED INSTALLATION PROCEDURES IS THE SOLE RESPONSIBILITY OF THE DESIGNER. REFER TO ICC-ES ESR-1991 FOR FURTHER INFORMATION.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS, ELEVATIONS, ETC. PRIOR TO INSTALLATION OF ANY COMPONENTS FOR THE STRONG-WALL SYSTEM. IF ANY DISCREPANCIES ARE FOUND, THEY SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT ARCHITECT, PROJECT ENGINEER OR BUILDING DESIGNER FOR CLARIFICATION PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY THE POSITION OF THE STRONG-WALL IN RELATION TO THE REST OF THE BUILDING SYSTEM AS SHOWN ON THE PROJECT DRAWINGS.
- USE OF THIS PRODUCT IS SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING OFFICIAL.
- THE BUILDING STRUCTURE SHALL BE DESIGNED IN ACCORDANCE WITH THE LATEST ADOPTED VERSION OF THE BUILDING CODE AND ANY OTHER LOCAL, STATE OR FEDERAL REQUIREMENTS THAT MAY APPLY. VERIFY DESIGN REQUIREMENTS WITH THE LOCAL BUILDING DEPARTMENT.
- THIS PRODUCT IS PART OF THE OVERALL LATERAL FORCE RESISTING SYSTEM OF THE STRUCTURE. DESIGN OF THE BUILDING'S LATERAL FORCE RESISTING SYSTEM, INCLUDING A COMPLETE LOAD PATH NECESSARY TO TRANSFER LATERAL FORCES FROM THE STRUCTURE TO THE GROUND, IS THE RESPONSIBILITY OF THE DESIGNER.
- SIMPSON STRONG-TIE COMPANY INC. RESERVES THE RIGHT TO CHANGE SPECIFICATIONS, DESIGNS AND MODELS WITHOUT NOTICE OR LIABILITY FOR SUCH CHANGES.
- ALL HARDWARE CALLED OUT IS SIMPSON STRONG-TIE®.

ANCHORAGE - TYPICAL SECTIONS 10

ANCHORAGE SCHEDULE 11

STRONG-WALL® TEMPLATES 12

PORTAL WALL SPECIFICATIONS 13

NOTES 14

NO.	DATE	REVISIONS
1	06/24/07	GENERAL REVISIONS
2	09/25/07	GENERAL REVISIONS
3	09/25/07	REB-1837 REVISIONS
4	06/25/11	REB-1837 REVISIONS
5	06/25/11	REB-1837 REVISIONS
6	07/11/17	ADD DOC REVISIONS

SIMPSON STRONG-TIE COMPANY INC.
Strong-Tie
 808 W. LAS PORTAS BOULEVARD, PLEASANTON, CA 94588
 TEL: (800) 999-5099 FAX: (925) 875-5829
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PORTAL WALLS
 SIMPSON STRONG-TIE COMPANY INC.
 Strong-Tie
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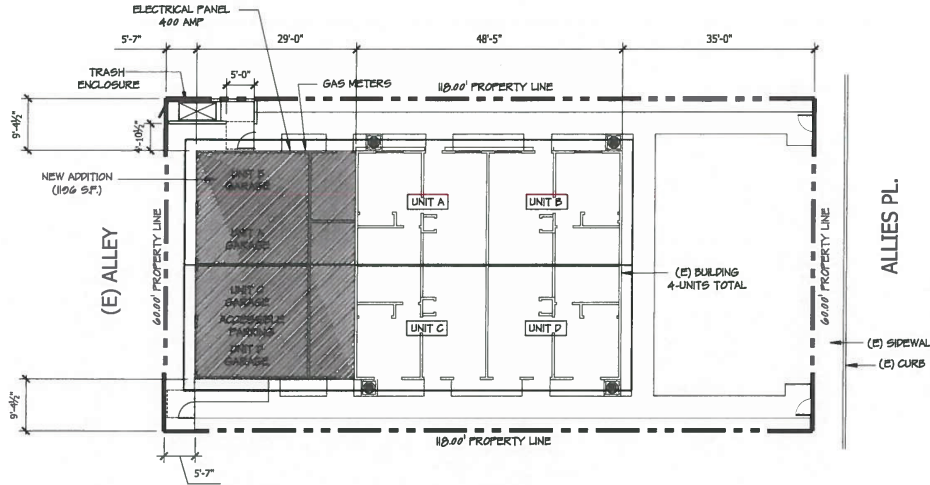
NAME	7-11-2013
SCALE	N.T.S.
CHECKED	
SHEET	SWP
OF SHEETS	
JOB NO.	

Riverside Housing Development Corp.

Fourplex Renovation & Garage Addition

22899 Allies Pl. Moreno Valley, CA 92553

(P16-008)



PLOT PLAN (SEE ENLARGE SITE ON SHEET A0)

SCALE: 1" = 10'-0"



Sheet Index

SHEET	SHEET TITLE
TS	TITLE SHEET
A0	ENLARGED SITE PLAN
A01	USABLE BATHROOM DETAILS
A02	USABLE KITCHEN AND DOORS DETAILS
A1	FLOOR PLAN
A2	BUILDING SECTION + ROOF PLAN
A3	BUILDING ELEVATIONS
A4	ELECTRICAL PLAN
T24	ENERGY CALCULATIONS
S1	FOUNDATION PLAN
S2	FRAMING PLAN
D-1	DETAILS
D-2	DETAILS
SWP	STRONG WALL PORTAL WALLS DETAILS

Plan Notes

SITE REQUIREMENTS

- CONTRACTOR SHALL IDENTIFY ALL STORM DRAINS, DRAINAGE SWALES AND CREEKS LOCATED NEAR THE CONSTRUCTION SITE, AND MAKE SURE ALL SUBCONTRACTORS ARE AWARE OF THEIR LOCATIONS TO PREVENT POLLUTANTS FROM ENTERING THEM. ALL STORM DRAIN INLETS SHALL BE PROTECTED USING FILTER FABRIC CLOTH TO PREVENT SEDIMENTS FROM ENTERING THE STORM DRAINAGE SYSTEM DURING CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL KEEP MATERIALS OUT OF THE RAIN, AND PREVENT RUNOFF POLLUTION AT THE SOURCE. STORE HAZARDOUS WASTE IN DRUMS AND COVERED BINS AND CONTRACT A COMPANY TO DISPOSE OF IT PROPERLY.
- RECYCLING BINS AND CONTAINERS SHALL BE INSTALLED IN CONVENIENT LOCATIONS ON THE JOBSITE.
- PRESERVE OR RELOCATE EXISTING MATURE TREES AND SHRUBS AS NECESSARY. FENCE ALL OTHER TREES AND SHRUBS FOR PROTECTION FROM EQUIPMENT DURING CONSTRUCTION.
- PERMEABLE PAVING SHALL BE USE ON DRIVEWAY AND WALKWAYS TO FRONT DOOR.

XAVIER
DESIGN
GROUP

4481 Pondmoor Dr
Riverside
California 92505
951 630 2018

Xavier Hernandez

Xavier Hernandez
Principal Designer

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RHDC Fourplex Renovation

22899 Allies Pl.
Moreno Valley, CA 92553

PROJECT:

rev date remark

Title Sheet
+ Site Plan

TS

Contact	Project Data	Scope Of Work	Vecinity Map
<p>OWNER: RIVERSIDE HOUSING DEVELOPMENT CORP. CONTACT PERSON: CLEVE STEVENS 951.232.5056</p> <p>PROJECT TO BE PUBLICLY FUNDED</p>	<p>LEGAL DESCRIPTION</p> <p>A.P.N.: 291-293-010-0 5969 S.F. LOT / TRACT: 38 / 2831</p> <p>ZONING INFO:</p> <p>BUILDING ZONE R-1 CONSTRUCTION TYPE VB OCCUPANCY R3 - U CITY MORENO VALLEY COUNTY RIVERSIDE YEAR BUILT 1940</p> <p>PROJECT AREAS</p> <p>EXISTING LIVING AREA SQ. FOOTAGE: 1997 S.F. PROPOSED ADDITIONS: 1196 S.F. NEW TOTAL BUILDING AREA: 3193 S.F.</p> <p>LOT COVERAGE: 46.6%</p>	<ol style="list-style-type: none"> TO REHAB EXISTING 4 UNIT APARTMENT UNITS. ADD NEW 4 CAR GARAGES, A LAUNDRY ROOM AREA AND A STORAGE AREA (1196 S.F. TOTAL AREA) REMOVE AND REPLACE ALL DAMAGED DRYWALL. REMOVE AND REPLACE ALL WINDOWS AS PER WINDOW SCHEDULE. INSTALL 2-NEW WATER HEATERS (100 GAL. & 40 GAL.) INSTALL NEW SPLIT SYSTEMS HVAC UNITS. INSTALL NEW AC CONDENSERS. REPAIR ALL ELECTRICAL WIRING AS NEEDED. REMOVE AND REPLACE ALL ELECTRICAL PLUGS, SWITCHES AND LIGHTS REMOVE AND REPLACE ALL KITCHEN AND BATHROOM CABINETS. REMOVE AND REPLACE ALL DAMAGED DOORS. PAINT ALL INTERIOR AND EXTERIOR. REMOVE AND REPLACE ALL BATHROOM AND KITCHEN FIXTURES. REMOVE AND REPLACE EXISTING ROOF WITH NEW ROOF TRUSS SYSTEM REMOVE, REPLACE AND RELOCATE ELECTRICAL PANELS. REMOVE REPLACE AND RELOCATE GAS METERS. <p>APPLICABLE BUILDING CODES:</p> <p>2013 CALIFORNIA BUILDING CODE 2013 CALIFORNIA PLUMBING CODE 2013 CALIFORNIA RESIDENTIAL CODE 2013 CALIFORNIA ELECTRICAL CODE 2013 CALIFORNIA GREEN CODE 2013 CALIFORNIA MECHANICAL CODE 2013 CALIFORNIA ENERGY CODES</p>	

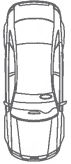
Xavier Hernandez

Xavier Hernandez
project architect

DESIGNER ASSUMES NO LIABILITY FOR PROBLEMS THAT MAY BE CAUSED BY THE USER'S MISUSE OF THE SOFTWARE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

SHEET NOTES

- DASHED LINE TO INDICATE A MIN. 3'-0" WIDE CLEAR PATH OF TRAVEL. SLOPE UP OR DOWN SHALL NOT EXCEED 1:20 (5%) WITH GROSS SLOPE NOT TO EXCEED 1/4" PER FT. ABRUPT CHANGES IN LEVEL SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1 UNIT VERTICAL TO TWO UNIT HORIZ. (50%). LEVEL CHANGES NOT TO EXCEED 1/4" MAY BE VERTICAL. ANY OBSTRUCTION THAT OVERHANGS A PATH OF TRAVEL SHALL BE A MIN. OF 80" ABOVE THE WALKING SURFACE AS MEASURES FROM THE BOT. OF THE OBSTRUCTION.
- WALK AND SIDEWALK SURFACES SHALL BE SLIP-RESISTANT AS FOLLOWS. (A) SURFACES WITH A SLOPE OF LESS THAN 6 PERCENT GRADIENT SHALL BE AT LEAST AS SLIP RESISTANT AS THAT DESCRIBED AS A MEDIUM SALTED FINISH. (B) SURFACES WITH A SLOPE OF 6 PERCENT OR GREATER GRADIENT SHALL BE SLIP-RESISTANT.
- PROVIDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN AT THE PRIMARY PUBLIC ENTRANCE AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL. THE SIGNS SHALL DIRECT PERSONS TO ACCESSIBLE ENTRANCES AND FACILITIES. MOUNTING HT. FOR SIGNS AT DOORS SHALL BE 60" FROM THE WALKING SURFACE TO THE CENTER LINE OF THE SIGN.

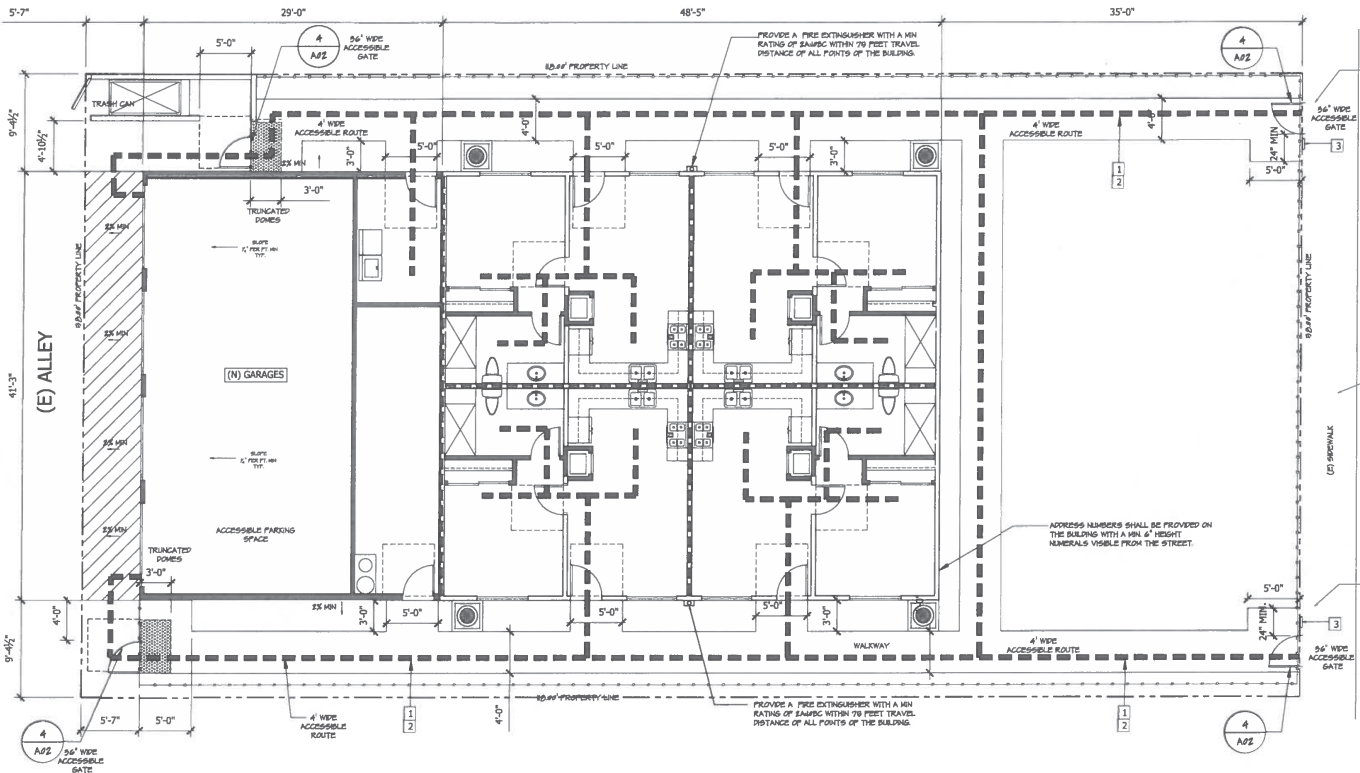


PUBLIC SIDEWALK

(C) CURB

(C) SIDEWALK

PEDESTRIAN ARRIVAL POINT



SITE PLAN

SCALE: 3/16" = 1'-0"

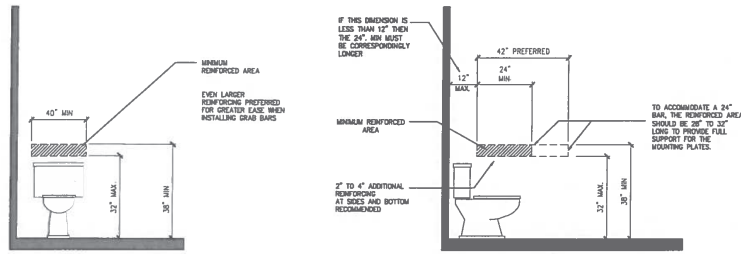
RHDC Fourplex Renovation
22899 Allies Pl.
Moreno Valley, CA 92553

PROJECT:

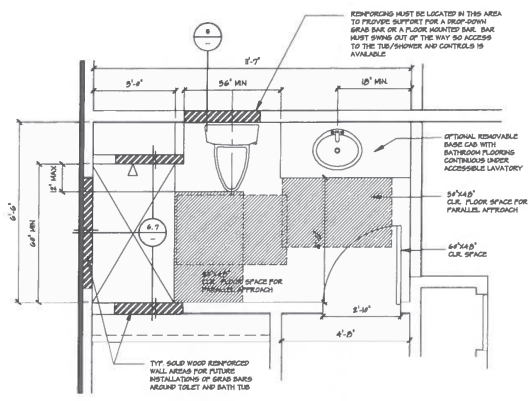
rev date remark

Enlarged Site Plan

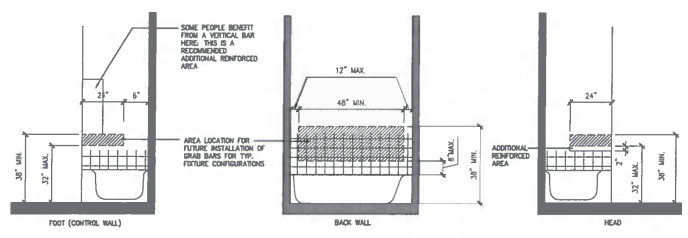
A0



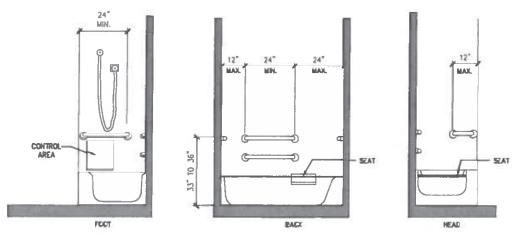
5 GRAB BAR REINFORCEMENT AT TOILET
SCALE: NTS



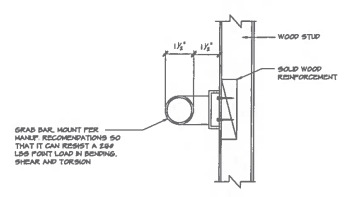
1 ACCESSIBLE BATH
SCALE: 1/2" = 1'-0"



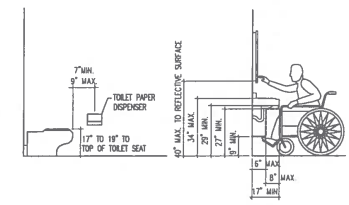
6 GRAB BAR REINFORCEMENT AT CONVENTIONAL TUB
SCALE: NTS



7 GRAB BAR AT CONVENTIONAL TUB
SCALE: NTS



3 ACCESSIBLE GRAB BAR (OPTIONAL)



2 ACCESSIBLE W.C. AND LAVATORY
SCALE: NTS

USABLE BATHROOM NOTES
TOILET FLUSH CONTROLS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING. CONTROLS FOR THE FLUSH VALVES SHALL BE MOUNTED ON THE WIDE SIDE OF TOILET AREAS, NO MORE THAN 44" ABOVE THE FLOOR. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 LBS.-FORCE
PROVIDE A LEVER-OPERATED FAUCET CONTROL MECHANISM AT LAVATORY. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL NOT BE GREATER THAN 5 LBS.

WHERE TOWEL AND/OR OTHER EQUIPMENT AND CONTROLS ARE PROVIDED, AT LEAST ONE OF EACH TYPE SHALL BE LOCATED ON AN ACCESSIBLE ROUTE, WITH ALL OPERABLE PARTS, WITHIN 40 INCHES FROM THE FINISHED FLOOR

- DISABLE ACCESS NOTES**
- A CLEAR FLOOR SPACE AT 30" X 48" SHALL BE PROVIDED IN FRONT OF THE SINK TO ALLOW A FORWARD APPROACH BY A PERSON USING A WHEELCHAIR, AND THE CLEAR FLOOR SPACE SHALL BE ON AN ACCESSIBLE ROUTE AND SHALL EXTEND AT LEAST 19" UNDER THE SINK.
 - THE ACCESSIBLE SINK SHALL HAVE A MAX. OF 6 1/2" DEEP AND SHALL BE MOUNTED WITH THE COUNTER OR RIM NO HIGHER THAN 34" ABOVE THE FLOOR AND A KNEE CLEARANCE THAT IS AT LEAST 27" HIGH, 30" WIDE AND 19" DEEP.
 - HOT WATER AND DRAIN PIPES EXPOSED UNDER SINKS SHALL BE INSULATED OR OTHERWISE CONFIGURED SO AS TO PROTECT AGAINST CONTACT.
 - THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER SINKS.
 - SINKS LOCATED IN COMMON USE AREAS SHALL HAVE FAUCET CONTROLS AND OPERATING MECHANISM OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL NOT EXCEED 5 FOOT POUNDS. LEVER OPERATED, PUSH TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS.

Xavier Hernandez
Xavier Hernandez
Principal Designer

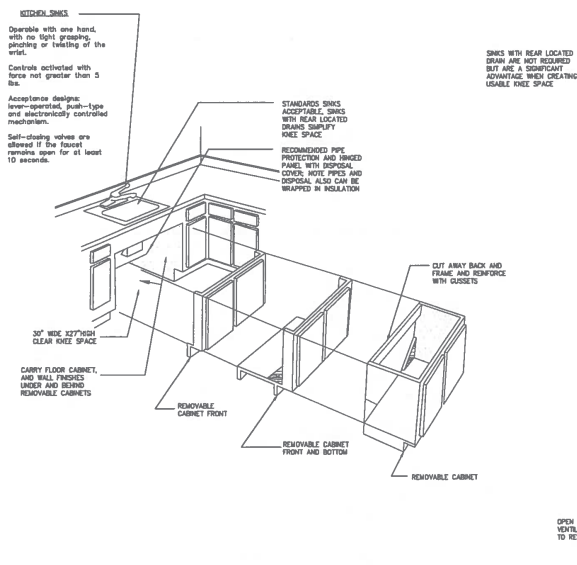
SEE NOTES AND USE OF ALL RESPONSIBILITY AND LIABILITY FOR ANY AND ALL DAMAGES, INJURIES, LOSSES AND DAMAGES SHALL BE THE USER'S SOLE RESPONSIBILITY. THE USER SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND CLEARANCES TO BE PROVIDED TO THE CONTRACTOR AND SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND CLEARANCES TO BE PROVIDED TO THE CONTRACTOR.

PROJECT:
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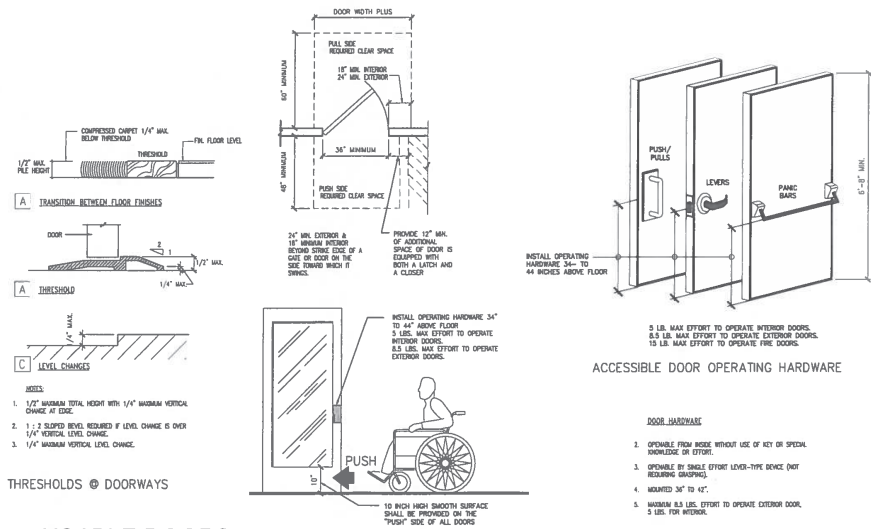
Bathroom
Accessible Details

A01



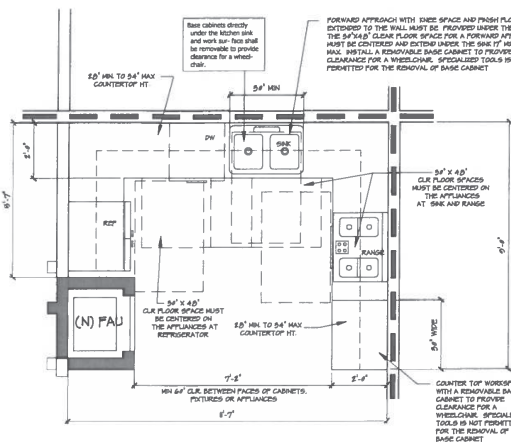
REMOVABLE CABINETS AT USABLE KITCHEN SINK

2 SCALE: 1/2" = NTS



USABLE DOORS

4 SCALE: NTS



USABLE KITCHEN

1 SCALE: 1/2" = 1'-0"

USABLE KITCHEN NOTES

11334.1 Repositionable countertops. Repositionable countertops shall be provided in a minimum of 5 percent of the covered multifamily dwelling units. Repositionable countertops shall comply with the following:

- The kitchen sink and work surface space required by Section 11334.4 shall be designed to enable repositioning to a minimum height of 28 inches (713 mm).
- Base cabinets directly under the kitchen sink and work surface shall be removable to provide clearance for a wheelchair.
- The sides of adjacent cabinets and the back wall, which may become exposed to moisture or food handling when a countertop is lowered, shall be constructed of durable, nonabsorbent materials appropriate for such uses.
- Finished flooring shall be extended to the wall beneath the sink and work surface.

- Exceptions:
- Stone, cultured stone and tiled countertops may be used without meeting the repositioning requirements.
 - Two 15-inch (381 mm) minimum width breadboards may be provided in lieu of the required 30 inches (762 mm) of countertop work surface.

LOWER SHELVING

Lower shelving and/or drawer space shall be provided at a height 48" maximum above the floor.

KITCHEN AND SINK FAUCET CONTROLS

Operable with one hand, with no tight grasping, pinching or twisting of the wrist.

Controls activated with force not greater than 5 lbs.

Acceptance designs: lever-operated, push-type and electronically controlled mechanism.

Self-closing valves are allowed if the faucet remains open for at least 10 seconds.

DISABLE ACCESS NOTES

- THE ACCESSIBLE SINK SHALL HAVE A MAX. OF 6 1/2" DEEP AND SHALL BE MOUNTED WITH THE COUNTERTOP OR RIM NO HIGHER THAN 34" ABOVE THE FLOOR AND A KNEE CLEARANCE THAT IS AT LEAST 27" HIGH, 30" WIDE AND 19" DEEP.
- HOT WATER AND DRAIN PIPES EXPOSED UNDER SINKS SHALL BE INSULATED OR OTHERWISE CONFIGURED SO AS TO PROTECT AGAINST CONTACT.
- THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER SINKS.
- SINKS LOCATED IN COMMON USE AREAS SHALL HAVE FAUCET CONTROLS AND OPERATING MECHANISM OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL NOT EXCEED 5 FOOT POUNDS. LEVER OPERATED, PUSH TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS.

USABLE DOOR NOTES

11324.1 Primary entry doors and required exit doors. The width and height of primary entry doors and all required exit doors shall comply with Section 1126A.1. The requirements of Section 1126A.3 shall apply to maneuvering clearances at the side of the door exposed to common or public use spaces (e.g., entry or exit doors which open from the covered multifamily dwelling unit into a corridor, hallway or lobby, or directly to the outside).

11324.2 Interior doors and secondary exterior doors. Except as allowed by Section 1109A.2, interior doors intended for passenger and secondary exterior doors shall comply with this section. The provisions of this section shall apply to the dwelling unit side of doors leading from the interior of the dwelling unit to an unfinished basement or an attached garage.

11324.3 Width and height of interior doors and secondary exterior doors. Doors shall comply with the following:

- Doors shall not be less than 6 feet 8 inches (2032 mm) in height.
- Swinging doors shall provide a net clear opening width of not less than 32 inches (813 mm), measured with the door or doors positioned at an angle of 90 degrees from the closed position. A 34-inch (864 mm) door is acceptable.
- Swinging doors shall be capable of opening at least 90 degrees.
- A nominal 32-inch (813 mm) clear opening provided by a standard 6-foot wide (1829 mm) sliding patio door assembly is acceptable.
- A pair of doors, manual or automatic, must have at least one leaf which provides a clear width of not less than 32 inches (813 mm), measured with the door positioned at an angle of 90 degrees from its closed position.
- The width of any component in the means of egress system shall not be less than the minimum width required by Section 1005.

XAVIER
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Project Manager

ISC values are used in responsibility and liability for products which are not shown in this plan. Specifications and details shall be used to the extent that they are not shown in this plan. The architect shall not be responsible for any conditions and existing conditions in this plan and shall not be responsible for any conditions not shown in this plan.

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Accessible Details

A02

Xavier Hernandez
Xavier Hernandez
Project Manager

NSC notes are not of applicability and liability for problems which may have been in the past plan, specifications and notes shall be the responsibility of the architect and shall remain in effect. No warranty, representation, or liability shall be made by the architect for any construction or materials which are not shown, specified, or indicated on the drawings. The architect shall not be responsible for any construction or materials which are not shown, specified, or indicated on the drawings. The architect shall not be responsible for any construction or materials which are not shown, specified, or indicated on the drawings.

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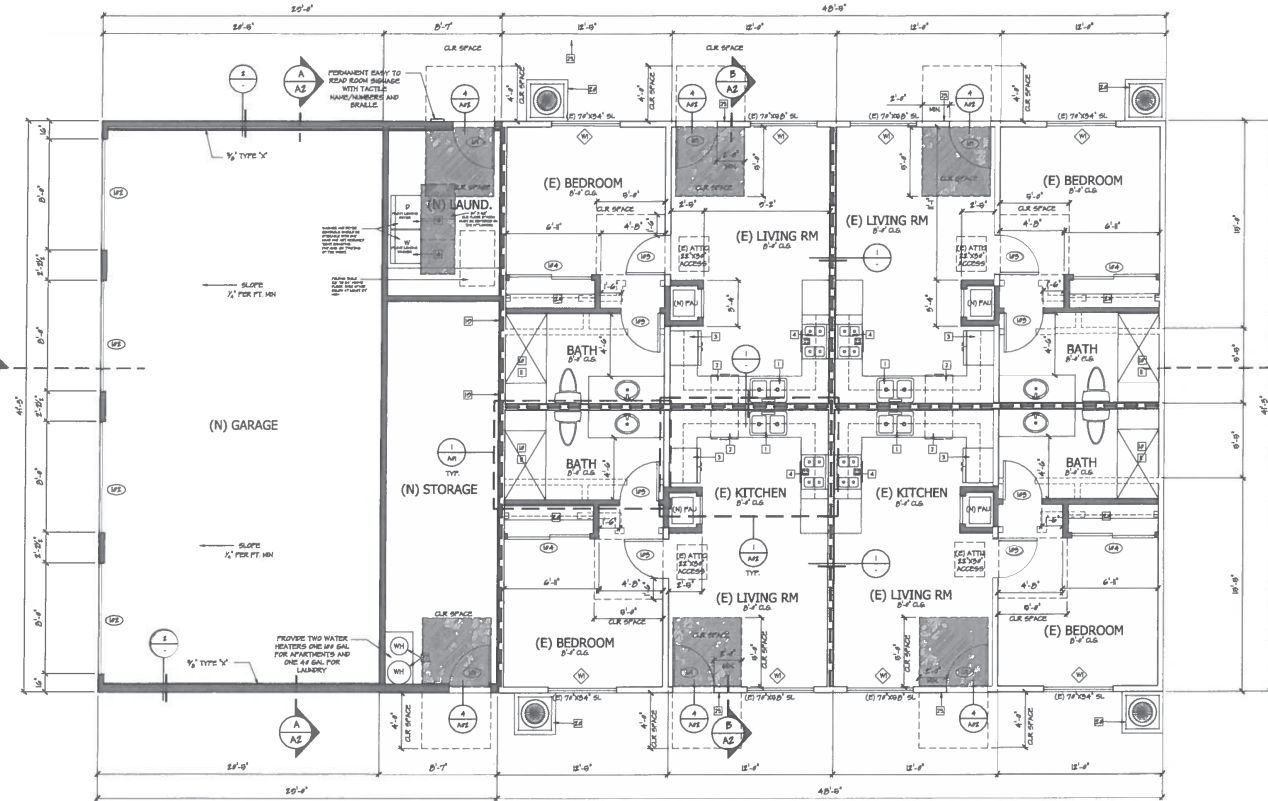
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Floor Plan

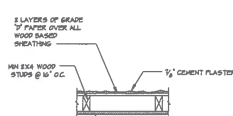
A1

KEYNOTES

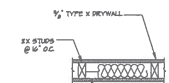
- [1] DOUBLE SINK WITH GARAGE DISPOSAL WITH AIR GAP FOR DISHWASHER.
- [2] ENERGY STAR DISHWASHER WITH AIR GAP-VERIFY DIMENSIONS WITH MANUFACTURERS SPECIFICATIONS.
- [3] ENERGY STAR RATED REFRIGERATOR SPACE-PROVIDE RECESSED COLD WATER BS AND SHUT-OFF FOR ICE MAKER.
- [4] RANGE/COOKTOP WITH BUILDING LIGHT AND FAN (VENT TO OUTSIDE AIR).
- [5] DOUBLE OVEN (VENT TO OUTSIDE AIR).
- [6] DWT. SO. SLOTT PREFER TO PLUMB FOR HEIGHTS.
- [7] PANTRY-KEEPER TO FIT FOR SIZE.
- [8] SELF-CLOSING TIGHT FITTING. SOLID WOOD DOOR WITH 1/2" MIN. PRE-PROTECTION BATTING WEATHER-STRIPPING AND METAL THRESHOLD.
- [9] RECESSED MEDICINE CABINET.
- [10] 36"X48" FIBERGLASS TUB AND SHOWER UNIT W/ 1/2" MIN. 7/8" HIGH GROUT PLASTER, CEILING TILE OR APPROVED EQUAL AT WALLS PROVIDE CURTAIN ROD OR SAFETY GLASS ENCLOSURE CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES.
- [11] FIBERGLASS SHOWER PAN (SEE PLAN FOR SIZE) WITH 1/2" MIN. 7/8" HIGH GROUT PLASTER, CEILING TILE OR APPROVED EQUAL AT WALLS CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES.
- [12] WALL COVERINGS SHALL BE GROUT PLASTER, TILE OR APPROVED EQUAL. HANDRAILS OTHER THAN STRUCTURAL ELEMENTS SHALL BE WITHIN REACHING HAND GRAB ENCLASURE DOORS AND PANELS MUST BE LABELED CATEGORY 1 SPRING DOOR OUTWARD. NET AREA OF SHOWER RECEPTOR SHALL BE NOT LESS THAN 254 SQ. IN. OF FLOOR AREA AND ENCOMPASS A 36" DIA. CIRCLE.
- [13] PAN IN ATTIC PROVIDE LIGHT, POWER, UNOBSTRUCTED 24" PASSAGE, 3/4" WIDE WORK SPACE AND ADEQUATE AIR SUPPLY PROVIDE CONDENSATE DRAIN LINE TO OUTSIDE. VENT TO OUTSIDE AND COMBUSTION AIR.
- [14] 24" X 36" ATTIC ACCESS. MIN WITH 1/2" CLEAR HEADROOM PROVIDE SWITCH LIGHT, BV OUTLET, AND 24" SOLID FLOORING TO PAN.
- [15] ENERGY STAR HORIZONTAL AXES WASHER SPACE. PROVIDE RECESSED WATER AND DRAIN CONNECTIONS PROVIDE SHUTTY PAN AND DRAIN AT SECOND FLOOR LOCATIONS.
- [16] DRYER SPACE. PROVIDE DRYER VENT TO OUTSIDE AIR WITH BACKDRAFT SHAVES. PROVIDE FIRE RISK CALCULUS IF FIRE PENETRATES A FIRE WALL 1/4" WALL LENGTH WITH MAX 5 ELEVATIONS.
- [17] WATER HEATER ON A 1/2" HIGH PLATFORM WITH SEPARATE STRAPS AND VENT TO OUTSIDE PROVIDE PRESSURE RELIEF VALVE WITH DRAIN TO OUTSIDE AND COMBUSTION AIR.
- [18] FIBERGLASS GAS APPLIANCE PRELACE BY LENOX ESR-536 DIRECT VENT.
- [19] OCCUPANCY SEPARATION BETWEEN GARAGE AND LIVING AREA-PROVIDE LAYER OF 1/2" TYPE 'X' GYT. SO. ON GARAGE SIDE OF WALLS ADJACENT TO LIVING AREA AND AT ELEMENTS SUPPORTING SEPARATION ABOVE CEILING SHALL RECEIVE 2 LAYERS OF 5/8" GYT. SO. APPLIED TO THE BOTTOM OF THE FLOOR OR ROOF TRUSSES IF SPACING IS GREATER THAN 16" OC. MEET ALL BEAMS AND SUPPORTING POSTS.
- [20] AC CONDENSER ON WEATHERPROOF PAN 3" ABOVE GRADE (VERIFY SIZE AND LOCATION) PROVIDE ESPV, WEATHERPROOF DISCONNECT AND A BV WEATHERPROOF OUTLET WITHIN 18" OF UNIT.
- [21] 6"X8" TYPE 'X' GYT. SO. AT WALLS AND CEILING AT ENCLOSED USABLE SPACE STAIRS.
- [22] 1-1/4"X8" G1 SCREENED COMBUSTION AIR VENTS ONE HIGH WITHIN 18" OF CEILING AND ONE LOW WITHIN 18" OF FINISHED FLOOR.
- [23] 5" PERIMETER TYP. BOLLARD.
- [24] PAINT-GRADE WOOD OR VINYL-COATED WIRE 1" PEEF SHELF AT 6" ABOVE FINISHED FLOOR.
- [25] STUCCO SHRELF, SLOPE TO DRAIN.
- [26] 24" AVF ELECTRICAL PANEL WITH 1/2" LATER GRADED WITH BOND TO GAS AND WATER PIPING. CONDENSERS SHALL HAVE A VERTICAL CLEARANCE ABOVE ROOFS OF NOT LESS THAN 3'-0".
- [27] 36"X36" 1/4" CONCRETE STUCCO.
- [28] ALL PRIMARY ENTRANCES TO A DWELLING UNIT SHALL BE PROVIDED WITH A DOOR BUZZER BELL. CASE OR EQUIPMENT INSTALLATION MOUNTED TO A MAX OF 48" ABOVE THE FLOOR CONNECTED TO FLOOR/WALL FINISH.



FLOOR PLAN
SCALE: 1/4" = 1'-0"



ONE HOUR EXT WALL.
SCALE: NTS



ONE HOUR FIRE BARRIER
SCALE: NTS

NOTE:
FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS, SHOCK BARRIERS AND SHOCK PARTITIONS OR ANY OTHER WALLS REQUIRED TO HAVE PROTECTED OPENINGS OR PENETRATIONS SHALL BE EFFECTIVELY AND PERMANENTLY IDENTIFIED WITH SIGNS OR STICKERS. SUCH IDENTIFICATION SHALL:
1. BE LOCATED IN ACCESSIBLE CONCEALED FLOOR, FLOOR-CEILING OR ATTIC SPACES.
2. BE REPEATED AT INTERVALS NOT EXCEEDING 50 FT. MEASURED HORIZONTALLY ALONG THE WALL OR PARTITION AND
3. INCLUDE LETTERING NOT LESS THAN 1/8" INCHES IN HEIGHT, INCORPORATING THE SUGGESTED WORKING. THESE AND/OR SHOCK BARRIER-PROTECT ALL OPENINGS OR OTHER WORKING.
EXCEPTION: WALLS IN GROUP R-2 OCCUPANCIES THAT DO NOT HAVE A REMOVABLE DECORATIVE CEILING ALLOWING ACCESS TO THE CONCEALED SPACE.

FIXTURE FLOW RATES

WATER CLOSETS:	1.20 GAL PER FLUSH
SHOWER HEADS:	2.0 GAL PER MINUTE
FAUCETS, SINKS/LAVS:	1.5 GAL PER MINUTE
KITCHEN FAUCETS:	1.8 GAL PER MINUTE

WINDOW SCHEDULE					
NO.	WIDTH	HEIGHT	TYPE	FINISH	REMARKS
W1	6'-0"	6'-0"	SURER	VINYL	

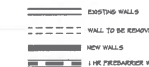
DOOR SCHEDULE					
NO.	WIDTH	HT.	TYPE	SC	REMARKS
DP1	3'-0"	6'-8"	HC	EXTERIOR	ACCESSIBLE DR.
DP2	3'-0"	6'-8"	METAL	SECTIONAL	GARAGE DR.
DP3	3'-0"	6'-8"	HC	INTERIOR	USABLE DR.
DP4	3'-0"	6'-8"	HC	INTERIOR	USABLE DR.

NOTE:
SHOWERS AND TUB SHOWER COMBINATIONS IN BUILDINGS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE, THERMOSTATIC OR COMBINATION PRESSURE BALANCE, THERMOSTATIC MIXING VALVE TYPE THAT PROVIDE BOND AND THERMAL SHOCK PROTECTION. THESE VALVES SHALL CONFORM TO ASSE (AV), STANDARDS FOR AUTOMATIC COMPENSATING VALVES FOR INDIVIDUAL SHOWERS AND TUB SHOWER COMBINATIONS, OR ASHRAE 188/150A (BSL) STANDARDS FOR PLUMBING SHUTTY FITTINGS. VARIABLE POSITION STOPS SHALL BE PROVIDED ON SUCH VALVES AND SHALL BE ADJUSTED FOR THE MANUFACTURER'S INSTRUCTIONS TO RELIEVE A MAXIMUM HOSED WATER SETTING OF 150 PSI. THE WATER HEATER THERMOSTAT SHALL NOT BE CONSIDERED A SUITABLE CONTROL FOR MEETING THIS PROVISION.

SHEET NOTES

1. WALL INSULATION SHALL BE R-10
2. ROOF INSULATION SHALL BE R-30
3. ALL NEW WINDOWS SHALL BE FULL FRAME

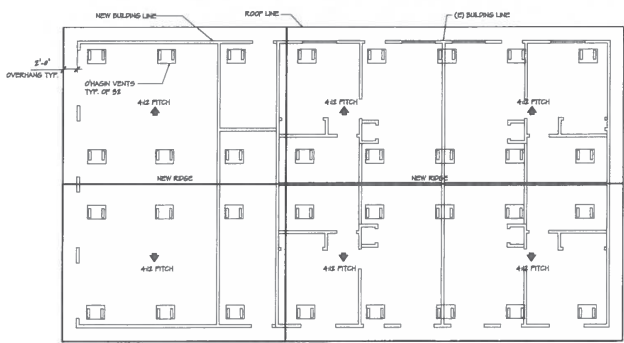
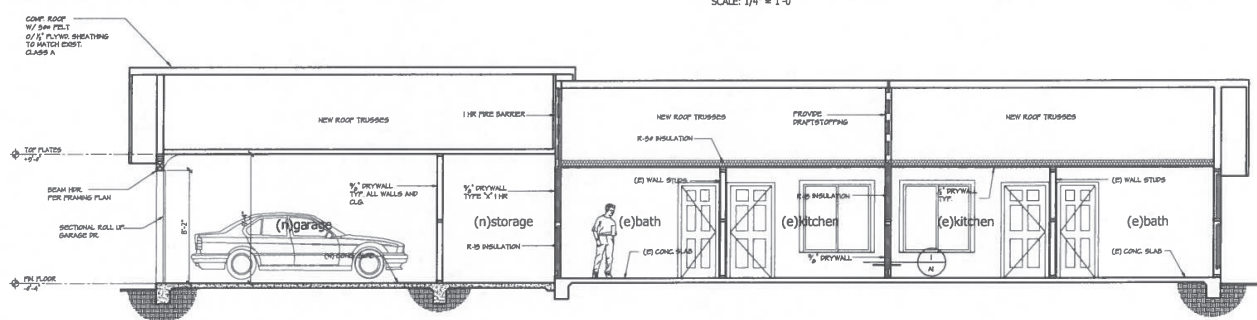
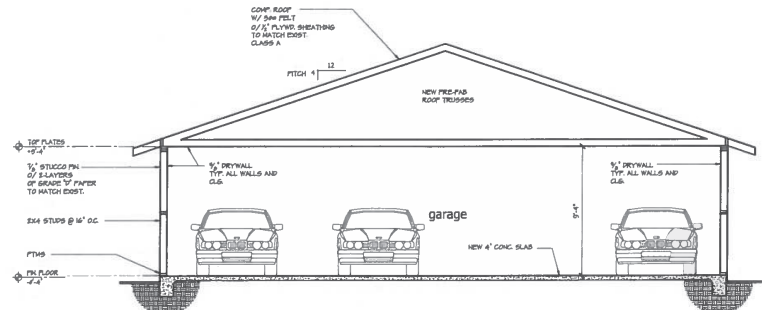
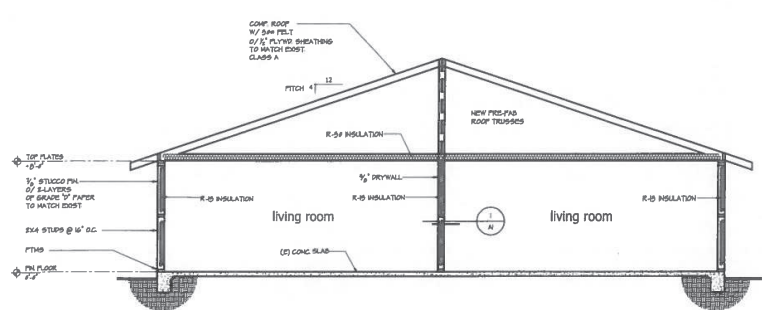
LEGEND



Xavier Hernandez

Xavier Hernandez
PROJECT ARCHITECT

SEE NOTES AND ALL REQUIREMENTS AND HATCHES FOR DETAILS WHICH ARE NOT SHOWN IN THIS PLAN, SPECIFICATIONS AND OTHER NOTES FOR DETAILS OF THE PROJECT WHICH ARE NOT SHOWN HEREIN TO AVOID CONFLICTS WITH ANY OTHER CONTRACT DOCUMENTS. THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND MATERIALS TO BE USED AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO COMMENCING THE WORK IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.



ROOF ATTIC VENTILATION REQUIREMENTS
PROVIDE A NET FREE VENTILATING AREA OF NOT LESS THAN ONE (1) PERCENT OF THE AREA OF THE SPACE VENTILATED, PROVIDED AT LEAST 50 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED (AT LEAST 3 FEET ABOVE DRIVE OR GARAGE VENTS).
NEW ATTIC AREA SQ. FOOTAGE = 3409 SQ. FT.
3409 SQ. FT. x 1.0% = 34 SQ. FT.
34 SQ. FT. x 144 SQ. IN. = 4896 SQ. IN.
5484 SQ. IN. OF VENTILATING AREA IS REQUIRED.
PROVIDE (2) (2) GYAN VENTS AT 018 NET FREE AREA.
16 VENTS HIGH
16 VENTS LOW
TOTAL ATTIC VENTILATION PROVIDED = 5124 SQ. IN.

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Building Section
+ Roof Plan

A2

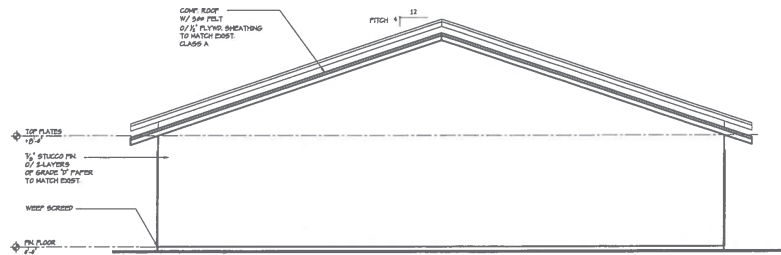
**XAVIER
DESIGN
GROUP**

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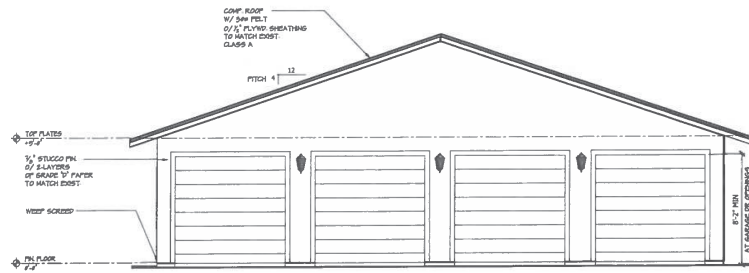
Xavier Hernandez
Principal Designer

DESIGNER ASSUMES NO LIABILITY FOR PROBLEMS OR DAMAGES THAT MAY BE CAUSED BY ANY PARTY OTHER THAN THE DESIGNER. THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES OR INJURIES CAUSED BY ANY PARTY OTHER THAN THE DESIGNER. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES OR INJURIES CAUSED BY ANY PARTY OTHER THAN THE DESIGNER.



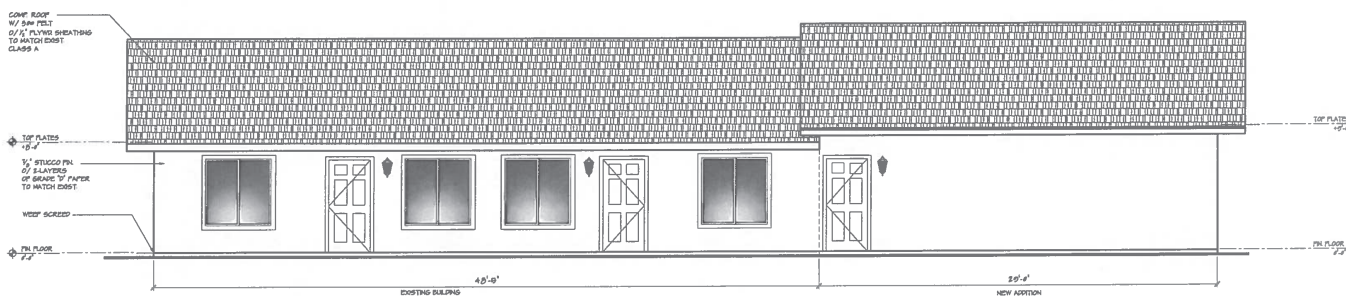
NORTH ELEVATION

SCALE: 1/4" = 1'-0"



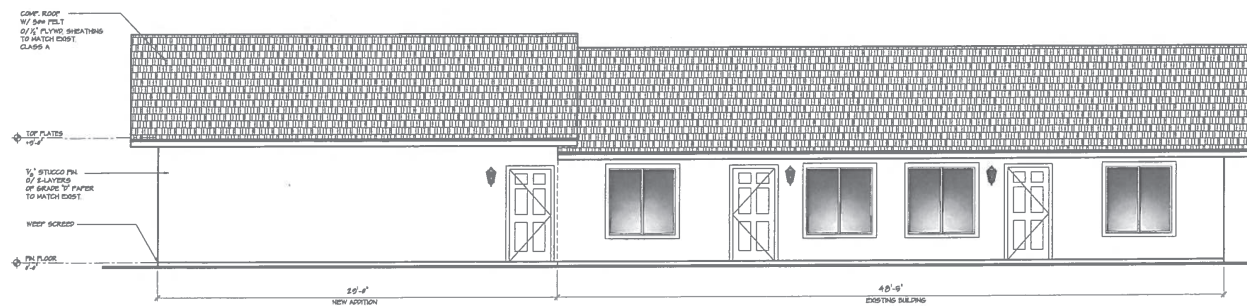
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



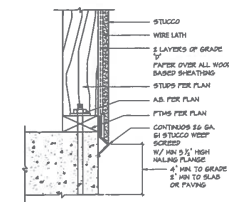
WEST ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"



STUCCO SCREED

SCALE: NTS

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Building Elevations

A3

Xavier Hernandez

Xavier Hernandez
Project Engineer

ISC notes are used in accordance with the provisions of the California Electrical Code, which shall be the governing code for all electrical work. The designer shall be responsible for all electrical work and for obtaining the necessary permits and approvals from the appropriate authorities.

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Electrical Plan

A4

ACCESSIBLE ELECTRICAL NOTES

Electrical receptacle outlets on branch circuits of 30 amperes or less and communication system receptacles shall be located no more than 48 inches measured from the top of the receptacle outlet box nor less than 15 inches measured from the bottom of the receptacle outlet box to the level of the finished floor or working platform. If the reach is over a physical barrier or an obstruction (for example, a kitchen base cabinet), receptacles shall be located within the reach ranges specified in Section 1138A.3. Physical barriers and obstructions shall not extend more than 25 inches from the wall beneath the receptacle.

Receptacle outlets that do not satisfy these specifications are acceptable provided that comparable receptacle outlets, that perform the same functions, are provided within the same area and are accessible. (1138A.1) See exceptions.

Controls or switches intended to be used by the occupant of the room or area to control lighting and receptacle outlets, appliances, alarms or cooling, heating and ventilating equipment shall be located no more than 48 inches measured from the top of the outlet box nor less than 15 inches measured from the bottom of the outlet box to the level of the finished floor or working platform. If the reach is over a physical barrier or an obstruction (for example, a kitchen base cabinet), switches and controls shall be located within the reach ranges specified in Section 1138A.3. Physical barriers or obstructions shall not extend more than 25 inches from the wall beneath a control.

Switches and controls that do not satisfy these specifications are acceptable provided that comparable controls or outlets, that perform the same functions, are provided within the same area and are accessible. Except at appliances (e.g. kitchen stoves, dishwashers, range hoods, microwave ovens and similar appliances) which have controls located on the appliance. (1138A.2)

SMOKE ALARMS

SMOKE ALARMS SHALL BE LISTED IN ACCORDANCE WITH UL 379 - SYSTEMS AND COMPONENTS SHALL BE CALIFORNIA STATE APPROVED LISTED.

THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN INDIVIDUAL UNIT.

SMOKE ALARMS AND CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING AND BE EQUIPPED WITH A BATTERY BACKUP.

PROVIDE CARBON MONOXIDE ALARMS IN DWELLING UNITS - AT OUTSIDE OF EACH SEPARATE DWELLING UNIT SLEEPING AREA, IN THE IMMEDIATE VICINITY OF THE BEDROOMS, ON EVERY LEVEL OF A DWELLING UNIT INCLUDING BASEMENTS.

SINGLE AND MULTIPLE STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 379.

LOCATION WITH DWELLING UNITS: IN DWELLING UNITS A DETECTOR SHALL BE INSTALLED IN EACH SLEEPING ROOM AND AT A POINT CENTRALLY LOCATED IN THE CORRIDOR OR AREA GIVING ACCESS TO EACH SEPARATE SLEEPING AREA.

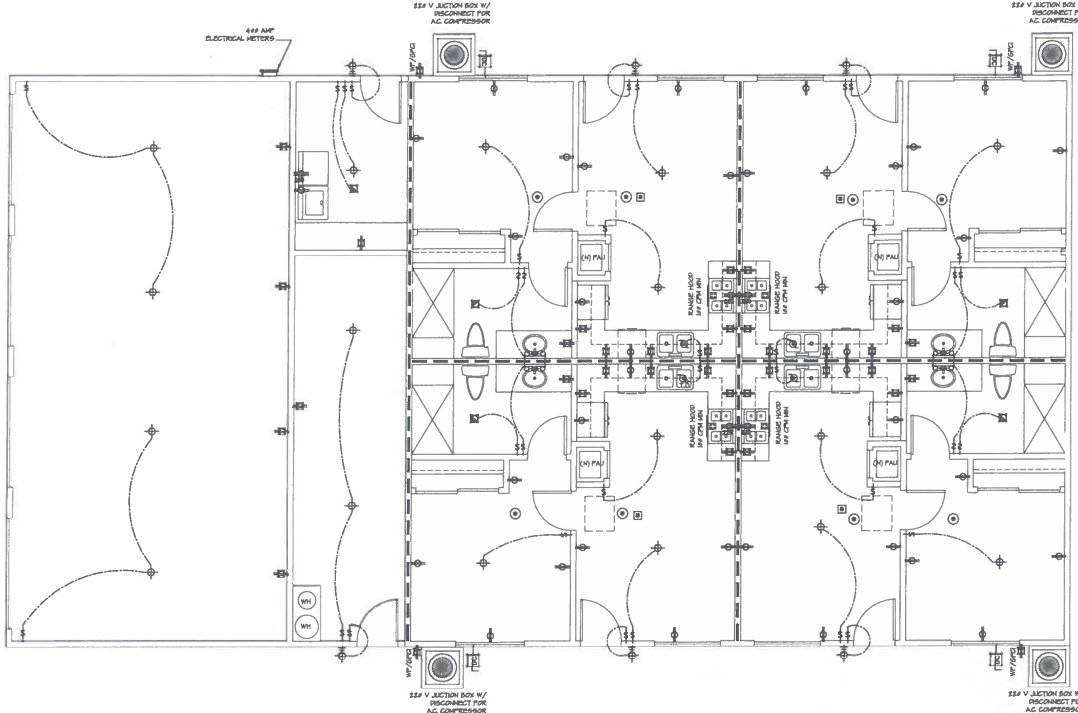
WHEN THE DWELLING UNIT HAS MORE THAN ONE STORY AND IN DWELLINGS WITH BASEMENTS A DETECTOR SHALL BE INSTALLED ON EACH STORY AND IN THE BASEMENT. IN DWELLING UNITS WHERE A STORY OR BASEMENT IS SPLIT INTO TWO OR MORE LEVELS THE SMOKE DETECTOR SHALL BE INSTALLED ON THE UPPER LEVEL. EXCEPT THAT WHEN THE LOWER LEVEL CONTAINS A SLEEPING AREA A DETECTOR SHALL BE INSTALLED ON EACH LEVEL. WHEN SLEEPING ROOMS ARE ON AN UPPER LEVEL THE DETECTOR SHALL BE PLACED AT THE CEILING OF THE UPPER LEVEL. IN CLOSE PROXIMITY TO THE STAIRWAY IN DWELLING UNITS WHERE THE CEILING HEIGHT OF A ROOM OPENS TO THE HALLWAY WORKING THE DEPTH OF THE ROOM EXCEEDS THAT OF THE HALLWAY THE SMOKE DETECTOR SHALL BE INSTALLED IN THE HALLWAY AND IN THE ADJACENT ROOM. DETECTORS SHALL SOUND AN ALARM audible in all sleeping areas of the dwelling unit in which they are located.

ELECTRICAL NOTES

- CLOSET FIXTURES TO BE 1' FROM NEAREST STORAGE SPACE.
- OUTLET BOXES IN GARAGE CEILING TO BE CEILING RATED.
- RECEPTACLES SHALL BE INSTALLED VERTICALLY AT 1' (APPROX) ABOVE FLOOR.
- WALL SWITCHES ARE TO BE MOUNTED AT 48" ABOVE THE FLOOR, UNLESS NOTED OTHERWISE BY THE DESIGNER.
- ALL BRANCH CIRCUITS THAT SUPPLY 120-VOLT SINGLE PHASE IS- AND 20-AMPERE RECEPTACLE OUTLETS INSTALLED IN DWELLING UNITS SHALL BE PROTECTED BY A LISTED ARC FAULT CIRCUIT INTERRUPTER.
- PROVIDE GROUND FAULT CIRCUIT INTERRUPTER (GFCI) PROTECTION AND ALL BATHROOMS, POWDER ROOMS, OUTDOOR RECEPTACLES, GARAGES AND KITCHEN COUNTERTOPS.
- RECEPTACLES SHALL BE INSTALLED 60" FROM THE FLOOR LINE IN ANY WALL SPACE IS MORE THAN 6 FEET, MEASURED HORIZONTALLY, FROM AN OUTLET IN THAT SPACE.
- RECEPTACLES IN KITCHEN AND DINING AREAS, A RECEPTACLE OUTLET SHALL BE INSTALLED AT EACH COUNTER SPACE WHERE THERE IS A SINK AND SO THAT NO POINT ALONG THAT WALL LINE IS MORE THAN 24 INCHES FROM A RECEPTACLE IN THAT SPACE.
- A RECEPTACLE OUTLET SHALL BE INSTALLED IN ANY USABLE WALL SPACE 2 FEET OR MORE IN WIDTH.
- PROVIDE TWO METHODS OF ELECTRICAL GROUNDING: A CLAMP AT HOSE END, ONE ADDITIONAL 1/4" DIA. 24" LONG IN FOOTING AT ELECTRICAL METER LOCATION FOR UPPER GROUND.
- PROVIDE TWO 20 AMPERE SMALL APPLIANCE CIRCUITS AT THE KITCHEN, SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS.
- OUTDOOR LIGHTING, ALL LUMINAIRES MOUNTED TO THE BUILDING OR TO OTHER BUILDINGS ON THE SAME LOT SHALL BE HIGH EFFICIENCY LUMINAIRES OR SHALL BE CONTROLLED BY A PHOTOCONTROL/MOTION SENSOR COMBINATION.
- ALL LUMINAIRES SHALL EITHER BE HIGH EFFICIENCY OR SHALL BE CONTROLLED BY AN OCCUPANT SENSOR OR DIMMER. CLOSETS THAT ARE LESS THAN 70 SQ. FT. ARE EXEMPT FROM THIS REQUIREMENT. OCCUPANCY SENSORS MUST HAVE NO MANUAL OVERRIDE. 24 IN. MAX. THICK AND BE MICROWAVE/ULTRASONIC OR PASSIVE INFRARED TYPE. OCCUPANCY SENSOR LAYOUT MUST BE SHOWN ON PLANS.
- HIGH EFFICIENCY LUMINAIRES MUST BE FIN BASED.
- ALL EQUIPMENT INSTALLED OUTDOORS AND EXPOSED TO WEATHER SHALL BE "WEATHER PROOF".
- RECEPTACLES IN KITCHEN AND BATHROOM SHALL BE INSTALLED ABOVE WORK TOP UNLESS OTHERWISE NOTED ON PLANS.
- PROVIDE A SEPARATE 20 AMPERE LAUNDRY CIRCUIT. BATHROOM CIRCUITING SHALL BE EITHER A) A 20 AMPERE CIRCUIT DEDICATED TO EACH BATHROOM, B) AT LEAST ONE 20 AMPERE CIRCUIT SUPPLYING ONLY BATHROOM RECEPTACLES OUTLETS.
- GENERAL PURPOSE LIGHTING FIXTURES IN BATHROOMS CONTAINING A TUB OR SHOWER SHALL HAVE LAMPS WITH EFFICACY OF AT LEAST 40 LUMEN PER WATT.
- SMOKE DETECTOR MUST BE HARD-WIRED IN NEW CONSTRUCTION W/ BATTERY BACKUP AND AUDIBLE IN ALL SLEEPING AREAS. MAY BE SOLELY BATTERY OPERATED IN EXISTING CONSTRUCTION.
- A SMOKE DETECTOR APPROVED AND LISTED BY THE STATE FIRE MARSHALL SHALL BE INSTALLED IN EACH DWELLING WHEN A PERMIT FOR ALTERATIONS, REPAIRS AND ADDITIONS EXCEEDS \$4000. A BATTERY POWERED SMOKE DETECTOR SATISFIES THE REQUIREMENTS FOR A SMOKE DETECTOR.
- CONDUCTORS NORMALLY USED TO CARRY CURRENT SHALL BE COPPER. FOR ALUMINUM AND COPPER-CLAD ALUMINUM #6 AWG AND LARGER. EXCEPTION: ALUMINUM CONDUCTORS SMALLER THAN #6 AWG MAY BE USED PROVIDED THE METHOD OF CONNECTION IS APPROVED IN ADVANCE BY THE BUILDING OFFICIAL AND THE INSTALLATION IS MADE UNDER CONTINUOUS SPECIAL INSPECTION.
- INSTALL SOLAR POWERED EXTERIOR LIGHTING FIXTURES FOR LANDSCAPING AND ACCENT LIGHTING.
- LED LIGHT FIXTURES SHALL BE USED IN PLACE OF INCANDESCENT OR HALOGEN FIXTURES.

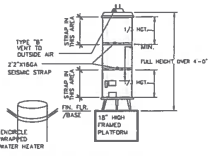
SYMBOLS LEGEND

- FLUORESCENT WALL MOUNT MULTILIGHT FIXTURE
- FLUORESCENT WALL HANG LIGHT FIXTURE
- FLUORESCENT SURFACE MOUNT CEILING LIGHT FIXTURE
- RECESSED FLUORESCENT LIGHT FIXTURE
- EXHAUST FAN W/ FLUOR. LIGHT, FAN - BY CPH MIN - VENTED TO OUTSIDE AIR, ENERGY STAR RATED
- W/ REMOTE CONTROL, REMOTE CONTROL SHALL BE CAPABLE OF ADJUSTMENT BETWEEN A RELATIVE HUMIDITY RANGE OF 5% TO 95% RH, 50% RH ± 5% RH, MAX
- W/CO SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR
- SWITCH
- 3-WAY SWITCH
- DIMMER SWITCH
- 15' V CONV DUPLEX OUTLET (AFPS) TAMPER RESISTANT
- ARC FAULT CIRCUIT INTERRUPTER
- 15' V CONV DUPLEX OUTLET - HALF HOT
- 120V OUTLET
- GROUND FAULT INTERRUPTED DUPLEX OUTLET
- WEATHERPROOF GROUND FAULT INTERRUPTED DUPLEX OUTLET AT FRONT AND REAR
- A/C RECONNECT. 24" CLR. IN FRONT, 18" CLR. EA. SIDE



ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"



WATER HEATER STRAP DETAIL

DISCREPANCY REPORT

Discrepancy Author Name	Discrepancy Author Signature
Xavier Hernandez	
Company: 8562hcom@arbitr.net	Signature Date: 2018-02-08 12:44:43
Address: 4481 Pondmoor Dr. Chapeau, CA 92556	Phone: 951-630-3018

RESPONSIBLE PERSON'S DECLARATION STATEMENT

I certify the following under penalty of perjury, under the laws of the State of California:
 1. I am eligible under Division 9 of the Building and Fire Protection Code to accept responsibility for the building design identified on this Certificate of Compliance.
 2. I certify that the energy features and performance specifications identified on this Certificate of Compliance conform to the requirements of Title 24, Part 1 and Part 4 of the California Code of Regulations.
 3. The building design features and energy design features identified on this Certificate of Compliance are consistent with the information provided on other applicable compliance documents, submissions, calculations, plans and specifications submitted to the relevant California governmental agency for their consideration.

Responsible Designer Name: Xavier Hernandez	Signature:
Company: 8562hcom@arbitr.net	Signature Date: 2018-02-08 12:44:43
Address: 4481 Pondmoor Dr. Chapeau, CA 92556	Phone: 951-630-3018

Digitally signed by CAcert, Inc. This digital signature is provided to assure the content of the registration document, and is in no way lighter than the Registrar's responsibility for the accuracy of the information.

GENERAL SURFACE CONSTRUCTIONS

Item	Material	Construction	Area	U-Value	Area * U-Value	Notes
01	Concrete Slab	4" Concrete Slab on Grade	1000	0.18	180	
02	Concrete Slab	4" Concrete Slab on Grade	1000	0.18	180	

GLAZING

Item	Area	U-Value	Area * U-Value	SHGC	SHGC * Area	Notes
01	100	1.0	100	0.7	70	

QUALITY INSTALLATION (QI)

Item	Quality Installation	Quality Installation	Quality Installation	Quality Installation
01	Yes	Yes	Yes	Yes

ENERGY USE SUMMARY

Item	Energy Use (kWh/yr-ft²)	Minimum Design	Proposed Design	Compliance Design	Percent Improvement
01	10.0	10.0	10.0	10.0	0%

CERTIFICATE OF COMPLIANCE - RESIDENTIAL PERFORMANCE COMPLIANCE METHOD

GENERAL SURFACE CONSTRUCTIONS

Item	Material	Construction	Area	U-Value	Area * U-Value	Notes
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GENERAL INFORMATION

01	Project Name	ALLES
02	Calculation Description	Title 24 Analysis
03	Project Location	22690 Pondmoor Dr, Chapeau, CA 92556
04	City	Chapeau, CA
05	Zip Code	92556
06	Construction Type	Single-Family Detached
07	Condition	Renovation
08	Condition	Renovation
09	Condition	Renovation
10	Condition	Renovation
11	Condition	Renovation
12	Condition	Renovation
13	Condition	Renovation
14	Condition	Renovation
15	Condition	Renovation
16	Condition	Renovation
17	Condition	Renovation
18	Condition	Renovation
19	Condition	Renovation
20	Condition	Renovation

COMPLIANCE DESIGN

01	Compliance Design	Yes
02	Compliance Design	Yes
03	Compliance Design	Yes
04	Compliance Design	Yes

ENERGY USE SUMMARY

Item	Energy Use (kWh/yr-ft²)	Minimum Design	Proposed Design	Compliance Design	Percent Improvement
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CERTIFICATE OF COMPLIANCE - RESIDENTIAL PERFORMANCE COMPLIANCE METHOD

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Item	Area	U-Value	Area * U-Value	SHGC	SHGC * Area	Notes
01	100	1.0	100	0.7	70	

XAVIER
 DESIGN
 GROUP

4481 Pondmoor Dr
 Riverside
 California 92505
 951-630-2018

Xavier Hernandez
 principal

HER services are used as necessary and include but are not limited to: design, construction, and energy audits. The user agrees to hold the user responsible for any errors or omissions which occur and the user agrees to hold the user responsible for all associated and resulting liabilities on the part of the user and agrees to indemnify the user for any and all damages or costs incurred by the user in connection with the user's work.

RHDC Fourplex Renovation
 22899 Allies Pl.
 Moreno Valley, CA 92553

PROJECT:

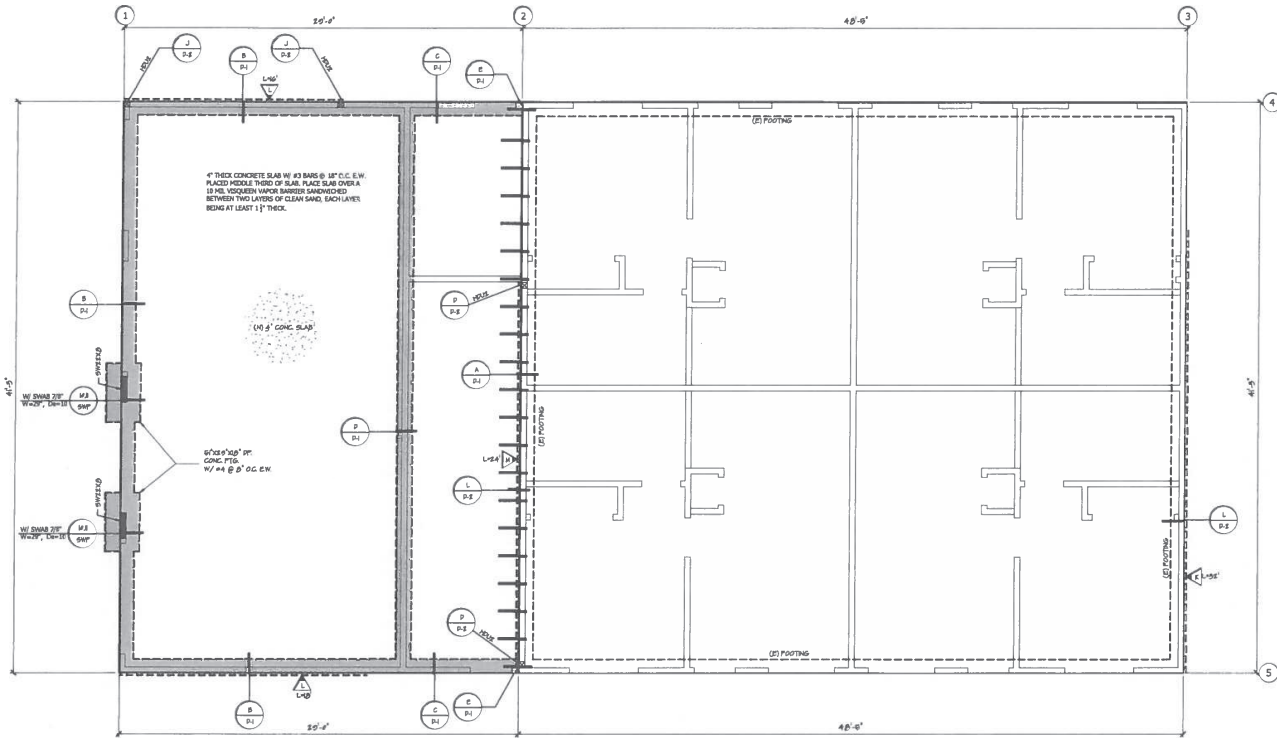
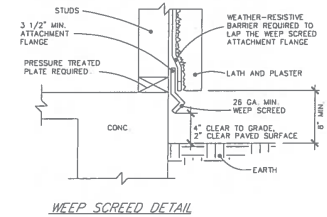
rev date remark

Energy Calcs.

T24

NOTES

1. CONCRETE SHALL ATTAIN 2500 PSI IN 28 DAYS, HAVE A WATER-CEMENT RATIO OF 0.45, BE OF TYPE V CEMENT, AND HAVE A MIN OF 5 SACKS CEMENT PER CUBIC YARD, UND. PER A SOILS REPORT.
2. ANCHOR BOLTS SHALL BE 5/8" DIA. x 10' LONG MIN. W/ 7" MIN. EMBEDMENT W/ 3"x3"x0.239" WASHER PLATES, 2 MIN PER SELL PLATE, 12" MAX. FROM EACH END AND 72" MAX. O.C. UND.
3. CONCRETE SLAB TO BE 4" THICK, UND. OVER SAND AND MSQUEEN.
4. BOTTOM PLATES SHALL BE TREATED D.F.
5. ALL HOLD DOWN HARDWARE SHALL BE SECURED IN PLACE BY TEMPLATE PRIOR TO FOUNDATION INSPECTION. HOLD DOWN SHALL BE RT-TIGHTENED JUST PRIOR TO COVERING THE WALL FRAMING.
6. LANDINGS SHALL NOT BE MORE THAN 1/2" LOWER THAN THE THRESHOLD OF THE DOORWAY AND MAY BE 3/4" MAX. LOWER THAN THE THRESHOLD WHEN THE DOOR DOES NOT SWING OVER THE LANDING. EXTERIOR LANDINGS SHALL BE 36"x36" MIN. WITH A MIN. SLOPE OF 1/4" PER FOOT FOR DRAINAGE.
7. SOIL BEARING PRESSURE USED IS 1500psf MAX. UND IN CALCULATIONS.
8. IF FOUNDATION CONTAINS CRIPPLE WALL STUDS OF LESS THAN 14" FRAMING SHALL BE SOLID BLOCKED OR SHEATHED WITH PLYWOOD, PANEL TYPE "X" FOR A MIN. OF 50% OF THE WALL LENGTH.
9. FASTENERS IN PRESERVATIVE-TREATED WOOD SHALL BE OF HOT DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL. SUCH AS ANCHOR BOLTS, LAG SCREWS AND NAILS (CBC 2304.9.5)
10. FLOOR FRAMING TO BE PRESERVATIVE TREATED (PT) TO INCLUDE FLOOR JOISTS, RM JOISTS, BLOCKS, POSTS, AND GIRDERS OR, PROVIDE EVIDENCE OF AN APPROVED METHOD OF TERMITES PROTECTION BY APPLICATION OF THE PROPER INSECTICIDE BY A LICENSED PEST CONTROL OPERATOR. PROVIDE A COPY OF THE APPLICATION RECEIPT TO THE BUILDING INSPECTOR.
11. REBAR SHALL BE GRADE 60 DEFORMED, PER A-615.



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

**XAVIER
DESIGN
GROUP**

4481 Pondmoor Dr
Riverside
California 92505
951 830 2018

EW-Webb Engineering Inc.
1299 Columbia Ave. Ste. E-7
Riverside, CA 92507
Tel. 951.788.2050

RHDC Fourplex Renovation

22899 Allies Pl.
Moreno Valley, CA 92553

PROJECT:

rev date remark

Framing Plan

S2

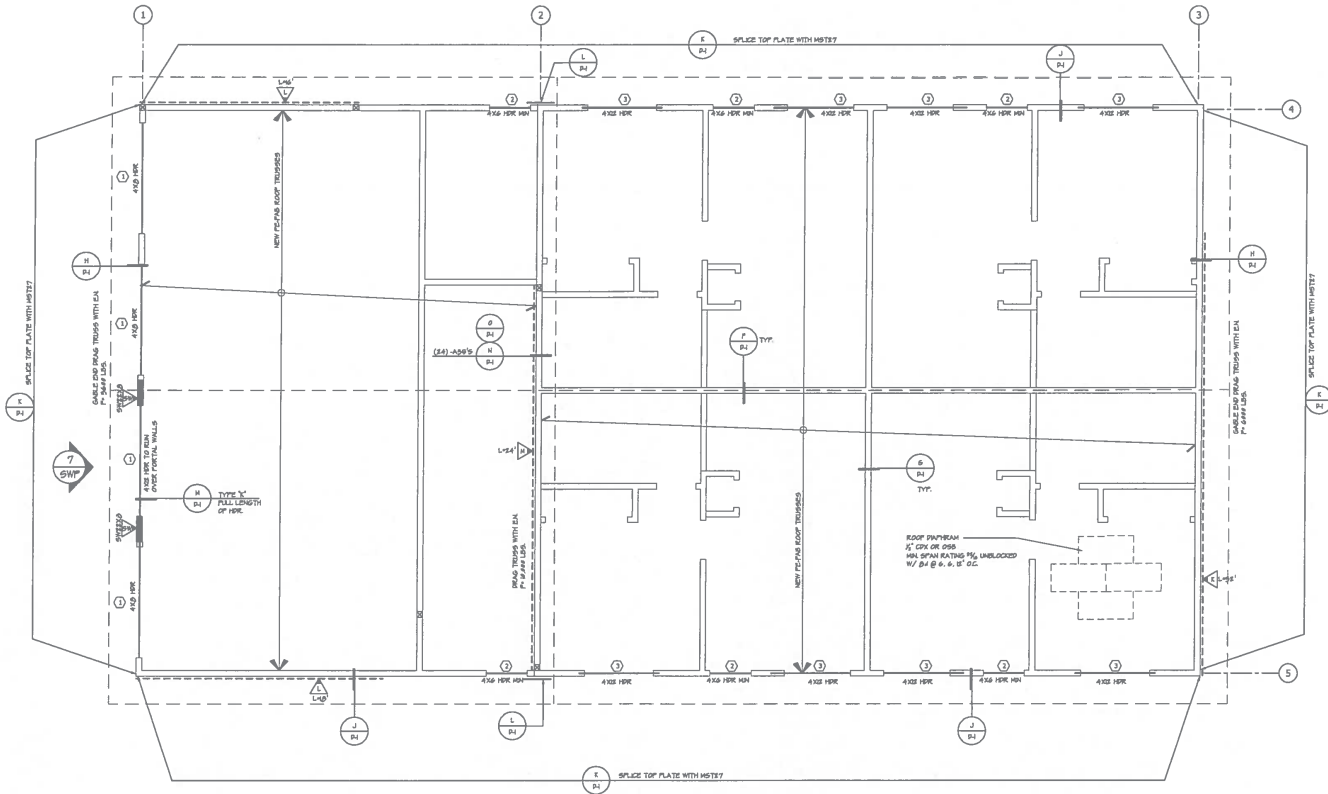
NOTES

1. ALL 2x JOISTS/BEAMS/LUMBER TO BE D.F. #2 OR BETTER, UNO AND GRADE MARKED.
2. ALL 4x AND LARGER BEAMS/HEADERS TO BE D.F. #1 OR BETTER, UNO AND GRADE MARKED.
3. WHERE TRUSSES ARE USED, TRUSSES SHALL NOT BEAR ON INTERIOR WALL UNLESS INDICATED OTHERWISE.
4. ALL HARDWARE SHALL BE OF APPROVED TYPE.
5. FASCIA SHALL BE D.F. OR SPRUCE, UNO.
6. EAVES SHALL HAVE SHIP LAP, UNO.
7. ALL ROOF DRENCHES SHALL HAVE FLASHING.
8. ALL EXTERIOR WALLS SHALL BE 2x4 STUDS @ 16" o.c. UNO. ALL PLUMBING WALLS SHALL BE 2x6 STUDS @ 16" o.c. ANY WALL ABOVE 10'-0" IN HEIGHT SHALL BE 2x6 STUDS @ 16" o.c. UNO. ALL INTERIOR WALLS SHALL BE 2x4 STUDS @ 16" o.c.
9. ALL EXPOSED PLYWOOD SHALL BE CDX.
10. TWO LAYERS OF GRADE 'D' PAPER SHALL BE APPLIED OVER ALL WOOD BASE SHEATHING.
11. WHERE TOP OR SOLE PLATES ARE CUT FOR PIPES, A METAL TIE OF MINIMUM 0.058" THICK AND 1-1/2" WIDE SHALL BE FASTENED ACROSS THE OPENING WITH 6-18S MINIMUM EACH SIDE.
12. FASTENERS FOR SOLE PLATE NAILING, AND WOOD STRUCTURAL PANEL SHEATHING ON SHEAR WALLS AND DIAPHRAGMS SHALL BE COMMON NAILS WITH FULL HEADS OR GALVANIZED BOX (HOT-DIPPED OR TUMBLED), UNO.
13. HOLD-DOWN CONNECTOR BOLTS IN WOOD FRAMING REQUIRE APPROVED PLATE WASHERS AND HOLD-DOWNS SHALL BE TIGHTENED JUST PRIOR TO COVERING THE WALL FRAMING.
14. JOISTS UNDER AND PARALLEL TO BEARING WALLS SHALL BE DOUBLED.
15. WHERE 1x8 FLOOR JOISTS ARE USED, DRAG JOISTS, BLOCKING, AND BRG JOISTS SHALL BE 1-3/4" x FJ DEPTH TIMBERSTRAND, UNO.
16. SHEAR WALLS MAY BE ON EITHER SIDE OF WALL WHERE SHOWN.
17. PROVIDE FULL BEARING STUDS AT ALL CORNER TRUSS BEARING POINTS.
18. FASTENERS IN PRESERVATIVE-TREATED WOOD SHALL BE OF HOT DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL, SUCH AS ANCHOR BOLTS, LAD SCREWS AND NAILS (SEE 2304 S.S.).
19. WHEN TRUSSES ARE USED, TRUSS LAYOUT AND CALCULATIONS SHALL BE APPROVED BY ENGINEER AND BUILDING OFFICIAL PRIOR TO FABRICATION.
20. PLYWOOD SHALL COMPLY W/ PS-95 AND/OR PS2-92. SEE PLAN FOR THICKNESS/ TYP. ALL PANELS TO BE GRADE MARKED.
21. STEEL TUBE TO BE 46 KS. W SECTIONS A992 GRADE 50 STEEL TO BE PROVIDED BY LICENSED FABRICATOR. WELDING TO BE PERFORMED BY CERTIFIED WELDER W/ CONTINUOUS DEPUTY INSPECTION.

LEGEND	
	IDENTIFIES BEAM NUMBER IN STRUCTURAL CALC'S.
	IDENTIFIES PANEL TYPE & LENGTH (SEE SHEAR PANEL SCHEDULE FOR PANEL DEFINITIONS)
PSL	PARALLAM (BY TRUSS JOIST), OR APPROVED EQUAL, E=2.0E, Fb=2,900 PSI, Fv= 290 PSI (ESR=1387)
LVL	MICROLAM (BY TRUSS JOIST), OR APPROVED EQUAL, E= 1.9E, Fb= 2,600 PSI, Fv= 285 PSI (ESR=1387)
GLB	GLU-LAM BEAM, 24F-V4 TYP., 24F-V8 FOR CANTILVERS.
TJ	MANUFACTURED I-JOIST (BY TRUSS JOIST, ESR-1153), OR APPROVED EQUAL
RR	ROOF RAFTER
CJ	CEILING JOIST
FJ	FLOOR JOIST
EN	END NAILING
DF	DOUGLAS-FIR
DF #1	DOUGLAS-FIR #1
DF #2	DOUGLAS-FIR #2
DFSS	DOUGLAS-FIR SELECT STRUCTURAL

TRUSSES

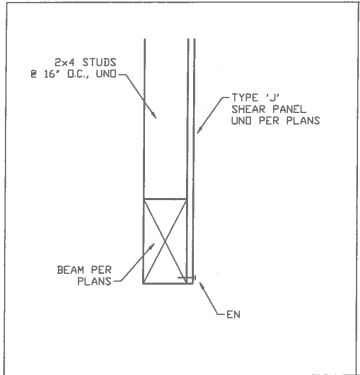
TWO STAMPED AND WET SIGNED COPIES OF THE TRUSS CALCULATIONS WILL BE REVIEWED AND APPROVED BY THE ENGINEER OF RECORD AND PROVIDED TO THE BUILDING INSPECTOR FOR REVIEW AND APPROVAL PRIOR TO THE ROOF SHEATHING.



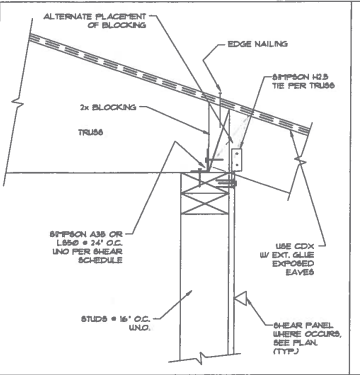
FRAMING PLAN

SCALE: 1/4" = 1'-0"

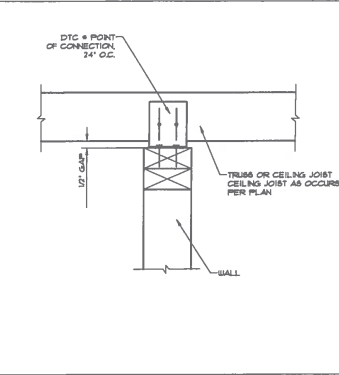
DESIGN CRITERIA
 BUILDING CODES
 2013 CBC, CEC, CFC, CMC, CFC, CFC, CFC, ENERGY STANDARDS
 GRAVITY LOADS
 FLOOR LIVE LOAD: 40 psf
 ROOF LIVE LOAD: 20 psf
 SNOW LIVE LOAD: 0 psf
 SOIL BEARING: 1500 psf
 WIND LOAD FACTORS
 V = 110 MPH
 EXPOSURE CATEGORY: C
 I_w = 20
 I_s = 1.25 (R=30)
 K_w = 1.0
 P_w = 28.8
 P_u = 20.59 (R=25)
 SEISMIC LOAD EFFECTS
 SITE CLASS: D
 OCCUPANCY CATEGORY: II
 I_e = 1.0
 S_w = 1.50
 S_v = 0.50
 S_m = 0.50
 SEISMIC DESIGN CATEGORY: D
 F_v = 1.0
 R = 8.5
 C_d = 1.5
 C_m = 1.0
 V = 51.53W



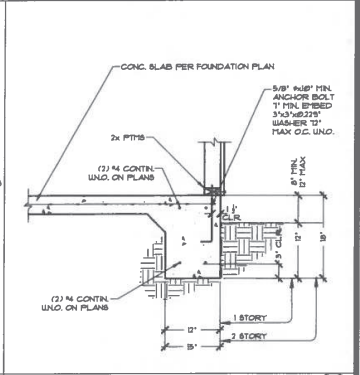
D0486 SHEAR TRANSFER (M) SCALE: NONE



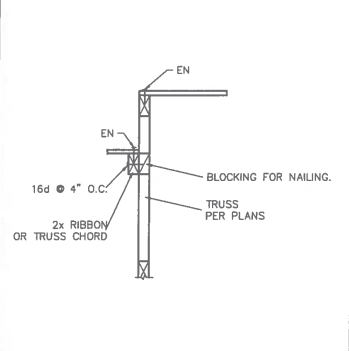
D0084 SHEAR TRANSFER (J) SCALE: NONE



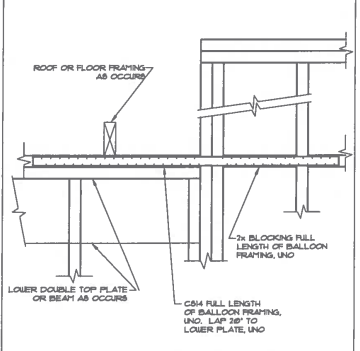
D0102 TRUSS TO WALL (F) SCALE: NONE



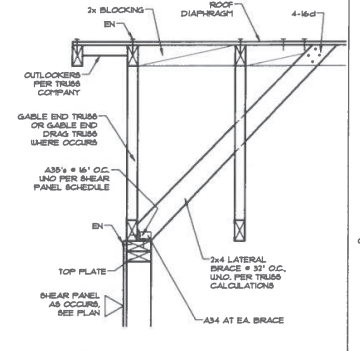
D0025 STRIP FOOTING (C) SCALE: NONE



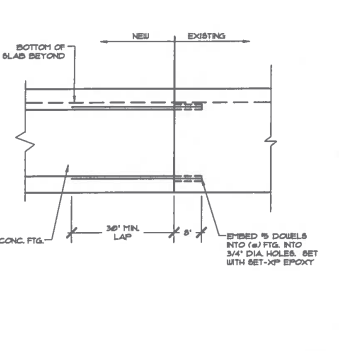
D0124 SHEAR TRANSFER (I) SCALE: NONE



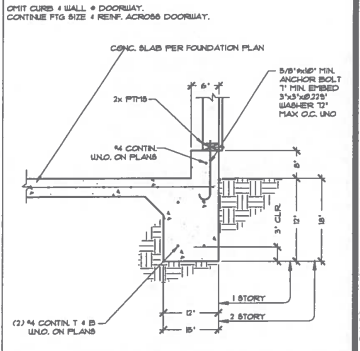
D0152 BALLOON FRAMED WALL (L) SCALE: NONE



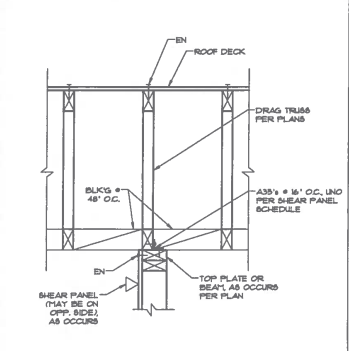
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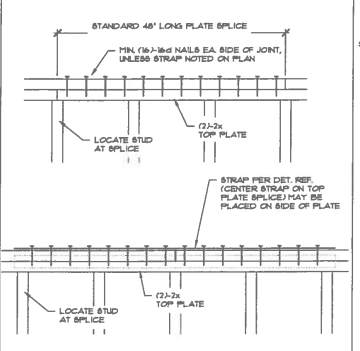
D0076 FOOTING SPLICE (E) SCALE: NONE



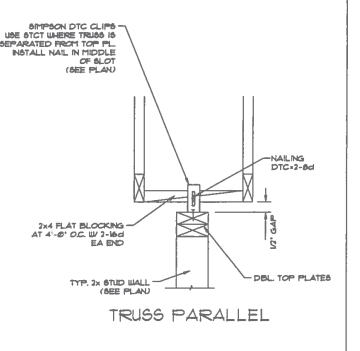
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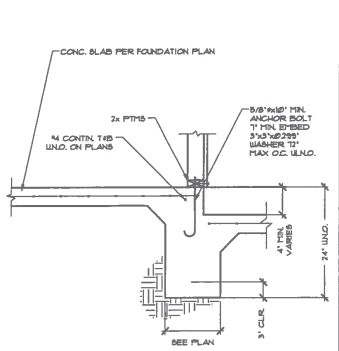
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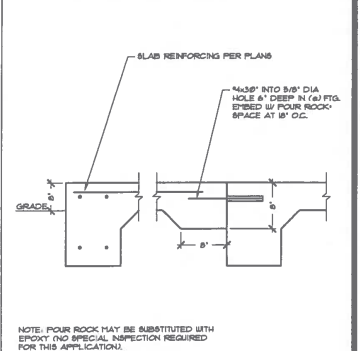
D0209 TOP PLATE SPLICE (K) SCALE: NONE



D0127 TRUSS CONNECTION (G) SCALE: N.T.S.



D0053 FTG. @ HOUSE/GAR. (D) SCALE: NONE



D0010 NEW FTG./SLAB (A) SCALE: NONE

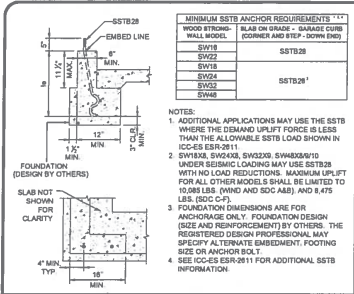
DATE: 11/19/15
 PROJECT: 15-03-0101N

EW-Webb Engineering Inc.
 1290 Columbia Ave. Ste. E-7
 Riverside CA 92507
 (951) 798-2000 • fax (951) 788-2075
 ewwebb.com

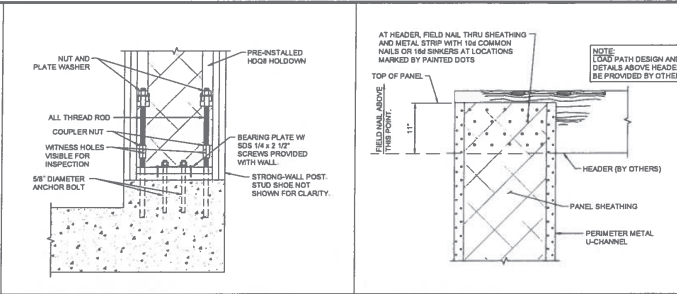
DETAILS

Addition and Remodel
 RHDC
 22889 Alliee Plac
 Moreno Valley, CA 92553

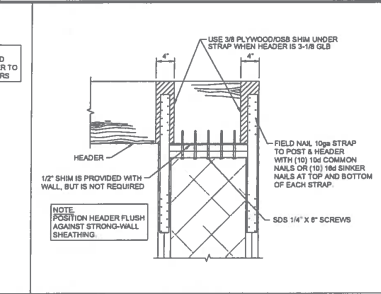
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 OF SHEETS



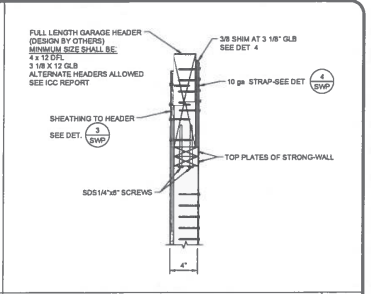
SSTB ANCHORAGE 1



PORTAL WALL SILL 2

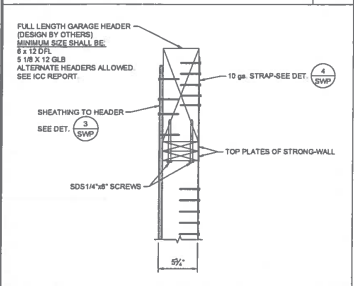


TOP OF WALL CONNECTION 3

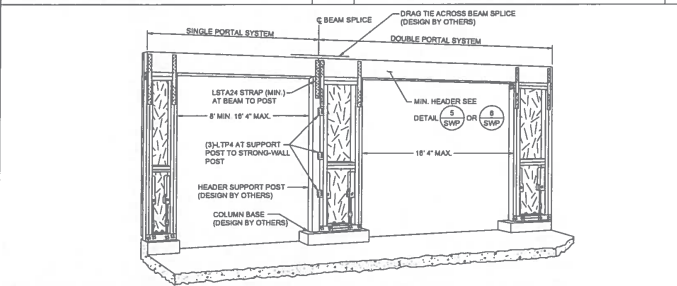


TOP OF WALL CONNECTION 4

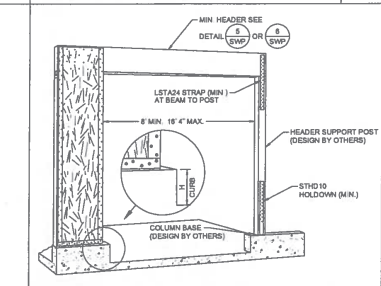
NO.	DATE	REVISIONS
1	05/14/07	INITIAL REVISIONS
2	09/24/07	INITIAL REVISIONS
3	09/24/07	INITIAL REVISIONS
4	09/29/08	REVISIONS
5	02/22/11	REVISIONS
6	07/17/13	REVISIONS



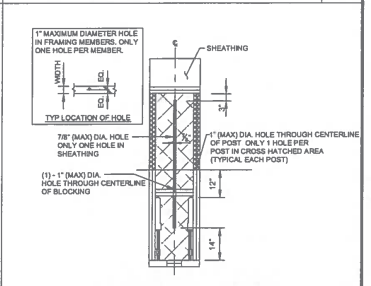
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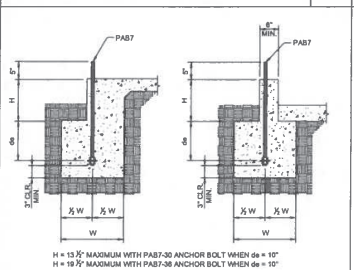
SINGLE & DOUBLE PORTAL ASSEMBLY 7



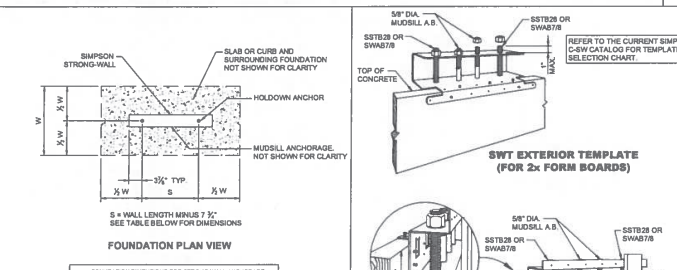
SINGLE PORTAL ASSEMBLY 8



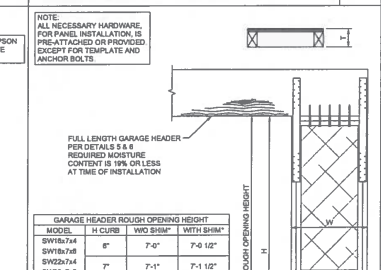
16\"/>



5.75\"/>



FOUNDATION PLAN VIEW



STRONG-WALL® TEMPLATES 11

NOTE: ALL NECESSARY HARDWARE FOR PANEL INSTALLATION IS PRE-ATTACHED OR PROVIDED EXCEPT FOR TEMPLATE AND ANCHOR BOLTS.

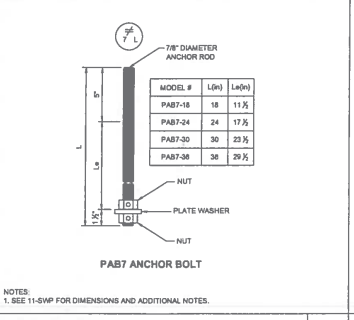
FULL LENGTH GARAGE HEADER PER DETAILS 5 & 8 REQUIRES MOISTURE CONTENT IS 19% OR LESS AT TIME OF INSTALLATION.

MODEL	H (IN)	W (IN)	WID (IN)	WITH SHIM*
SW18x74	8"	7'-0"	7'-0"	7'-0"
SW22x74	7"	7'-1"	7'-1"	7'-1"
SW22x78	7"	8'-0"	8'-0"	8'-0"
SW18x84	8"	8'-1"	8'-1"	8'-1"
SW22x84	7"	8'-1"	8'-1"	8'-1"

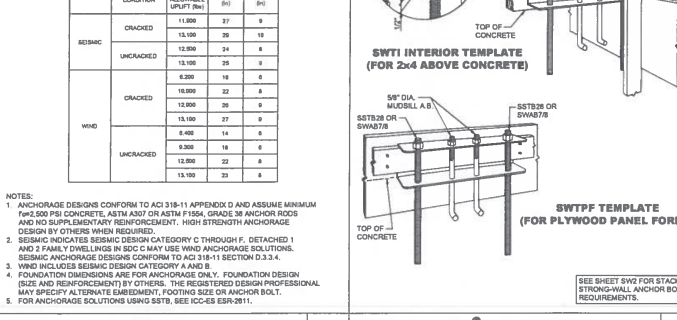
*1/2" SHIM PROVIDED WITH WALL.

MODEL	SET UP	H (IN)	H (IN)	T (IN)	NUMBER OF FASTENERS IN BOTTOM OF WALL	NUMBER OF MISCELL ANCHORS	HOLDOWN ANCHOR (KIP)	ASSEMBLED WALL WEIGHT (KIP)
SW18x74	18	78	4	8-825 1/4x8	2-6/8"	2-7/8"	60	90
SW18x78	18	78	5-3/4	8-825 1/4x8	2-6/8"	2-7/8"	112	112
SW18x84	18	80	4	8-825 1/4x8	2-6/8"	2-7/8"	65	65
SW18x88	18	80	5-3/4	8-825 1/4x8	3-6/8"	2-7/8"	120	120
SW22x74	22	78	4	10-825 1/4x8	2-6/8"	2-7/8"	85	85
SW22x78	22	78	5-3/4	10-825 1/4x8	2-6/8"	2-7/8"	117	117
SW22x84	22	80	4	10-825 1/4x8	2-6/8"	2-7/8"	105	105
SW22x88	22	80	5-3/4	10-825 1/4x8	2-6/8"	2-7/8"	150	150

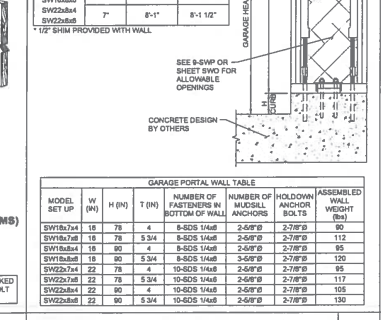
PORTAL WALL SPECIFICATIONS 13



ANCHORAGE - TYPICAL SECTIONS 10



ANCHORAGE SCHEDULE 10



STRONG-WALL® TEMPLATES 11

NOTE: ALL NECESSARY HARDWARE FOR PANEL INSTALLATION IS PRE-ATTACHED OR PROVIDED EXCEPT FOR TEMPLATE AND ANCHOR BOLTS.

FULL LENGTH GARAGE HEADER PER DETAILS 5 & 8 REQUIRES MOISTURE CONTENT IS 19% OR LESS AT TIME OF INSTALLATION.

MODEL	H (IN)	W (IN)	WID (IN)	WITH SHIM*
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SW22x74	7"	7'-1"	7'-1"	7'-1"
SW22x78	7"	8'-0"	8'-0"	8'-0"
SW18x84	8"	8'-1"	8'-1"	8'-1"
SW22x84	7"	8'-1"	8'-1"	8'-1"

*1/2" SHIM PROVIDED WITH WALL.

MODEL	SET UP	H (IN)	H (IN)	T (IN)	NUMBER OF FASTENERS IN BOTTOM OF WALL	NUMBER OF MISCELL ANCHORS	HOLDOWN ANCHOR (KIP)	ASSEMBLED WALL WEIGHT (KIP)
SW18x74	18	78	4	8-825 1/4x8	2-6/8"	2-7/8"	60	90
SW18x78	18	78	5-3/4	8-825 1/4x8	2-6/8"	2-7/8"	112	112
SW18x84	18	80	4	8-825 1/4x8	2-6/8"	2-7/8"	65	65
SW18x88	18	80	5-3/4	8-825 1/4x8	3-6/8"	2-7/8"	120	120
SW22x74	22	78	4	10-825 1/4x8	2-6/8"	2-7/8"	85	85
SW22x78	22	78	5-3/4	10-825 1/4x8	2-6/8"	2-7/8"	117	117
SW22x84	22	80	4	10-825 1/4x8	2-6/8"	2-7/8"	105	105
SW22x88	22	80	5-3/4	10-825 1/4x8	2-6/8"	2-7/8"	150	150

PORTAL WALL SPECIFICATIONS 13

1. STRONG-WALL® SHEARWALL IS MANUFACTURED AND TRADEMARKED BY SIMPSON STRONG-TIE COMPANY INC. HOME OFFICE: 608 W LAS PORTAS BOULEVARD, PLEASANTON, CA 94588 TEL: (800) 999-5099 FAX: (925) 875-6825 SIMPSON STRONG-TIE COMPANY INC. IS AN ISO 9001 REGISTERED COMPANY.

2. INSTALLATION OF PRODUCT SHALL BE DONE IN STRICT CONFORMANCE TO THESE DRAWINGS AND THE STRONG-WALL® INSTALLATION GUIDE. MODIFICATIONS TO THIS PRODUCT AND ASSOCIATED SYSTEMS OR CHANGES IN THE INSTALLATION METHOD SHOWN ON THESE DRAWINGS AND THE INSTALLATION GUIDE SHOULD ONLY BE MADE BY A QUALIFIED ARCHITECT, CIVIL, OR STRUCTURAL ENGINEER. THE PERFORMANCE OF SUCH MODIFIED PRODUCTS OR ALTERED INSTALLATION PROCEDURES IS THE SOLE RESPONSIBILITY OF THE DESIGNER. REFER TO ICC-ES ESR-1897 FOR FURTHER INFORMATION.

3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS, ELEVATIONS, ETC. PRIOR TO INSTALLATION OF ANY COMPONENTS FOR THE STRONG-WALL® SYSTEM. IF ANY DISCREPANCIES ARE FOUND, THEY SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT ARCHITECT, PROJECT ENGINEER OR BUILDING DESIGNER FOR CLARIFICATION PRIOR TO CONSTRUCTION.

4. THE CONTRACTOR SHALL VERIFY THE POSITION OF THE STRONG-WALL® IN RELATION TO THE REST OF THE BUILDING SYSTEM AS SHOWN ON THE PROJECT DRAWINGS.

5. USE OF THIS PRODUCT IS SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING OFFICIAL.

6. THE BUILDING STRUCTURE SHALL BE DESIGNED IN ACCORDANCE WITH THE LATEST ADOPTED VERSION OF THE BUILDING CODE AND ANY OTHER LOCAL, STATE OR FEDERAL REQUIREMENTS THAT MAY APPLY. VERIFY DESIGN REQUIREMENTS WITH THE LOCAL BUILDING DEPARTMENT.

7. THIS PRODUCT IS PART OF THE OVERALL LATERAL FORCE RESISTING SYSTEM OF THE STRUCTURE. DESIGN OF THE BUILDING'S LATERAL FORCE RESISTING SYSTEM, INCLUDING A COMPLETE LOAD PATH NECESSARY TO TRANSFER LATERAL FORCES FROM THE STRUCTURE TO THE GROUND, IS THE RESPONSIBILITY OF THE DESIGNER.

8. SIMPSON STRONG-TIE COMPANY INC. RESERVES THE RIGHT TO CHANGE SPECIFICATIONS, DESIGNS AND MODELS WITHOUT NOTICE OR LIABILITY FOR SUCH CHANGES.

9. ALL HARDWARE CALLED OUT IS SIMPSON STRONG-TIE®.

STRONG-WALL®
PORTAL WALLS

SIMPSON STRONG-TIE COMPANY INC.
7-11-2013
SCALE: N.T.S.
CHECKED:
SHEET: SWP
OF SHEETS: 13

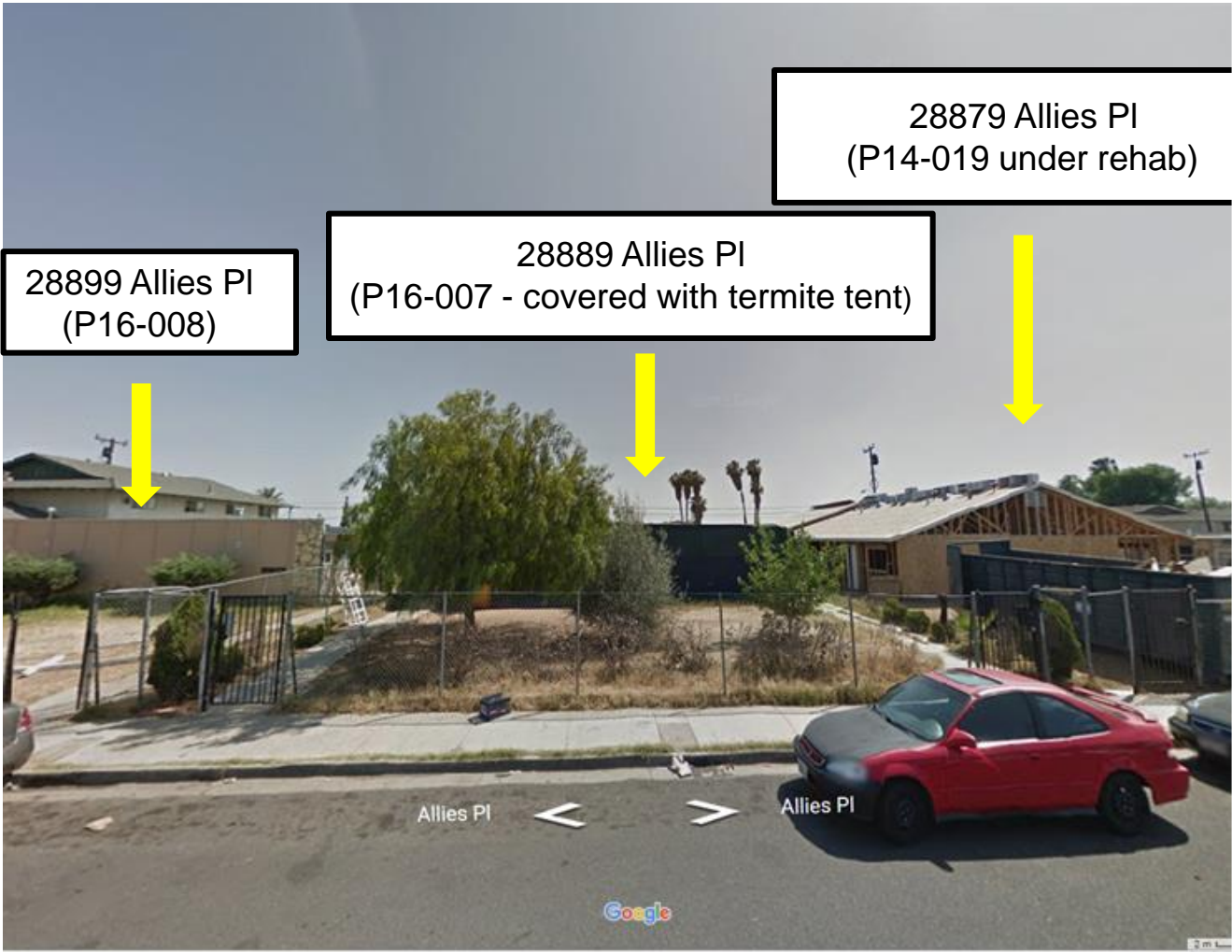


Red paint shows end of proposed garages (29 feet from existing structure)



Existing condition along the alley way – facing west

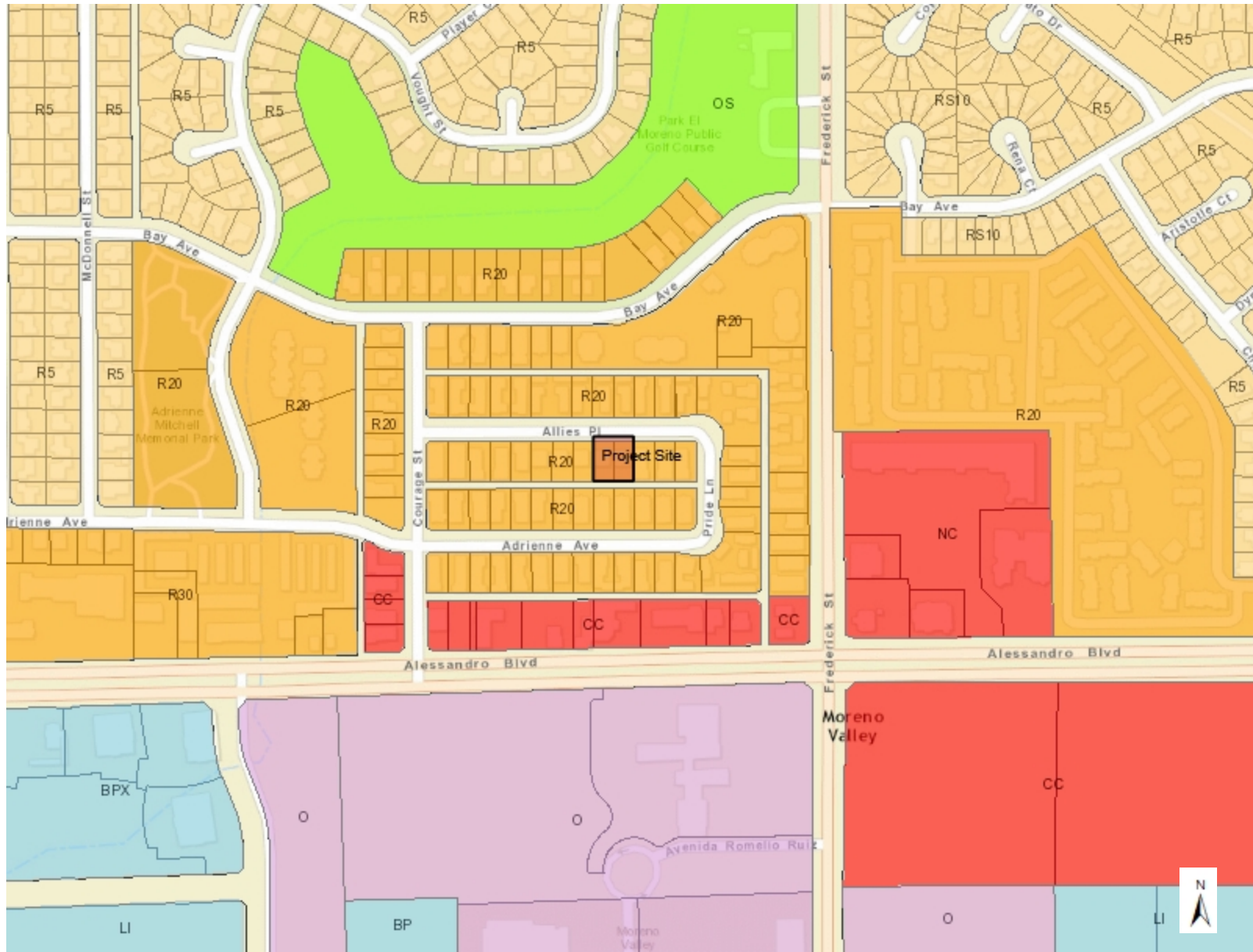
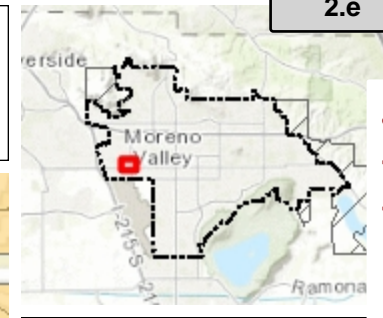
Attachment: Site Photographs (2011 : P16-007 & P16-008 - Variance requests to reduce the rear setback of two existing)



Existing conditions along Allies Place – facing south

Attachment: Site Photographs (2011) : P16-007 & P16-008 - Variance requests to reduce the rear setback of two existing

Land Use Map P16-007 & P16-008



Legend

Zoning

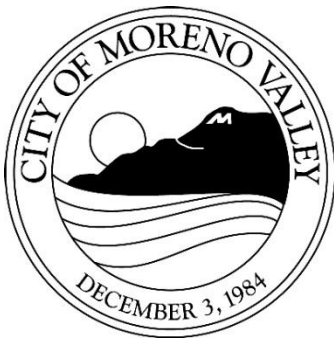
- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park
- Parcels

885.4 0 442.71 885.4 Feet

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

Notes

Variance for reduced rear setbacks
22889 Allie Pl and 22899 Allie Pl
A.P.N(s): 291-293-009 & 291-293-010



Notice of PUBLIC HEARING

This may affect your property. Please read. Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

Project: P16-007 (Variance) and P16-008 (Variance)
Applicant: Riverside Housing Development Corp (RHDC)
Owner: Riverside Housing Development Corp (RHDC)
Representative: Riverside Housing Development Corp (RHDC)
A.P. No(s): 291-293-009 & 291-293-010
Location: 22889 Allies Pl and 22899 Allies Pl

Proposal: The variance request is to reduce the rear setback to 5 feet, allowing the applicant to build four one-car garages, storage space and laundry room to two existing four unit apartment complexes. There will be approximately 10 feet between alley and face of garage in order to provide adequate sight distance. The project site is located within a Residential 20 (R20) zoning district.

Council District: 5
Case Planner: Claudia Manrique

The proposed project includes reducing the rear setback from 25 to 5 feet, allowing the applicant to build four one-car garages, storage space and laundry room to two existing four unit apartment complexes. The exterior and interior of the existing structures will be remodeled as well.

As proposed, the project will not have a significant effect on the environment, and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 5 Categorical Exemption, CEQA Guidelines, as provided for in Section 15305 (Minor Alterations in Land Use Limitation).

Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday), or you may telephone (951) 413-3206 for further information.

Any person may also appear and be heard in support or in opposition of the project and/or recommended environmental determination at the time of hearing.

The Planning Commission may consider an appropriate modification or alternative to the project or the environmental determination. If you challenge this item 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 at, or prior to, the Public Hearing.



LOCATION N ↑

PLANNING COMMISSION HEARING

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

DATE AND TIME: April 28, 2016 at 7 PM

CONTACT PLANNER: Claudia Manrique
PHONE: (951) 413-3225

PLANNING COMMISSION RESOLUTION NO. 2016-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING P16-007, A VARIANCE TO THE SETBACK STANDARDS TO ALLOW A REDUCTION IN THE REQUIRED REAR SETBACK FROM 25 FEET TO FIVE FEET FOR AN EXISTING APARTMENT COMPLEX LOCATED AT 22889 ALLIES PLACE (APN: 291-293-009)

WHEREAS, Riverside Housing Development Corp (RHDC) has filed an application for the approval of P16-007, a Variance application for the reduction of the rear setback of an existing apartment complex located at 22889 Allies Place from twenty-five (25) feet to five (5) feet. The reduced rear setback will allow for the construction of four one-car garages, storage space and onsite laundry facilities as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of April 28, 2016; and

WHEREAS, on April 28, 2016, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

WHEREAS, on April 28, 2016, the Planning Commission of the City of Moreno Valley determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15305, Minor Alterations in Land Use Limitation;

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 28, 2016, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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

FACT: The existing apartment complex does not meet the current Municipal Code standards with regard to required covered parking. The proposed covered parking will address the requirement of the Municipal Code parking requirements. However, complying with the required setback of 25 feet would result in practical difficulty and unnecessary hardship based on the configuration of the existing building, and the current location of parking.

The approval of the variance will allow for the construction of four one-car enclosed garages. The existing apartment building currently provides only uncovered parking spaces. The uncovered parking spaces do not meet the current Municipal Code parking standards. Therefore, although the variance is needed for the setback, the covered parking will improve the conformity of the site to existing Municipal Code parking standards. The addition of both storage space and a laundry room will also be beneficial to future renters.

A number of similar sized properties in the vicinity have garages with a rear setback that is not consistent with the current Municipal Code requirement for the rear setback. Nine of the thirteen properties along Allies Place currently have garages with a similar rear setback as requested by the applicant. There are also seven properties on Adrienne Way, which back up to the south side of the alley way with the same garage situation.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification;

FACT: The exceptional circumstance is that the existing placement of the apartment building on this site would not allow the construction of enclosed parking that would satisfy the rear setback. There will be approximately 10 feet between the alley and face of garage in order to provide adequate sight distance. This meets the requirement conditioned by the Public Works –

Transportation Division. The covered parking will also provide for enhanced security for the tenants.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification;

FACT: The project is within the Residential 20 (R20) zoning district. The neighboring parcels surrounding the site are also zoned Residential 20 (R20). A number of similar sized properties in the vicinity have garages with a rear setback that is not consistent with the current Municipal Code requirement for the rear setback. Nine of the thirteen properties along Allies Place currently have garages with a similar rear setback as requested by the applicant. There are also seven properties with the same garage situation on Adrienne Way.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on the other properties in the vicinity and under the same zoning classification;

FACT: A number of similar sized properties in the vicinity have garages with a rear setback that is not consistent with the current Municipal Code requirement for the rear setback. Nine of the thirteen properties along Allies Place currently have garages with a similar rear setback as requested by the applicant. There are also seven properties with the same garage situation on Adrienne Way.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

FACT: The proposed variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. Staff has evaluated the design and potential impacts of the proposed project. There will be approximately 10 feet between the alley and face of garage in order to provide adequate sight distance. Staff determined that the proposed site distance is adequate to ensure public safety. Staff also found that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines as provided for in Section 15305 (Minor Alterations in Land Use Limitation).

6. That the granting of a variance is consistent with the objectives and policies of the General Plan and the intent of this title.

FACT: The proposal will provide improvements to an existing residential multiple-family project and meet General Plan Objective 2.3, which promotes a sense of community and pride within residential areas through increased neighborhood interaction and enhanced project design. The new garages will be architecturally compatible with the neighboring residences and provide adequate parking consistent with General Plan Policy 2.3.5.

The proposed improvements, which require the variance, also further General Plan Housing Element Goals 8.3, 8.4 and 8.5 by reducing substandard housing and health and safety violations, assisting in the revitalization of older neighborhoods, and improving and maintaining decent and affordable rental housing. The rehabilitation of the apartment complex will correct any existing building code violations and health and safety problems and improve accessibility for the four dwelling units. The exterior improvements will also improve the neighborhood's physical appearance.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for P16-007, incorporated herein by reference, include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

2. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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

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

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

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2016-07 and thereby:

1. **CERTIFIES** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 5 Categorical Exemption, CEQA Guidelines, Section 15305 for Minor Alterations in Land Use Limitation; and
2. **APPROVES** Variance P16-007 based on the findings contained in the resolution.

APPROVED on this 28th day of April, 2016.

Brian R. Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

Attachment: PC Resolution 2016-07 (2011 : P16-007 & P16-008 - Variance requests to reduce the rear setback of two existing)

PLANNING COMMISSION RESOLUTION NO. 2016-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING P16-008, A VARIANCE TO THE SETBACK STANDARDS TO ALLOW A REDUCTION IN THE REQUIRED REAR SETBACK FROM 25 FEET TO FIVE FEET FOR AN EXISTING APARTMENT COMPLEX LOCATED AT 22899 ALLIES PLACE (APN: 291-293-010)

WHEREAS, Riverside Housing Development Corp (RHDC) has filed an application for the approval of P16-008, a Variance application for the reduction of the rear setback of an existing apartment complex located at 22889 Allies Place from twenty-five (25) feet to five (5) feet. The reduced rear setback will allow for the construction of four one-car garages, storage space and onsite laundry facilities as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of April 28, 2016; and

WHEREAS, on April 28, 2016, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

WHEREAS, on April 28, 2016, the Planning Commission of the City of Moreno Valley determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15305, Minor Alterations in Land Use Limitation;

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 28, 2016, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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

FACT: The existing apartment complex does not meet the current Municipal Code standards with regard to required covered parking. The proposed covered parking will address the requirement of the Municipal Code parking requirements. However, complying with the required setback of 25 feet would result in practical difficulty and unnecessary hardship based on the configuration of the existing building, and the current location of parking.

The approval of the variance will allow for the construction of four one-car enclosed garages. The existing apartment building currently provides only uncovered parking spaces. The uncovered parking spaces do not meet the current Municipal Code parking standards. Therefore, although the variance is needed for the setback, the covered parking will improve the conformity of the site to existing Municipal Code parking standards. The addition of both storage space and a laundry room will also be beneficial to future renters.

A number of similar sized properties in the vicinity have garages with a rear setback that is not consistent with the current Municipal Code requirement for the rear setback. Nine of the thirteen properties along Allies Place currently have garages with a similar rear setback as requested by the applicant. There are also seven properties on Adrienne Way, which back up to the south side of the alley way with the same garage situation.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification;

FACT: The exceptional circumstance is that the existing placement of the apartment building on this site would not allow the construction of enclosed parking that would satisfy the rear setback. There will be approximately 10 feet between the alley and face of garage in order to provide adequate sight distance. This meets the requirement conditioned by the Public Works –

Transportation Division. The covered parking will also provide for enhanced security for the tenants.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification;

FACT: The project is within the Residential 20 (R20) zoning district. The neighboring parcels surrounding the site are also zoned Residential 20 (R20). A number of similar sized properties in the vicinity have garages with a rear setback that is not consistent with the current Municipal Code requirement for the rear setback. Nine of the thirteen properties along Allies Place currently have garages with a similar rear setback as requested by the applicant. There are also seven properties with the same garage situation on Adrienne Way.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on the other properties in the vicinity and under the same zoning classification;

FACT: A number of similar sized properties in the vicinity have garages with a rear setback that is not consistent with the current Municipal Code requirement for the rear setback. Nine of the thirteen properties along Allies Place currently have garages with a similar rear setback as requested by the applicant. There are also seven properties with the same garage situation on Adrienne Way.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

FACT: The proposed variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. Staff has evaluated the design and potential impacts of the proposed project. There will be approximately 10 feet between the alley and face of garage in order to provide adequate sight distance. Staff determined that the proposed site distance is adequate to ensure public safety. Staff also found that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines as provided for in Section 15305 (Minor Alterations in Land Use Limitation).

6. That the granting of a variance is consistent with the objectives and policies of the General Plan and the intent of this title.

FACT: The proposal will provide improvements to an existing residential multiple-family project and meet General Plan Objective 2.3, which promotes a sense of community and pride within residential areas through increased neighborhood interaction and enhanced project design. The new garages will be architecturally compatible with the neighboring residences and provide adequate parking consistent with General Plan Policy 2.3.5.

The proposed improvements, which require the variance, also further General Plan Housing Element Goals 8.3, 8.4 and 8.5 by reducing substandard housing and health and safety violations, assisting in the revitalization of older neighborhoods, and improving and maintaining decent and affordable rental housing. The rehabilitation of the apartment complex will correct any existing building code violations and health and safety problems and improve accessibility for the four dwelling units. The exterior improvements will also improve the neighborhood's physical appearance.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for P16-008, incorporated herein by reference, include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

2. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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

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

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

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2016-08 and thereby:

1. **CERTIFIES** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 5 Categorical Exemption, CEQA Guidelines, Section 15305 for Minor Alterations in Land Use Limitation; and
2. **APPROVES** Variance P16-008 based on the findings contained in the resolution.

APPROVED on this 28th day of April, 2016.

Brian R. Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

City Attorney

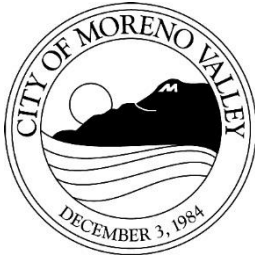
Attached: Conditions of Approval

Attachment: PC Resolution 2016-08 (2011 : P16-007 & P16-008 - Variance requests to reduce the rear setback of two existing)

3192

Added Finding #3 to the Resolutions for a new total of 6.

Attachment: Revised Resolutions (2011 : P16-007 & P16-008 - Variance requests to reduce the rear setback of two existing)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 28, 2016

MUNICIPAL CODE AMENDMENT

Case: PA14-0011
Applicant: City of Moreno Valley
Owner: City of Moreno Valley
Representative: Community Development Department
Location: Citywide
Case Planner: Claudia Manrique
Council District: All

SUMMARY

This Municipal Code Amendment includes various policy clarifications and text clean-ups amending several zoning regulations contained in Titles 8, 9, 11 and 12 of the City of Moreno Valley Municipal Code. The majority of the changes pertain to Title 9 Planning and Zoning. Staff has identified a number of minor changes within the code that are recommended to streamline the flow and clarity of the code (eliminate redundancies), clarify existing processes, and clean up existing inconsistencies in the text.

The proposed amendments include changes that will provide internal Municipal Code consistency, the addition of definitions of key code terms, changes to the Permitted Uses Table, and changes to "massage" regulations to ensure consistency between Title 9 and Title 11 (Peace, Morals, and Safety). Minor changes are proposed to Title 12 (Vehicles and Traffic) clarifying truck idling times, and Title 8 (Building and Construction) regarding hours of operation for construction and grading.

Amendments to the Municipal Code, such as those proposed in this effort, are not uncommon and have occurred over time in many instances in order to ensure city regulations remain current with State law, the City's General Plan, and City Council direction. They are also often warranted and prudent to improve clarity and use of the Code by both staff and project applicants. The last Municipal Code Amendment (PA14-0038) brought forth to the Planning Commission was in December 2015 and related to a density bonus for multiple-family projects that incorporate green building principles into their design.

PROJECT DESCRIPTION

This City initiated amendment will correct minor technical errors and inconsistencies, and will add clarifying language to the Municipal Code. These proposed amendments will clarify and address inconsistencies within the code. A detailed analysis of all twenty-one proposed amendments is included in the next section. The amendments are summarized below:

Item 1	Change wording from "Modified Monument Signs" to "Monument Signs"
Item 2	Revise definition of "Monument Signs"
Item 3	Revise requirements for entry monument signs for multiple-family projects
Item 4	Revise the hours of operation for construction and grading (Title 8)
Item 5	Review/Clarify commercial vehicle restrictions for home occupations
Item 6	Correct the section reference given in Section 9.09.202 - Swimming pools, spas and recreational courts
Item 7	Revise both Title 9 and Title 12 referring to truck idling times consistent with the State requirement
Item 8	Revise the Light Industrial (LI) standards
Item 9	Modify the single-family front yard landscaping standards
Item 10	Delete the "Specific Plan District" section
Item 11	Allow the use of gravel for vehicle storage (single-family residences)
Item 12	Modify the time limits for Temporary Use Permits (TUPs)
Item 13	Clarify and expand uses related to bars, nightclubs and restaurants to Chapter 9.02 (Permits and Approvals) and Chapter 9.15 (Definitions)
Item 14	Addition of "pool hall" to definitions in Chapter 9.15 (Definitions)
Item 15	Addition of "mulch" to definitions in Chapter 9.15 (Definitions)
Item 16	Addition of "Pervious pavement/surfaces" and "hardscape" to definitions in Chapter 9.15 (Definitions)
Item 17	Revise to Chapter 9.17 (Landscape and Water Efficiency Requirements)
Item 18	Update public noticing procedures for second dwelling unit (Previously approved in 2010)
Item 19	Correction to "Table 9.11.040 A-12 - Off-Street Parking Requirements" regarding second dwelling units in Chapter 9.11 (Parking, Pedestrian and Loading Requirements)
Item 20	Replace various off-street parking requirements to "Table 9.11.040B-12 - Off-Street Parking Requirements" that were inadvertently deleted in Chapter 9.11 (Parking, Pedestrian and Loading Requirements)

Item 21	Modify Title 11 (Peace, Morals and Safety) regarding massage parlors/establishments in Title 9
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ANALYSIS

The proposed individual amendments are explained below. Tables are included in most sections describing the current standards and proposed changes. Changes to the Permitted Uses Table, Parking Standards Table and larger text sections are provided as attachments. Items proposed to be deleted from the Municipal Code are shown with strikethrough text.

Item 1 Change wording from “Modified Monument Signs” to “Monument Signs”

Municipal Code Section 9.12.060 (Permitted Signs) lists the type of signs permitted subject to a sign permit application. Currently, the list includes “Modified monument signs,” but not “monument signs.” It appears that the term, “modified” monument sign, was established with the original adoption of the Municipal Code in 1992. However, there is no distinction between a “monument sign” and a “modified monument sign.” Therefore, staff recommends revising the title to just “monument signs.” All proposed changes to the text are listed in Attachment 1.

Item 2 Revise definition of “Monument Signs”

Municipal Code Section 9.15.030 (Definitions) currently has a definition for “Modified monument sign”, which will be revised to read “Monument sign” to be in agreement with Section 9.12.060 (Permitted Signs). Staff also recommends revising the definition for “Monument sign” to discourage the use of a single pole support and allow for greater visual interest.

Staff is recommending the following revision to the definition:

Current Standards	Proposed Standards
<p>“Modified Monument sign” means a sign supported permanently on the ground by a single, or multiple supports, but that shall not be supported on a single pole or column of less than eighteen (18) inches in diameter. Structural supports that are not a decorative element of the sign shall be concealed.</p>	<p>“Monument sign” means a sign supported permanently on the ground or by columns, pilasters, or similar structural elements to provide design interest and complement their surroundings. Monument signs shall incorporate landscaping to screen the base. Landscaping around monument signs should be designed to ensure the long-term readability of the sign.</p>

Item 3 Revising requirements for entry signs for multiple-family projects

The Permitted Signs Section 9.12.060 of the Municipal Code addresses types of signs permitted signs, the placement of signs, and the applicability of a sign permit. In the past, developers of multiple-family complexes have desired wall signage on both sides of their main entrances. However, two signs on one street frontage is not currently permitted under the Municipal Code. As provided for in Section 9.12.060 B.2.b only one sign is permitted per street frontage not to exceed twelve (12) square feet in copy area, twenty-five (25) square feet in sign area and six feet in height.

Staff researched the sign requirements for several neighboring cities and found that cities often allow greater flexibility with wall signs. The proposed change to wall signs will allow greater design flexibility for multiple-family complexes while not expanding the amount of total square footage allowed for signage. The content of such signs shall remain limited to the name of the complex and the range of addresses within the complex.

Staff recommends amending Section 9.12.060 B.2.b by adding an option to allow for two smaller wall signs as follows:

Current Standards	Proposed Standards
Multiple-Family Complex. One sign is permitted per street frontage not to exceed twelve (12) square feet in copy area, twenty-five (25) square feet in sign area and six feet in height. The content of such signs shall be limited to the name of the complex and the range of addresses within the complex.	Multiple-Family Complex. One wall or monument sign, not exceeding 25 square feet in area per display face, is allowed for each public street frontage. Monument signs may not exceed 6 feet in overall height. In lieu of a freestanding monument sign or one large wall sign, 2 single-sided, wall mounted-signs not exceeding 25 square feet per display face are allowed for each public street frontage when located at a project entry point. The content of such signs shall be limited to the name of the complex and the range of addresses within the complex.

Item 4 Revising the hours of operation for construction and grading (Title 8)

This proposed amendment is a simple text clean up to Chapter 8.21 of Title 8 (Building and Construction), and Chapter 8.14 (General). The Municipal Code identifies different hours for grading and construction activities. Staff worked with the Land Development and Building Departments to address the inconsistencies of the construction and grading hours. It is recommended that the time tables of both activities (grading and construction) are consistent. There is no expansion of hours proposed. Construction hours in Chapter 8.14.040 (Miscellaneous standards and regulations) will be reduced by two hours.

The amendment to Section O of Chapter 8.21.050 will be as follows:

Current Standards	Proposed Standards
<p>O. Time of Grading Operations. Grading and equipment operations shall only be completed between the hours of seven a.m. and six p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on weekends and holidays. The city engineer may, however, permit grading or equipment operations before or after the allowable hours of operation if he or she determines that such operations are not detrimental to the health, safety, or welfare of residents or the general public. Permitted hours of operations may be shortened by the city engineer's finding of a previously unforeseen effect on the health, safety, or welfare of the surrounding community.</p>	<p>O. Time of Grading Operations. Grading and equipment operations shall only be completed between the hours of seven a.m. and seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday. The city engineer may, however, permit grading or equipment operations before or after the allowable hours of operation if he or she determines that such operations are not detrimental to the health, safety, or welfare of residents or the general public. Permitted hours of operations may be shortened by the city engineer's finding of a previously unforeseen effect on the health, safety, or welfare of the surrounding community.</p>

The amendment to Section E of Chapter 8.14.040 will be as follows:

Current Standards	Proposed Changes
<p>E. Hours of Construction. Any construction within the city shall only be as follows: Monday through Friday (except for holidays which occur on weekdays), six a.m. to eight p.m.; weekends and holidays (as observed by the city and described in Chapter 2.55 of this code), seven a.m. to eight p.m., unless written approval is obtained from the city building official or city engineer.</p>	<p>E. Hours of Construction. Any construction within the city shall only be completed between the hours of seven a.m. to seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday, unless written approval is obtained from the city building official or city engineer.</p>

Item 5 Review/Clarify commercial vehicle restrictions for home occupations

The home occupation permit is intended to provide standards for homes to ensure that such uses are incidental and secondary to the residential use of the property and compatible with surrounding residential uses. A home occupation permit allows for the occupant(s) of a home to conduct a business provided that the business does not require frequent customer access or operate in a manner that would reduce the surrounding residents' enjoyment of their property and neighborhood.

This amendment proposes to further the protection of the character of the single-family neighborhood by providing clarification of the sizes of vehicles that may be parked at single-family residences in conjunction with a home occupation approved business. The City already has limits on the types of vehicles that may be parked (i.e. no tow trucks may be parked at a residence).

The proposed standards are based on researching code requirements of various neighboring cities, including Riverside and Perris. The current wording of the Municipal Code warrants updating as the City no longer issues commercial vehicle parking permits. The amendment to Municipal Code Section 9.02.130.6 (Home Occupation Permits) of Chapter 9.02 (Permits and Approvals) is proposed as follows:

Current Standards	Proposed Standards
<p>6. No commercial vehicles may be used for delivery of materials, with the exception of occasional and reasonable courier services to or from the premises. No more than one vehicle larger than a three-quarter-ton truck may be used in connection with a home occupation. Any commercial truck tractor, trailer, semitrailer, or commercial vehicle having a manufacturer's gross weight rating of ten thousand (10,000) pounds or more shall obtain a commercial vehicle parking permit. The aforementioned vehicles and vehicles for hire shall be subject to the parking restrictions contained in Chapters 12.38 and 12.42 of the municipal code.</p>	<p>6. No commercial vehicles may be used for delivery of materials, with the exception of occasional and reasonable courier services to or from the premises. No more than one vehicle larger than a three-quarter-ton truck may be used in connection with a home occupation. That single vehicle shall have a weight less than ten thousand (10,000) pounds "gross vehicle weight rating" and dimensions less than eight (8) feet in total outside width, or seven (7) feet in height, or twenty-one (21) feet in bumper-to-bumper length. Commercial vehicles used in the home occupation that are parked or stored on the premises shall not be visible from any public street or right-of-way. No attachments or equipment shall be permitted when vehicles are not in use and within view of the public right-of-way. Vehicles used for mobile vending shall be subject to the State Health and Safety Codes. The aforementioned vehicles and vehicles for hire shall be subject to the parking restrictions contained in Chapters 12.38 and 12.42 of the municipal code.</p>

Item 6 Correcting the Municipal Code Section 9.09.202 for Swimming pools, Spas and recreational courts

This proposed amendment is a text cleanup to Section 9.09.202 (Swimming pools, spas and recreational courts). A past update (PA10-0035) to the Special Single-Family Residential Development Standards (Section 9.03.040.E) inadvertently renumbered an item referenced in Section 9.09.202.

Staff recommends changing the numbering to Section 9.09.202.C.3 as follows:

Current Standards	Proposed Standards
3. Swimming pool equipment shall be operated in accordance with Section 9.03.040(E)(3).	3. Swimming pool equipment shall be operated in accordance with Section 9.03.040(E)(7).

Item 7 Revisions making both sections referring to truck idling times consistent with the State requirement (Title 9 & Title 12)

Truck idling rules and regulations have changed over time to better address environmental issues within the State of California. State law identifies that diesel-fueled trucks with a gross vehicle weight rating greater than 10,000 pounds, shall not idle for more than five minutes when stopped (California Code of Regulations Title 13, Section 2485).

The Municipal Code currently includes two sections, 9.05.050.D.1 and 12.38.020, identifying vehicle idling at fifteen minutes. Staff recommends revising the time to the State requirement of five (5) minutes.

The amendment to Section D of Chapter 9.05.050 will be as follows:

Current Standards	Proposed Standards
1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020(C), Parking Prohibitions or Restrictions, while adjacent to a developed residential area, the operator shall not idle the vehicle’s engine for longer than fifteen (15) minutes.	1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020(C), Parking Prohibitions or Restrictions, while adjacent to a developed residential area, the operator shall not idle the vehicle’s engine for longer than (5) minutes.

The amendment to Section C of Chapter 12.38.020 will be as follows:

Current Standards	Proposed Changes
C. While adjacent to a developed residential area within the city, the operator shall not idle the vehicle’s engine for longer than fifteen (15) minutes.	C. While adjacent to a developed residential area within the city, the operator shall not idle the vehicle’s engine for longer than five (5) minutes.

Item 8 Revision to the Light Industrial (LI) standards

Municipal Code Section 9.05.040 describes minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. Based on the City’s experience with other industrial projects, a Municipal Code

Amendment (PA10-0017) was approved by the City Council on August 23, 2011, which added a new standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. Based on air quality analyses for other industrial projects, the intent was to set the minimum separation distance for such uses at 250 feet between the residential district and the truck court or loading area. However, the adopted code amendment inadvertently referred to the minimum separation distance between the residential district and the building.

Currently, Section 9.05.040.B.9 includes the word “building” in its explanation. Staff proposes to delete the word “building” as shown below, because the intent of the original language was not to limit building location.

Current Standards	Proposed Changes
<p>9. In the LI district, industrial and warehouse, structures greater than fifty thousand (50,000) square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the residential district and the building, truck court or loading area.</p>	<p>9. In the LI district, industrial and warehouse, structures greater than fifty thousand (50,000) square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the residential district and the truck court or loading area.</p>

Item 9 Revision to the single-family front yard landscaping standards

Municipal Code Section 9.03.040E (Special Single-Family Residential Development Standards) currently requires tract home developments in the Residential 5 (R5) district with five or more dwelling units to have fully landscaped front yards and street side yards (for corner lots). This amendment is proposing to apply the standard to residential developments of five or more dwellings within the Residential 2 (R2), Residential Agriculture 2 (RA2) and Residential 3 (R3) districts.

The requirement for installation of front yard landscaping in additional single family residential zones will beautify individual neighborhoods and enhance the overall image of the City. The amendment will also be consistent with General Plan Objective 2.3, which promotes a sense of community and pride within residential areas through increased neighborhood interaction and enhanced project design.

The change to Section 9.03.040E.2 will not impact landscaping requirements for custom homes or developments in the Residential 2 (R2), Residential Agriculture 2 (RA2) and Residential 3 (R3) districts with less than five dwelling units. Municipal Code Section

9.17.070 (Single-family residential development) covers the landscaping requirements for existing single-family units, custom homes and model home complexes.

Staff is proposing Section 9.03.040E.2 to read as follows:

Current Standards	Proposed Standards
In the R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.	In the R2, RA2, R3 and R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

Item 10 Delete the “Specific Plan District” section

With the adoption of the 2006 comprehensive General Plan update, the City no longer has a Specific Plan land use designation in the General Plan. All land areas within Specific Plans were placed in the appropriate land use district. Specific Plans are now shown as overlays on the Zoning Atlas. Therefore, this is a text clean-up item for internal consistency of the Municipal Code.

This amendment proposes deleting Section 9.07.020 (Specific Plan District) from the Municipal Code and deleting the reference to the General Plan from Section 9.13.040 (Map designation) as shown below:

~~• 9.07.020 Specific plan district (SP).~~

~~A. Purpose and Intent. Specific plans prepared pursuant to California Government Code Sections 65450, et seq., are a significant tool to implement the general plan, as well as an inducement to the development of desirable large-scale mixed use developments. It is the purpose of this section to provide a method for the zoning of lands for which customized development and use regulations can be approved by the city council. The creation of a specific plan (SP) zone is necessary to provide adequate development flexibility for innovation in residential building types, land use mixes, site design, and development concepts. (See Chapter 9.13.)~~

~~B. Applicability.~~

~~1. The provisions of this section may only be applied to properties for which a specific plan has been adopted by the city council pursuant to Government Code Section 65450 et seq., and Section 9.02.030(B).~~

~~2. The provisions of Chapter 9.13 shall apply to all applications for specific plans from and after the effective date of this development code.~~

~~C. Zoning Map Designation. The specific plan district shall be designated on the city zoning atlas by the symbol “SP” followed by a number to designate the specific plan (e.g., SP-1 for specific plan No. 1). (Ord. 359, 1992)~~

Staff is proposing Section 9.13.040 (Map designation) to read as follows:

Current Standards	Proposed Changes
<p>Areas within an approved specific plan shall be designated on the general plan map and the official zoning map as follows: In all cases, the “SP” symbol shall be followed by a number to designate the specific plan (e.g., SP-1: Specific Plan No. 1). All development shall be subject to provisions of the designated specific plan, associated documents and the regulations of this chapter. (Ord. 359, 1992)</p>	<p>Areas within an approved specific plan shall be designated on the official zoning map as follows: In all cases, the “SP” symbol shall be followed by a number to designate the specific plan (e.g., SP-1: Specific Plan No. 1). All development shall be subject to provisions of the designated specific plan, associated documents and the regulations of this chapter. (Ord. 359, 1992)</p>

Item 11 Allow the use of gravel for vehicle storage (single-family residences)

Chapter 9.16 (Design Guidelines), Section 9.16.130.B Single-Family Residential General Guidelines allow for the storage of recreational vehicles, boats and campers in residential districts with certain restrictions. The proposed amendment will allow for additional flexibility for the homeowner by allowing vehicle storage on gravel or crushed rock if the material meets a specified standard, and it is well maintained. Staff proposes to expand the guidelines to add gravel or crushed rock as an alternative pervious parking surface as follows:

Current Standards	Proposed Changes
<p>10. Storage of recreational vehicles, boats and campers should be provided for residents by either an enlarged side yard setback to allow access to the rear yard or an off-site storage area, both of which are to be out of public view. Residential units should be designed with the larger side yard, a minimum of ten (10) feet, on the garage side of the structure for storage/yard access. Pervious surfaces are required for such areas within required setbacks.</p>	<p>10. Storage of recreational vehicles, boats and campers in residential districts is allowed if the residence is able to provide either an enlarged side yard setback to allow access to the rear yard or an off-site storage area, both of which are to be out of public view. A minimum of ten (10) feet, on the garage side of the structure is required for storage/yard access. All vehicles must be stored on an improved area with an asphalt, concrete, or pervious paving surface. Pervious surfaces are required for such areas within required setbacks. Any pervious paving surface must be designed for vehicle storage. If gravel or crushed rock is used as an improved parking surface, it shall be well maintained and kept vegetation free. Material used for the improved parking surface shall be a minimum of two inches (2") in thickness.</p>

Item 12 Time limits on Temporary Use Permits

Municipal Code Section 9.02.150 addresses the requirements for Temporary Use Permits (TUPs). The section allows for short-term activities on privately owned property with appropriate regulations so that such activities will be compatible with the surrounding areas. One of the most requested TUP activities in the City is the “merchandise sale,” which is allowed outdoors or in temporary enclosures within the shopping or commercial center in which the business is located. Currently, the time limit for TUPs is 18 days a year per shopping center. To be more flexible in addressing the needs of larger shopping centers (20 acres or greater in size), the proposed amendment will increase the number of days for merchandise sales from 18 to 36 per year.

Staff recommends revising Section 9.02.150.D (Special Requirement for Merchandise Sales) by adding the time limits for larger shopping centers as Number 2 and renumbering the rest of the section numbers as follows:

Current Standards	Proposed Changes
<p>1. “Merchandise sale... in conjunction with established businesses” means an event managed and operated by the owner or operator of a permanently established business, on the premises of that business (or upon immediately adjacent common area of a shopping or commercial center in which the business is located), conducting the sale, lease, rental or other transfer of control of merchandise which is inventory of the established business and which is of the same or similar kind and quality normally offered as immediately available to the public by that business at that business site. Sales operated by outside vendors shall not be permitted under this provision. An outdoor sale of merchandise on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery at another site or at another time shall not be permitted under this provision. This subsection shall not apply to “merchandise sales on the premises of a bank, [etc.],” as listed in</p>	<p>1. “Merchandise sale... in conjunction with established businesses” means an event managed and operated by the owner or operator of a permanently established business, on the premises of that business (or upon immediately adjacent common area of a shopping or commercial center in which the business is located), conducting the sale, lease, rental or other transfer of control of merchandise which is inventory of the established business and which is of the same or similar kind and quality normally offered as immediately available to the public by that business at that business site. Sales operated by outside vendors shall not be permitted under this provision. An outdoor sale of merchandise on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery at another site or at another time shall not be permitted under this provision. This subsection shall not apply to “merchandise sales on the premises of a bank, [etc.],” as listed in</p>

<p>the Temporary Uses Table.</p> <ol style="list-style-type: none"> 2. Food and Entertainment. Upon approval of the community development director and compliance with all other laws and regulations, food or entertainment may be sold or provided by two or fewer secondary vendors incidental to the merchandise sale, such as a hot dog cart, snow cone or popcorn wagon, pony ride, inflatable jumper, etc., provided that such uses occupy not more than twenty-five (25) percent of the total space occupied by the sale or four hundred (400) square feet, whichever is less. 3. Merchandise sales (including display areas) shall not occupy landscaped areas or unimproved surfaces. 4. Merchandise sales taking place upon parking surfaces shall be confined to improved parking surfaces. Merchandise sales shall not occupy more than twenty (20) percent of the legally required improved parking spaces for the business conducting the sale. No merchandise sale shall occupy parking spaces legally required for another business, including other businesses located in the same shopping or commercial center, or parking spaces otherwise required for the shopping or commercial center in which the business is located. Merchandise sales may occupy on-site improved parking spaces that are not so legally required, subject to all other provisions of this chapter. No merchandise sale shall occupy or encumber more than one hundred twenty-five (125) parking spaces. 5. Merchandise sales shall not negatively affect the vehicular and pedestrian 	<p>the Temporary Uses Table.</p> <ol style="list-style-type: none"> 2. Merchandise sales sponsored and sanctioned by the Master Property Association or Property Manager for Shopping Centers, which are 20 acres or larger and located within the Community Commercial zoning (CC) district, shall be allowed a maximum of 36 days per calendar year. 3. Food and Entertainment. Upon approval of the community development director and compliance with all other laws and regulations, food or entertainment may be sold or provided by two or fewer secondary vendors incidental to the merchandise sale, such as a hot dog cart, snow cone or popcorn wagon, pony ride, inflatable jumper, etc., provided that such uses occupy not more than twenty-five (25) percent of the total space occupied by the sale or four hundred (400) square feet, whichever is less. 4. Merchandise sales (including display areas) shall not occupy landscaped areas or unimproved surfaces. 5. Merchandise sales taking place upon parking surfaces shall be confined to improved parking surfaces. Merchandise sales shall not occupy more than twenty (20) percent of the legally required improved parking spaces for the business conducting the sale. No merchandise sale shall occupy parking spaces legally required for another business, including other businesses located in the same shopping or commercial center, or parking spaces otherwise required for the shopping or commercial center in which the business is located. Merchandise sales may occupy on-site
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<p>circulation patterns of the subject site or nearby streets, or the usability of the remaining parking spaces for the site, and shall allow unabated access for public safety personnel and vehicles.</p> <p>6. Setup and Takedown. One day of setup before a merchandise sale and one day of takedown/cleanup after the sale shall not be counted against the total number of permitted sale days. No sales activity shall occur on such setup or takedown/cleanup days.</p> <p>7. No Use of Public Right-of-Way. Any and all personal properties or merchandise shall be solely contained on private property and shall not extend into the public right-of-way.</p> <p>8. Cleanup. The permittee shall be responsible for cleanup of the site within twenty-four (24) hours of termination of the sale event.</p>	<p>improved parking spaces that are not so legally required, subject to all other provisions of this chapter. No merchandise sale shall occupy or encumber more than one hundred twenty-five (125) parking spaces.</p> <p>6. Merchandise sales shall not negatively affect the vehicular and pedestrian circulation patterns of the subject site or nearby streets, or the usability of the remaining parking spaces for the site, and shall allow unabated access for public safety personnel and vehicles.</p> <p>7. Setup and Takedown. One day of setup before a merchandise sale and one day of takedown/cleanup after the sale shall not be counted against the total number of permitted sale days. No sales activity shall occur on such setup or takedown/cleanup days.</p> <p>8. No Use of Public Right-of-Way. Any and all personal properties or merchandise shall be solely contained on private property and shall not extend into the public right-of-way.</p> <p>9. Cleanup. The permittee shall be responsible for cleanup of the site within twenty-four (24) hours of termination of the sale event.</p>
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Item 13 Clarify and expand uses of bars, nightclubs and restaurants to Chapter 9.02 (Permits and Approvals) and Chapter 9.15 (Definitions)

This proposed amendment will introduce new definitions to clarify the differences between various restaurants and bar type uses. The Permitted Uses Table will be updated to reflect the expanded list of restaurants and bar uses.

The Municipal Code currently does not provide a definition for bars and nightclubs. Therefore, these uses have only been permitted if they include food service under the

“Restaurants (eating and drinking establishments)” category as provided for in the Permitted Use Table.” Nightclubs with food service have been regarded as a “Restaurant with entertainment.” In addition, any coffee shop or coffee house wishing to provide any type of small scale live performance (e.g. music, theatrical or comedic performance, karaoke, or vocal entertainment) would have to serve food as a restaurant to be considered a permitted use.

Staff researched the applicable development standards of various cities, including Riverside, Pasadena and Rancho Cucamonga. The recommended definitions are consistent with other cities. The proposed amendment will expand dining and entertainment options for Moreno Valley residents and will set forth performance standards to help ensure a safe and inviting atmosphere for all.

The proposed new uses (bars, bars with limited live entertainment, nightclubs, and restaurants with limited live entertainment) are consistent with Objective 2.4 of the General Plan in that expansion of restaurant and bar type uses will serve the retail and service commercial needs of Moreno Valley residents and businesses.

To allow flexibility in addressing new types of uses in the City, staff proposes to add a list of new definitions to Chapter 9.15 (Definitions), Section 9.15.030 as follows:

Proposed New Definitions
<p>“Bar” means an establishment serving alcoholic beverages for on-site consumption as the primary use, including bars, cocktail lounges, pubs, saloons, and taverns and in which the service of food is only incidental to the consumption of such beverages.</p>
<p>“Bar, with Limited Live Entertainment” means a bar or tavern that provides incidental entertainment, such as musical performances, where the performance area does not exceed 75 square feet and customer dancing does not occur. The use shall instead be classified as a nightclub if the performance area exceeds 75 square feet or customer dancing occurs. Live entertainment does not include a sexually oriented business.</p>
<p>“Nightclub” means a bar, tavern, restaurant or similar establishment that provides live entertainment (music, comedy, etc.) that may serve alcoholic beverage for sale, where the performance area exceeds 75 square feet, or customer dancing occurs.</p>
<p>“Restaurant with Limited Live Entertainment” means a restaurant that provides incidental entertainment, such as musical performances, where the performance area does not exceed 75 square feet, and customer dancing does not occur. The use shall be classified as a nightclub (commercial entertainment) if the performance area exceeds 75 square feet or customer dancing is provided. Live entertainment does not include a sexually oriented business.</p>

The four new restaurant and bar type uses will also be added to the “Permitted Uses Table 9.02.020-1” in Section 9.02.020 (Permitted Uses) (Attachment #2). Table 9.02.020-1 (Permitted Uses) clarifies within which zoning districts the proposed uses

are permitted or conditionally permitted. Staff proposes to add the following information to the Permitted Uses Table:

- “Bar” and “Bar, with Limited Live Entertainment” are proposed as conditionally permitted uses within all the Mixed Use Overlay Districts (Mixed-Use Neighborhood Overlay District (MUN), Mixed-Use Community Overlay District (MUC) and Mixed-Use Institutional Anchor Overlay District (MUI) as well as Neighborhood Commercial (NC), Community Commercial (CC) and Village Commercial (VC) zoning districts.
- “Restaurant, with Limited Live Entertainment” is proposed permitted uses within the Neighborhood Commercial (NC), Community Commercial (CC) and Village Commercial (VC) zoning districts as well as all the Mixed Use Overlay Districts (MUN, MUC and MUI).
- “Nightclub” is proposed conditionally permitted uses in Community Commercial (CC) zoning districts, and the mixed use overlay districts MUC and MUI. A Conditional Use Permit (CUP) application would be required.
- “Restaurants with entertainment” will be deleted from the “Permitted Uses Table 9.02.020-1” as the use has been replaced by the new definitions above.

Item 14 Addition of “pool hall” to definitions in Chapter 9.15 (Definitions)

The City’s current Municipal Code includes “Pool Hall” in the Permitted Uses Table (9.02.020-1 of Chapter 9.02 Permits and Approvals). Pool Halls are an allowed use in the Neighborhood Commercial and Community Commercial districts, and with a Conditional Use Permit if within 300 feet of residential. However, there is no definition for pool halls in Chapter 9.15 (Definitions).

Based on staff’s experience, pool halls generally include multiple pool tables, and the primary use was a pool hall. However, more recently there have been requests from restaurants, bars, and hookah/vape lounges to include pool tables that would be ancillary to the primary use. This amendment is intended to allow additional flexibility by allowing a small number of pool tables in conjunction with other commercial businesses. Staff recommends allowing pool tables (up to three) to be permitted without requiring additional applications if they are ancillary to the primary use.

Staff proposes to add a new definition to Chapter 9.15 (Definitions), Section 9.15.030 as follows:

<p>Proposed New Definition</p> <p>“Pool hall” means a building or portion thereof having within its premises four or more pool tables or billiard tables, or combination thereof, regardless of size, and whether activated manually or by the insertion of a coin, token or other mechanical device.</p>

Item 15 Addition of “mulch” to definitions in Chapter 9.15 (Definitions)

Mulch is a beneficial addition to landscaping in many situations, including providing a surface covering under shrubs, or where ground cover material is maturing. The Municipal Code in Section 9.17.030 currently identifies that all soil surfaces in landscape areas shall be covered by plant materials, walkways, or mulch. In addition, it specifies that areas covered with mulch require a minimum of three inches of mulch material unless otherwise approved by the City. The intention of this proposed amendment is to provide a definition for mulch, since there is not currently a definition of “mulch” in the Municipal Code.

Staff proposes to add “mulch” to definitions in Chapter 9.15 (Definitions), Section 9.15.030 as follows:

Proposed New Definition
<p>“Mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.</p>

Item 16 Addition of “Pervious pavement/surfaces” and “hardscape” to definitions in Chapter 9.15 (Definitions)

Permeable paving allows water to pass through the paving material or between pavers while providing a stable, load-bearing surface. This allows storm water to filter through the soil below the paved surface, reducing the numerous environmental issues associated with water runoff. Pervious pavement is also regarded as a best management practice for water quality. Therefore, a definition of pervious pavement/surfaces will help support the City’s effort to promote the use of pervious pavement and surfaces. Landscaping design that uses alternatives to reduce impervious pavement is a positive step towards improving the quality of water resources.

Staff proposes to add “Pervious pavement/surfaces” and “Hardscape” to definitions in Chapter 9.15 (Definitions), Section 9.15.030 as follows:

Proposed New Definition
<p>“Permeable paving/surfaces” means any paving or surfaces that allow storm water to infiltrate the underlying soils. Permeable paving/surfaces are required to be contained so neither sediment nor the permeable surface discharges off the site. Materials allowed include but are not limited to: porous asphalt, porous concrete, single-sized aggregate, planting beds, open-jointed blocks, stone, pavers or brick that are loosely set without mortar.</p>

“Hardscape” refers to the solid, hard elements in landscape design that stay the same for years. Examples of hardscape designs include patios, decks, driveways, walkways, stairs, water features, retaining or garden walls and outdoor kitchens. Many different materials are used in hardscape designs including concrete, brick, slate and flagstone.

Item 17 Revisions to Chapter 9.17 (Landscape and Water Efficiency Requirements)

The existing landscape guidelines for single-family residential homes provide general standards regarding the use of drought tolerant plant materials and irrigation systems. Staff recommends changes to the City’s standards for landscaping and water efficiency. These more specific standards will also assist the homeowner and developers by providing better guidance for drought tolerant landscapes.

Staff proposes to revise Chapter 9.17 (Landscape and Water Efficiency Requirements), Section 9.17.070 (Single-family residential development) as follows:

Current Standards	Proposed Changes
<p>6. The front yard area have a maximum of twenty-five (25) percent turf with the remaining yard planted with shrubs, groundcovers and required trees. Turf should be planted in gathering areas only. Pavement and other solid surfaces shall not cover more than half of the required front yard setback. Pervious pavement/surfaces are recommended to reduce water run-off.</p>	<p>6. The front yard areas have a maximum allowance of twenty-five (25) percent turf with the remaining yard planted with shrubs, groundcovers and required trees. Turf should be planted in gathering areas only. Pavement and other solid surfaces shall not cover more than half of the required front yard setback. Pervious pavement/surfaces are recommended to reduce water run-off.</p>
<p>7. New and existing single-family front yard setbacks include front and street side yard landscaping consisting predominantly of plant materials including shrubs, groundcovers and required trees, except for necessary walks, drives and fences, not including weeds, as defined in Municipal Code Chapter 6.04, or concrete/hardscape materials.</p>	<p>7. Ground Treatment. The ground area within required landscape areas shall receive landscape treatment and present a finished appearance and reasonably complete coverage upon planting. Areas not planted with trees, shrubs, or bedding plants shall be planted according to the following provisions.</p>
<p>8. Groundcover should be used to absorb run-off from rain or irrigation.</p>	<p>a) Areas may be planted with ground cover. Ground cover shall be of a size and spacing to provide one hundred</p>
<p>9. Reduction of hardscape/paving, incorporating permeable surfaces to</p>	<p>(100) percent coverage within the first year of planting. Edging shall be</p>

<p>reduce run-off.</p> <p>10. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.</p>	<p>provided for all ground cover.</p> <p>b) Mulch shall be installed and maintained at a minimum depth of three (3) inches on all planted areas except where ground cover plants are fully established. Mulch may be approved as a permanent ground treatment in landscape designs up to 25 percent of the total required landscape area. Mulch with an accompanying weed barrier may be used in a limited way when appropriate to a design concept.</p> <p>8. New and existing single-family front yard setbacks include front and street side yard landscaping consisting predominantly of plant materials including shrubs, groundcovers and required trees, except for necessary walks, drives and fences, not including weeds, as defined in Municipal Code Chapter 6.04, or concrete/hardscape materials.</p> <p>9. Groundcover should be used to absorb run-off from rain or irrigation.</p> <p>10. Reduction of hardscape/paving is recommended to reduce water run-off. Pervious pavement/surfaces are preferred.</p> <p>11. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.</p>
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Item 18 Deletion of public noticing procedures for second dwelling unit (Previously approved in 2010 under project number: PA09-0024)

A Municipal Code Amendment processed in 2010 (PA09-0024) was intended to remove the noticing requirements in Section 9.09.130 (D) for second dwelling units consistent with State law regulations. However, due to the manner in which the ordinance language was drafted and submitted to the official codifier, the change to drop the noticing was not made. This item is therefore a minor clean-up item to be consistent with noticing requirements in State law (Government Code Section 65852.2).

Staff proposes to revise Chapter 9.09 (Specific Use Development Standards), Section 9.09.130 (D) (Second Dwelling Units) by deleting “D” as follows:

- ~~D.— Notice. Notice of an application for a second unit shall be mailed or delivered to the owners of real property within three hundred (300) feet of the parcel containing the proposed unit. The notice shall describe the nature of the request and the location of the project. The notice shall also state that written comments are requested and that a decision will be made on a date not less than ten (10) days from the date of mailing of the notice. Notice of the decision shall be mailed or delivered to the applicant and to the property owners within three hundred (300) feet of the parcel containing the proposed second unit. (Ord. 817 § 3.3, 2010; Ord. 475 § 1.4, 1995; Ord. 428 § 1.2, 1994; Ord. 359, 1992)~~

Item 19 Correction to “Table 9.11.040 A-12 - Off-Street Parking Requirements” regarding second dwelling units in Chapter 9.11 (Parking, Pedestrian and Loading Requirements)

Section 9.09.130 (C) addresses the property development standards for second dwelling units. The Municipal Code Amendment processed in 2010 (PA09-0024) included updating the parking requirements for consistency with State Law (Government Code Section 65852.2). Unfortunately, the proposed change was not made to Table 9.11.040 A-12 (Off-Street Parking Requirements) in 2010. Currently, this table states that second dwelling units require a carport or garage that provides a minimum of two (2) parking spaces per unit.

Staff proposes to revise Table 9.11.040 A-12 to read as follows:

Current Standards				Proposed Changes			
Use	Requirement	Covered Parking	Notes	Use	Requirement	Covered Parking	Notes
Residential Uses				Residential Uses			
Second dwelling units	2/unit	Carport or garage		Second dwelling units	1/bedroom		The second dwelling unit shall provide a minimum of one parking space per bedroom in addition to the parking required for the main dwelling

				without blocking any required parking (no tandem parking)
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Item 20 Replacing various off-street parking requirements to “Table 9.11.040B-12 - Off-Street Parking Requirements” that were inadvertently deleted in Chapter 9.11 (Parking, Pedestrian and Loading Requirements)

When the last code amendment updating the Off-Street Parking Requirements in Chapter 9.11.040 was published, some uses were inadvertently deleted from Table 9.11.040B-12.0. This code amendment proposes to reinsert the uses deleted listed in Table 2 (Attachment 3).

Item 21 Changes related to Title 11 (Peace, Morals and Safety) regarding massage parlors/establishments in Title 9

On November 24, 2015, the City Council approved two ordinances revising Title 11 (Peace, Morals and Safety) of the Moreno Valley Municipal Code by repealing Chapter 11.06 in its entirety, and adding Chapters 11.95 and 11.96 in response to new state laws (Senate Bill 731 and Assembly Bill 1147) regarding massage parlors. Both ordinances included a request that the Planning Commission recommend adoption of an ordinance to the City Council to amend Title 9.

The proposed amendment includes modifications to Sections 9.02.020, 9.02.130 and 9.15.030. Staff is recommending adding a definition for “Spa facility” as the fourth change in the proposed amendment.

Change #1 (Section 9.02.020)

Staff is recommending a revision to the Permitted Uses Table to change the term “massage establishment” under Personal Services to “spa facilities.” Earlier in the list of proposed Municipal Code Amendment (Item #16), “Permitted Uses Table 9.02.020-1” in Section 9.02.020 (Permitted Uses) in Chapter 9.02 (Permits and Approvals) (Attachment 2) has been modified.

Staff recommends revising the “Permitted Uses Table 9.02.020-1” in Section 9.02.020 (Permitted Uses) as follows:

Current Standards	Proposed Changes
Personal Services (e.g., nail salons, massage establishment, barber and	Personal Services (e.g., nail salons, spa facilities, barber and beauty shops, and

beauty shops, and tattoo parlors)	tattoo parlors)
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Change #2 (Section 9.02.130)

A home occupation permit (Section 9.02.130) “allows for the gainful employment in the home by the occupant(s) of a dwelling, to the extent that the enterprise does not require frequent customer access or have associated characteristics which would reduce the surrounding residents’ enjoyment of their neighborhood.” Prohibited home occupation uses include massage parlors, which will have a term change to “spa facilities” and remain a prohibited use.

Staff recommends revising Chapter 9.02 (Permits and Approvals), Section 9.02.130.E (Home occupation permits) as follows:

Current Standards	Proposed Changes
<p>E. Prohibited Home Occupation Uses. The following uses, either by operation or nature, are not considered to be incidental to or compatible with residential activities and therefore shall not be permitted as home occupations:</p> <ol style="list-style-type: none"> 1. Automotive and other vehicle (inclusive of motorcycles or recreational vehicles) repair (body or mechanical), upholstery, painting or storage; 2. Towing; 3. The sale, use or manufacture of ammunition, explosives or fireworks; 4. Massage Parlors. This shall not be construed to prohibit medical massage performed by licensed professionals, as defined in this title; 5. Junk yards; 6. Escort services; and 7. Quantities of materials which may present a health and/or safety hazard, including, but not limited to: explosives; flammable or combustible dusts, liquids or gases; corrosives; irritants and toxic materials. 	<p>E. Prohibited Home Occupation Uses. The following uses, either by operation or nature, are not considered to be incidental to or compatible with residential activities and therefore shall not be permitted as home occupations:</p> <ol style="list-style-type: none"> 1. Automotive and other vehicle (inclusive of motorcycles or recreational vehicles) repair (body or mechanical), upholstery, painting or storage; 2. Towing; 3. The sale, use or manufacture of ammunition, explosives or fireworks; 4. Spa Facilities. This shall not be construed to prohibit medical massage performed by licensed professionals, as defined in this title; 5. Junk yards; 6. Escort services; and 7. Quantities of materials which may present a health and/or safety hazard, including, but not limited to: explosives; flammable or combustible dusts, liquids or gases; corrosives; irritants and toxic materials.

Change #3 (Section 9.15.030)

Staff recommends that the definition of “massage parlor” is deleted from Chapter 9.15, Section 9.15.030 (Definitions) as follows:

- ~~“Massage parlor” means any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs. Massage parlor, as referred to in this title, does not include the following:~~
 - ~~1. A medical establishment including professional offices where massage is administered by a physician, surgeon, chiropractor, osteopath, physical therapist, nurse or any other person licensed to practice a healing art under the provisions of the California Business and Professions Code when engaging in such practice within the scope of his or her license, or by an individual acting under the direction and control of any of the aforelisted licensed professionals on the premises of the medical establishment;~~
 - ~~2. Hospital, medical clinic, nursing home, sanatorium, or other major medical or mental facility duly licensed under the laws of the state of California;~~
 - ~~3. Barbershop or beauty salon where massage is limited to the head, scalp, neck or back and is administered by barbers or cosmetologists licensed under the laws of the state of California;~~
 - ~~4. Any school or institution of higher education including a community or junior college, college or university whose course of study is approved by the State Department of Education or Superintendent of Public Instruction where massage is administered or taught by authorized school employees in conjunction with athletic training programs, training in the healing arts or other school courses;~~
 - ~~5. Any athletic club, health club, country club, gymnasium, reducing salon, beauty salon, or similar establishment, where massage is offered as an incidental or accessory service to its primary program of sport, exercise, athletic training, weight reduction or beauty care.~~

Change #4 (Section 9.15.030)

With the removal of massage parlor from the Section 9.15.030 (Definitions), Staff recommends adding the definition of “spa facility” to address similar uses that may be proposed within the City. There is currently one spa facility in Moreno Valley at the Ayers Hotel and Spa located on Memorial Way.

Day spas are becoming a more frequent and popular use throughout California. These spas typically offer a combination of non-medical personal services that includes nail, skin, or hair care and treatment, and massage therapy. The businesses also provide relaxation rooms, spa tubs, and upscale bathroom facilities to enhance the customer experience. Adding the spa facility to the Municipal Code will allow staff to ensure that proposed businesses meet the requirements of both Title 9 and Title 11.

Staff recommends adding the definition of “spa facility” to Chapter 9.15, Section 9.15.030 (Definitions) as follows:

Proposed New Definition

“**Spa facility**” means an establishment in a fixed location where massage is performed for compensation pursuant to all applicable state and local laws, rules and regulations as well as meeting all the requirements of Chapter 11.96 (Spa facilities). Spa facilities may include additional services such as full service hair salons, make-up consultation and application and manicure and pedicure services, and therapeutic treatments such as body packs and wraps, exfoliation, cellulite and heat treatments, electrolysis, body toning, waxing, aromatherapy, cleansing facials, medical facials, non-surgical face lifts, electrical toning and electrolysis. Hydrotherapy and steam and sauna facilities, nutrition and weight management, spa cuisine and exercise facilities and instruction may also be provided as additional services.

ENVIRONMENTAL

Staff has reviewed the proposed Municipal Code Amendment in accordance with the CEQA Guidelines and has determined that the code amendment is exempt pursuant to Section 15061 (b) (3) (Review for Exemption) of the CEQA Guidelines. This exemption applies if “The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

Each of the proposed amendments was analyzed under the California Environmental Quality Act to determine if the proposal qualified as an exemption (Attachment 4). It was determined that each amendment would be covered by the general rule provided for in Section 15061(b)(3). Therefore, this project will not have a significant effect on the environment.

NOTIFICATION

In accordance with Section 9.02.200 of the Municipal Code, a 1/8 page public notice was published in the Press Enterprise newspaper on March 14, 2016 for the March 24, 2015 public hearing. Planning Commission formally continued the hearing to April 28, 2016. Given the prior action of the Planning Commission to formally continue the hearing to a date certain, no additional public noticing has been required.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-05, and thereby:

1. **RECOGNIZE** that PA14-0011 (Municipal Code Amendment) qualify as exemptions in accordance with CEQA Guidelines, Section 15061.

2. **APPROVE** Planning Commission Resolution No. 2016-05, recommending that the City Council approve the proposed amendments to Title 8, Title 9, and Title 12 of the City Municipal Code, PA14-0011.

Prepared by:
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Approved by:
Allen Brock
Community Development Director

ATTACHMENTS

1. Table 1: List of Changes to Section 9.12.060 Permitted signs
2. Permitted Uses Table with Proposed Revisions
3. Table 2: Parking Table 9.11.040B-12
4. PA14-0011 CEQA Review Memo
5. Draft City Council Ordinance
6. Exhibit A - Changes to Section 9.12.060 (Permitted signs) to CC Ordinance
7. Exhibit B - Permitted Uses Table to CC Ordinance
8. Exhibit C - Parking Tables in Section 9.11.040 to CC Ordinance
9. Public Notice
10. Resolution No. 2016-05

**Table 1: “List of Changes to Chapter 9.12 Sign Regulations,
Section 9.12.060 Permitted signs”**

<p>Section 9.12.060 Permitted signs, will include the following change:</p> <p>A. General Provisions.</p> <p>1. The following signs shall be permitted subject to a sign permit:</p> <p style="padding-left: 20px;">a. Modified monument signs <u>Monument signs</u>;</p>
<p>The word “Modified” will be deleted from Section 9.12.060 as follows:</p> <p>B. Modified <u>Monument Sign Requirements</u>.</p>
<p>The revised wording will also change the wording of Section 9.12.060 B3 as follows:</p> <p><u>3. Institutional Signs Within Residential Districts. One modified monument sign not to exceed thirty-six (36) square feet in copy area, forty-eight (48) square feet in sign area and eight feet in height is permitted to identify the premises of a place of religious worship or similar quasi-public institution.</u></p>
<p>The revised wording will also change the wording of Section 9.12.060 B4a as follows:</p> <p><u>4. Sign Height and Area.</u></p> <p><u>a. The height of a modified monument sign is the vertical dimension measured from the average finished grade level to the highest point of the sign. The height of a modified monument sign shall not exceed fifteen (15) feet.</u></p>
<p>The revised wording will also change the wording of Section 9.12.060 B4d as follows:</p> <p><u>4. Sign Height and Area.</u></p> <p><u>d. The sign area of a modified monument sign may not exceed the limits prescribed in this section unless a determination is made by the decision-making body that an increase is needed to improve the compatibility of the sign with the architecture of the development where the sign is to be located. This provision shall not be construed to apply to the sign copy area.</u></p>
<p>The revised wording will also change the wording of Section 9.12.060 B6 as follows:</p> <p><u>6. Vacant Spaces. Any vacant tenant spaces on a multi-tenant modified monument sign shall appear opaque until occupied using a material and texture consistent with the rest of the sign copy area.</u></p>
<p>The revised wording will also change the wording of Section 9.12.060 B8 as follows:</p> <p><u>8. Application to Multi-tenant Centers. Modified Monument sign standards apply to any development designed as an integrated center with shared parking and access. Leasing to individual tenants or subdivision of the center shall not establish separate sign privileges for each tenant or parcel.</u></p>

The revised wording will also change the wording of Section 9.12.060 B9 as follows:

9. Setback Requirements. Modified Monument signs may be placed at the ultimate street right-of-way line, except that they shall not encroach within the limited use area described in the landscape development guidelines and specifications.

The revised wording will also change the wording of Section 9.12.060 F1 as follows:

F. Gas Station Signs.

1. Modified Monument Signs. Gas stations shall be allowed one modified monument sign per street frontage to identify the business and the state-mandated price identification. Each sign shall not exceed forty (40) square feet in copy area and seventy-five (75) square feet in sign area, except that up to forty-five (45) square feet in copy area may be allowed where there is joint use of a gas station with other businesses.

The revised wording will also change the wording of Section 9.12.060 J as follows:

J. Projecting Signs. A projecting sign may be permitted in lieu of a modified monument sign based on a determination by the decision-making body that the physical limitations of the site make it impractical to erect a modified monument sign on the premises. The copy area and sign area shall not exceed the size of the modified monument sign.

The revised wording will also change the wording of Section 9.12.060 O1 as follows:

O. Signs in the Public Right-of-Way.

1. A Modified Monument Sign that is otherwise permissible pursuant to Section 9.12.060(B)(1) of this chapter and located in the public-right-of-way may be permitted in the following circumstances:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones			
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX

Adult Businesses																	A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																						X				
Aircraft Landing Facilities																	C		C	C	C	C				
Ambulance Service																	♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds																	♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Appliance and Electronic Repair Shops												X	X	X	X	X						X	X		X	
Arcades, Video Machines																♦	X	♦								
Athletic Clubs, Gymsnasiums and Spas												X	X	X	X	X		X				X	X	X	X	
Auction Houses																	X								X	
Auditoriums												♦	♦	♦			♦	♦	♦	♦	♦	♦	♦	♦	♦	
Auto Electronic Accessories and Installation																	X					X	X		X	
Automobile Fleet Storage																						X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle																	♦					X	X			

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	Residential Zones											Mixed Use Overlay			Commercial & Office Zones					Industrial Zones				OS
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	

and Boat Sales and Incidental Minor Repairs and Accessory Installations																												
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)																♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair)																♦	X						X	X		X		
Automotive Paint and Body Repair—Major Engine Overhaul																	♦						X					
Auto Rentals																	X							X	X	X		
Auto Supply Stores												X	X	X	X	X	X						X	X		X		
Bakery Shops												X	X	X	X	X	X									X		
Bakery—Commercial																							X					
Banks—Financial Institutions												X	X	X	X	X	X	X	X	X					X	X		
Barber and Beauty Colleges												X	X	X	X	X			X	X				X	X			

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
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<u>Bars (Drinking Establishments)</u>																											
<u>Bars</u>													IC	IC	IC	IC	IC	IC									
<u>Bars, with Limited Live Entertainment</u>													IC	IC	IC	IC	IC	IC									
Boat Sales New and Used Including Repairs and Accessory Installation																	◆						X				
Boarding and Rooming Houses									X	X	X	X	X	X													
Bowling Alley												◆	◆	◆	X	X											
Building Material Sales With outdoor storage																	◆						X	X			
Building Material Storage Yards																						X					
Bus, Rail and Taxi Stations															◆		◆										
Business Equipment Sales (includes repairs)												X	X	X	X	X	X	X	X							X	
Business Schools												X	X	X	X	X	X	X	X	X			X	X	X	X	
Business Supply Stores												X	X	X	X	X	X	X					X	X	X	X	
Cabinet Shop																							X	X	X	X	
Caretakers Residence ¹																◆	◆	C	◆	◆	◆	◆	◆	◆	◆	◆	
Car Wash																X	X						X				
Accessory to auto related use																◆	◆						X				
Catering Service												X	X	X	X	X	X								X	X	
Cemetery (Human or Pet) With or Without	C	C	C	C	C	C	C	C	C	C	C	C															

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Accessory Mortuary and Cremation Services (Minimum 10-acre site required)																										
Churches ²	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	♦
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																										
With on-site antenna																	♦					♦	♦	♦	♦	
Without on-site antenna																X						X	X	X	X	
Communications Facilities (See Section 9.09.040 of this title)																										
Computer Sales and Repairs													X	X	X	X	X		X			X	X	X	X	
Contractors Storage Yard																						X				
Convalescent Homes/Assisted Living							C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																										
With drive-through																X	X									
Without drive-through													X	X	X	X	X									
With alcohol sales													♦	♦	♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															C		♦		♦		♦			♦	♦	
Copy Shops													X	X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C	C														
Dancing, Art, Music and													X	X	X	X	X	X	X	X			X	X	X	

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Similar Schools																											
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens													X	X	X	X	X	X	X						X	X	X
Diaper Supply Service																							X				
Laundry with fleet storage																							X				
Disposal company																							X				
Drapery Shops													X	X	X	X	X	X									
Dressmaking Shops													X	X	X	X	X	X									
Driving School													X	X	X	X	X		X	X				X	X	X	
Drug Stores													X	X	X	X	X	X									
Dry Cleaning or Laundry																											
a. Dry Cleaning													X	X	X	X	X	X	X							X	
b. Laundromat													X	X	X	X	X	X	X								
c. Laundry Commercial																							X	X			
Emergency Shelters ¹⁴																						X	C			C	
Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack)	C	C	C	C													♦									C	
Exterminators																		C					X	X	X	X	
Farm Worker Housing									X	X	X	X															
Feed and Grain Stores																X	X	X									
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X	X	X						X				
Fraternity/Sorority								C	C	C	C	C															

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Frozen Food Locker																						X	X				
Gasoline Dispensing - Non-retail accessory to an auto-related use																	X						X	X	X	X	
Glass Shops and Glass Studios—Stained, etc.																X	X						X	X		X	
Golf Courses or Golf Driving Ranges with Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C	C														◆	
Handicapped Housing								X	X	X	X	X	X	X													
Heavy Equipment Sales and Rentals																	X							X	X		
Hospitals																	◆		◆	◆	◆				C	C	C
Hotels																											
a. With 20% or less of the units containing kitchens													X	X	X		X		C					X	X	X	
b. With over 20% of the units containing kitchens													C	C	C		C		C					C	C	C	
Ice Cream Stores—Including Yogurt Sales													X	X	X	X	X	X	X							X	
Impound Yards																							X				
Jewelry Stores													X	X	X	X	X	X									
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		◆	◆	◆	◆	C				
Laboratories (medical and dental)													X	X	X	X	X		X	X			X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	

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Liquor Stores													♦	♦		♦	♦										
Live/Work Unit (12)													X	X	X												
Locksmith Shops													X	X	X	X	X	X					X	X	X	X	
Lodge Halls and Similar Facilities													♦	♦	♦	♦	♦		♦						♦	♦	
Lumberyards																	X						X				
Mail Order House																	X						X	X	X	X	
Manufacturing and Assembly																											
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																							X	X	X	X	
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																							X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																							X	X			
d. Retail sales of goods produced or																							X	X	X	X	

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warehoused on-site ³																										
Medical Clinics/Medical Care																										
Inpatient care													X	X	X	X	X		X	X			X	X	X	X
Urgent care													X	X	X	X	X		X	X						
Medical device services and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices															X	X	X		X							
Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment															X	X	X		X							
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C	C														
Mobile Home Sales or Rentals (outdoor display)																	C									
Mortuaries																										
With cremation services																								X	X	
No cremation services			C	C	C	C	C	C	C	C	C	C			♦	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X	X	X						X	X	X	X
Nightclubs														C	C		C									
Nursery, (Plant),	X	X	X	X																		X	X			X

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Wholesale and Distribution																										
Offices (administrative and professional)													X	X	X	X	X	X	X	X			X	X	X	
Open Air Theaters															C						C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C	C														
Painting Contractor																						X	X			
Parcel Delivery Terminals																						X	X	X	X	
Parking Lot															C	C	X	X	C					X		
Parks and Recreation Facilities (public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment , <u>spa facilities</u> ¹⁵ , barber and beauty shops, and tattoo parlors)													X	X	X	X	X	X							X	
Pharmacy ⁴													X	X	X	X	X	X							X	
Photo Studios													X	X	X	X	X	X							X	
Plumbing Shops																	X								X	
Plumbing Supply Stores for Contractors																							X	X	X	
Pool Hall														♦		♦	♦									
Postal Services													X	X	X	X	X	X					X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers													X	X	X	X	X	X	X	X	X	X	X	X	X	

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Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks																	C				C					
Record Store													X	X	X	X	X	X								
Recording Studio													X	X	X	X	X	X	X			X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦								
Recycling, Large Collection Facility ⁵																	♦					X	X			
Recycling, Small Collection Facility													X	X	X	X	X	X								
Recycling Processing Centers																						X	X	X	X	
Refreshment Stands													X	X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																										
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)																♦	♦					X	X			
Research and Development													X	X	X				X	X		X	X	X	X	
Residential																										
Single-Family	X	X	X	X	X	X	X	X																		

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Multiple-Family									X	X	X	X	X	X	X												
Manufactured home park (see mobile home parks)																											
Residential Care Facility (for seven or more persons)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	X												
Restaurants (Eating and Drinking Establishments)																											
With entertainment													C	C	C												
Without entertainment													X	X	X	X	X	X	X							X	
With Limited Live entertainment													X	X	X	X	X	X	X								
With alcoholic beverage sales													X	X	X	X	X	X	X							X	
With outdoor seating ^{T3}													X	X	X	X	X	X	X							X	
Restaurants (fast-food)																											
With drive-through																◆	◆									◆	
Without drive-through													X	X	X	X	X									X	
Retail Sales													X	X	X	X	X	X									
Support Retail Sales													X	X	X					X						X	
Sandwich Shops ⁶													X	X	X	X	X	X	X	X ⁶							
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆			◆	◆					◆	◆
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					X	X						
Shoe Shine Stands													X	X	X	X	X			X	X				X	X	
Shoe Repair Shop													X	X	X	X	X	X									
Sign Shop													X	X	X	X	X	X				X	X	X	X		
Single room occupancy											C	C	C	C					X								

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(SRO) facility																										
Skating Rinks														X			X									
Stationery Stores													X	X	X	X	X	X	X					X	X	
Statue Shop -Outdoor display																	♦					X	X			
Storage Lots and Mini-Warehouses																										
Indoor																	C					X				
Outdoor																	C					X				
Swim Schools/Center with Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C	C					X									
Taxidermist																	X					X	X			
Theaters (excludes open air)													X	X	X	X	X	X								
Tire Recapping																						X				
Trade and Vocational Schools													X	X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																						X	X			
Truck Wash																						X	X			
Upholstery Shops																	X					X	X		X	
Vehicle Storage Yards																										
Indoor																	X					X	X			
Outdoor																	C					X	X			
Vending Machine Service and Repair																						X	X	X	X	
Veterinarian (including animal hospital)																										
All activities within an													X	X	X	X	X							X	X	

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enclosed structure																										
With outdoor activities																	◆								◆	◆
Weight Reduction Center													X	X	X	X	X	X	X							
Wholesale, Storage, and Distribution																										
All activities indoors (50,000 square feet or less)																							X	X	X	X
All activities indoors (more than 50,000 square feet)																							X	X		
All activities outdoors																							X			
Retail sale of goods warehoused on-site ⁷																						X	X	X		
Wrecking Yard																							◆			

Notes:

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

Attachment: Permitted Uses Table with Proposed Revisions (1993 : Municipal Code Amendment (PA14-

Permitted Uses Table 9.02.020-1																										
<p>X - Indicates stated use is permitted subject to district requirements. C - Indicates stated use is allowed with a conditional use permit. ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses. A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.</p>																										
	Residential Zones											Mixed Use Overlay			Commercial & Office Zones					Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS

- (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot's property lines, and (b) are allowed, but not required on the other lots.
- (10) See Section 9.07.40 (Medical Use Overlay District)
- (11) See Section 9.09.260 (Mixed Use Development)
- (12) See Section 9.09.250 (Live-Work Development)
- (13) See Section 9.09.270 (Outdoor Dining)
- (14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)
- (15) For Spa Facilities refer to Title 11, Chapter 11.96 of the Municipal Code.

Permitted Uses Table 9.02.020-1

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

Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS

Zoning District Key

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

Attachment: Permitted Uses Table with Proposed Revisions (1993 : Municipal Code Amendment (PA14-

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

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public. 2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments: Self-serve Automated	2 spaces + 2/washing stall 10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15% of the interior gross floor area of the primary food service use; if outdoor dining area is over 15%, 1 space for every 60 sq. ft. or 1 space for every 3 seats, whichever is greater.
Eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage.	
<u>Hotel/Motel</u>	<u>1/guest room</u>	<u>For facilities with 100+ parking spaces, two 12'x36' through stalls for RV parking are required. These stalls may be counted as 4 auto parking stalls.</u>
<u>Kennels</u>	<u>2 spaces per 1,000 sq. ft.</u>	<u>2 spaces per 1,000 sq.ft. of indoor animal enclosure.</u>
<u>Veterinary Hospital and Clinic</u>	<u>1/200 sq.ft. of gross floor area</u>	
<u>Mortuaries</u>	<u>¼ seats + funeral procession queue capacity for 5 cars</u>	
<u>Nail Salons</u>	<u>1 space for every 2 work stations</u>	

<u>Schools, private:</u>		
<u>Business and Trade</u>	<u>10 spaces + 24/classroom</u>	
<u>College</u>	<u>10 spaces + 30/classroom</u>	
<u>Elementary/Junior High</u>	<u>10 spaces + 2/classroom</u>	
<u>Senior High</u>	<u>10 spaces + 10/classroom</u>	
<u>Storage Lots and Mini-Warehouses</u>	<u>1/100 storage spaces and 2/caretaker residence</u>	<u>2 spaces minimum</u>
<u>Medical and Health Services:</u>		
<u>Convalescent and Nursing Homes</u>	<u>1/3 beds</u>	
<u>Homeless Shelter</u>	<u>1/4 beds</u>	
<u>Hospitals</u>	<u>1/ bed</u>	
<u>Residential Care Facilities</u>	<u>(see Residential Uses, Section 9.11.040 Table 9.11.040A 12</u>	
<u>Recreation:</u>		
<u>Arcades</u>	<u>1/75 sq.ft. of gross floor area</u>	
<u>Bowling and Billiards</u>	<u>5/alley + 2/billiard table</u>	
<u>Commercial Stables</u>	<u>1/5 horse capacity for boarding onsite</u>	
<u>Golf Course</u>	<u>6/hole</u>	
<u>Golf Driving Range</u>	<u>1/tee</u>	
<u>Golf, miniature</u>	<u>3/hole</u>	
<u>Health Club</u>	<u>1/100 sq.ft. of gross floor area</u>	
<u>Parks-Public and Private</u>	<u>To be determined by the approval authority based upon an approved parking study.</u>	
<u>Skating Rink</u>	<u>1/100 sq.ft. of gross floor area</u>	
<u>Tennis, Handball and Racquetball facilities</u>	<u>3/court</u>	
<u>Theaters</u>	<u>1/3 fixed seats</u>	



CITY OF MORENO VALLEY
Community Development Department
Planning Division

MEMORANDUM

To: Case Folder – PA14-0011
 From: Claudia Manrique, Associate Planner
 Date: March 2, 2016
 Subject: CEQA Determination for PA14-0011

Item 1	<p><u>Change wording from “Modified Monument Signs” to “Monument Signs”</u></p> <p><i>This “clean-up” amendment clarifies requirements for a monument sign. There is no difference between a monument sign and a modified monument sign, thus staff is removing the term “modified” from the code.</i></p> <p>Staff finds that this amendment is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment. Since the only change is an administrative zoning text amendment to the Municipal Code, it can be seen with certainty that there is no possibility that this amendment may have a significant effect on the environment. (Section 15061 (b) (3))</p>
Item 2	<p><u>Revise definition of “Monument Signs”</u></p> <p><i>This “clean-up” amendment clarifies the definition of a monument sign. Staff is removing the term “modified” from the definition as well as expanding the design requirements to discourage the use of a single pole support and allow for greater design interest</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 3	<p><u>Revising requirements for entry monument signs for multiple-family projects</u></p> <p><i>This amendment is proposing to add a two smaller wall signs option for Multiple-Family Complexes along with the traditional one entry monument. The square footage for the two smaller signs will not exceed the existing limit.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may</p>

Attachment: PA14-0011 CEQA Review Memo (1993 : Municipal Code Amendment (PA14-0011))

	have a significant effect on the environment.
Item 4	<p><u>Revising the hours of operation for construction and grading (Title 8)</u></p> <p><i>This “clean-up” amendment to Title 8 will place the same construction and grading hours in both Section O of Chapter 8.21.050 (Grading Permit Requirements) & Section E of Chapter 8.14.040 (Miscellaneous standards and regulations), allowing them to be in agreement. There is expansion of hours allowed, in fact construction hours in Chapter 8.14.040 (Miscellaneous standards and regulations) will lose two hours.</i></p> <p>Minor municipal code amendments, which do not lead to physical improvements beyond those typically exempt or which refine or clarify existing land use standards as being exempt from CEQA and thus not requiring environmental review. This exemption is pursuant to State CEQA Guidelines Section 15061 (b) (3), which states “when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Staff finds that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 5	<p><u>Review/Clarify commercial vehicle restrictions for home occupations</u></p> <p><i>This amendment proposes to protect the character of the single-family neighborhood by providing clarification on the sizes of vehicles that may be parked at single-family residences that are tied to a home occupation approved business. The City already has limits on the sizes of vehicles and types (i.e. no tow trucks may be parked at a residence) associated with home occupations.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment. The text changes are for clarification purposes only.</p>
Item 6	<p><u>Correcting the section reference given in Section 9.09.202 - Swimming pools, spas and recreational courts</u></p> <p><i>This “clean-up” amendment fixes the numbering in Section 9.09.202 to match the past update to the Special Single-Family Residential Development Standards in Section 9.03.04.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 7	<u>Revisions making both sections referring to truck idling times meet the State requirement (Title 9 & Title 12)</u>

	<p><i>This “clean-up” amendment modifies the truck idling times in Title 9, Chapter 9.05.050 and Title 12, Chapter 12.38.020 to be consistent. Both will meet the current CA State limit of five (5) minutes (California Code of Regulations Title 13, Section 2485).</i></p> <p>Staff finds that the CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 8	<p><u>Revision to the Light Industrial (LI) standards</u></p> <p><i>This “clean-up” amendment removes the word “building” from the explanation of what the minimum separation distance for an industrial project with structures less than fifty thousand (50,000) square feet in building area is between a residential district and truck court or loading area. Deletion of the word “building” will have no impact on how this development standard requirement is enforced.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that this clarification of the zoning text may have a significant effect on the environment.</p>
Item 9	<p><u>Revision to the single-family front yard landscaping standards</u></p> <p><i>This amendment is proposing to require tract home developments within the Residential 2 (R2), Residential Agriculture 2 (RA2) and Residential 3 (R3) districts to have fully landscaped front yards prior to occupancy. Currently, only tract home developments in the Residential 5 (R5) district have this requirement.</i></p> <p><i>Requiring the installation and appropriate maintenance of front yard landscaping in additional single family residential zones will beautify individual neighborhoods while enhancing the overall image of the City and well as meeting General Plan Objective 2.3, which promotes a sense of community and pride within residential areas through increased neighborhood interaction and enhanced project design.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that this zoning text amendment may have a significant effect on the environment.</p>
Item 10	<p><u>Delete the “Specific Plan District” section</u></p> <p><i>This proposed amendment is a simple text clean up to delete Section 9.07.020 (Specific Plan District) from the Municipal Code and deleting the reference to the General Plan from Section 9.13.040 (Map designation). The City no longer has a “Specific Plan District” in the General Plan. All Specific Plans were translated to the closest land use district in the 2006 General Plan Update and are now shown as overlays on the Zoning Atlas.</i></p>

	<p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 11	<p><u>Allow the use of gravel for vehicle storage (single-family residences)</u></p> <p><i>This amendment proposes to expand the guidelines to add gravel or crushed rock as alternative pervious surfaces that are allowed for vehicle storage (recreational vehicles, boats and campers). Permeable paving materials provide the opportunity for stormwater to infiltrate into soil, helping facilitate aquifer recharge as well as keeping pollutants from vehicles from going straight into stormwater pipes.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p> <p>Asphalt, concrete, or pervious paving surfaces are already allowed. The Municipal Code amendment will clarify and expand the allowed materials to include gravel or crushed rock. Any pervious paving surface currently must be designed and maintained to remain well-drained. This requirement will not change.</p>
Item 12	<p><u>Time limits on Temporary Use Permits (TUPs)</u></p> <p><i>This amendment proposes to allow greater flexible in addressing the needs of regional shopping centers (20 acres or greater in size), staff recommends extending the number of days per year that they may hold TUP activities.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 13	<p><u>Expanding types of bars, nightclubs and restaurants to Chapter 9.02 (Permits and Approvals) and Chapter 9.15 (Definitions)</u></p> <p><i>Staff proposes to add a list of new definitions including bars, bars with limited live entertainment, restaurants with limited live entertainment and nightclubs to the municipal code to better address the full range of potential businesses within these categories. This amendment is a clarification of the existing Municipal Code to address these businesses.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 14	<p><u>Addition of “pool hall” to definitions in Chapter 9.15 (Definitions)</u></p> <p><i>This proposed amendment includes a definition of pool hall and allows pool tables</i></p>

	<p><i>(up to three) to be permitted without requiring additional applications if they are ancillary to the primary use. As proposed bars, bars with limited live entertainment, restaurants with limited live entertainment, or nightclubs may have up to three pool tables without being considered a pool hall.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 15	<p><u>Addition of “mulch” to definitions in Chapter 9.15 (Definitions)</u></p> <p><i>This amendment provides a definition of mulch and what materials will be considered mulch - any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 16	<p><u>Addition of “Pervious pavement/surfaces” and “hardscape” to definitions in Chapter 9.15 (Definitions)</u></p> <p><i>This amendment provides definitions for pervious pavement/surfaces and hardscape to provide additional landscaping design alternatives to Moreno Valley citizens as well as options to reduce impervious pavement, which provides a positive step towards improving the quality of a community's water resources.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 17	<p><u>Revisions to Chapter 9.17 (Landscape and Water Efficiency Requirements)</u></p> <p><i>This proposed amendment provides more landscaping options, including the use of mulch in landscaping designs, as well as continuing to recommend the use of drought tolerant plant materials and irrigation systems.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 18	<p><u>Deletion of public noticing procedures for second dwelling unit (Previously approved in 2010 under project number: PA09-0024)</u></p> <p><i>There was a Municipal Code Amendment processed in 2010 (PA09-0024) that was intended to remove the noticing requirements in Section 9.09.130 (D) to be consistent with State Law (Government Code Section 65852.2) for second dwelling units;</i></p>

	<p><i>however, due to the manner in which the Ordinance was proposed and submitted, the change could not be made by to the codifier. This item is therefore a minor clean-up item to be consistent with noticing requirements in State law.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 19	<p><u>Correction to “Table 9.11.040 A-12 - Off-Street Parking Requirements” regarding second dwelling units in Chapter 9.11 (Parking, Pedestrian and Loading Requirements)</u></p> <p><i>This “clean up” amendment will have the off-street parking requirements table in agreement with Section 9.09.130(Second dwelling units).</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 20	<p><u>Replacing various off-street parking requirements to “Table 9.11.040B-12 - Off-Street Parking Requirements” that were inadvertently deleted in Chapter 9.11 (Parking, Pedestrian and Loading Requirements)</u></p> <p><i>This “clean up” amendment will replace sections of the off-street parking requirements table that were mistakenly deleted. The only change to the table itself is the text change in Item 22.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>
Item 21	<p><u>Changes related to Title 11 (Peace, Morals and Safety) regarding massage parlors/establishments</u></p> <p><i>The City Council approved two ordinances revising Title 11 (Peace, Morals and Safety) of the Moreno Valley Municipal Code by repealing Chapter 11.06 in its entirety, and adding Chapters 11.95 and 11.96 in response to new state laws (Senate Bill 731 and Assembly Bill 1147) regarding massage parlors on November 24, 2015. Both ordinances included a request that the Planning Commission recommend adoption of an ordinance to the City Council to amend Title 9.</i></p> <p><i>The three proposed changes impact Sections 9.02.020, 9.02.130 and 9.15.030. Staff is recommending adding a definition for “Spa facility” as the fourth change in Item 23’s proposed amendment.</i></p> <p>Staff finds that CEQA Guidelines Section 15061 (b) (3) applies because it can be seen with certainty that there is no possibility that the zoning text amendment may have a significant effect on the environment.</p>

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA14-0011 AMENDING THE MUNICIPAL CODE VARIOUS CLARIFICATIONS AND TEXT CLEAN-UPS AMENDING SEVERAL ZONING REGULATIONS CONTAINED IN TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE. THE PROPOSED AMENDMENTS INCLUDE TECHNICAL CORRECTIONS TO FURTHER INTERNAL MUNICIPAL CODE CONSISTENCY, INCLUDING ADDITIONS OF DEFINITIONS, CHANGES TO THE PERMITTED USES TABLE, AND CHANGES TO MASSAGE FACILITIES TO BE IN AGREEMENT WITH CHANGES THAT HAVE BEEN MADE TO TITLE 11 OF THE MUNICIPAL CODE. MINOR CHANGES ARE ALSO PROPOSED TRUCK IDLING TIMES IN TITLE 12, AND HOURS OF OPERATION FOR CONSTRUCTION AND GRADING IN TITLE 8.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

1.1 All prior enactments of the City, which are in conflict with the Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2. FINDINGS:

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on **(Date Not Available Yet)**, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

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

FACT: The proposed Municipal Code Amendment includes various policy clarifications and text clean-ups amending several zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code. The proposed amendments range from minor “clean-up” items, changes to further internal Municipal Code consistency, additions of definitions, changes to the permitted uses table, and changes to massage facilities to be in agreement with Title 11 (Peace, Morals, and Safety). There are also minor changes

to Title 12 (Vehicles and Traffic) referring to truck idling times and Title 8 (Building and Construction) referring to hours of operation for construction and grading.

The list of Sections to be revised include the following: 9.12.060 (Permitted Signs), 9.15.030 (Definitions), 9.02.130.6 (Home Occupation Permits), 9.09.202 (Swimming pools, spas and recreational courts), 9.05.050 (Good Neighbor Guidelines for warehouse distribution facilities), 12.38.020 (Parking prohibitions or restrictions), 9.05.040 (Industrial Site Development Standards), 9.03.040E (Special Single-Family Residential Development Standards), 9.13.040 (Map designation), 9.16.130 (Single-Family Residential General Guidelines), 9.02.150 (Temporary Use Permits), 9.02.020 (Permitted Uses), 9.17.070 (Single-family residential development), 9.11.040 (Off-Street Parking Requirements), 9.02.130 (Home Occupation Permits), 8.21.050 (Grading Permit Requirements), 8.14.040 (Miscellaneous standards and regulations) and the elimination of Section 9.07.020 (Specific Plan District) from the City of Moreno Valley Municipal Code.

This City initiated “clean-up” amendment will correct minor technical errors and inconsistencies, and will add clarifying language to the municipal code. All text changes were reviewed to ensure that the clarifying language and minor technical errors are consistent with general plan policies.

Furthermore, the proposed amendment to Municipal Code Section 9.03.040E (Special Single-Family Residential Development Standards) to require residential developments of five or more dwellings within the Residential 2 (R2), Residential Agriculture 2 (RA2) and Residential 3 (R3) districts to have fully landscaped front yards and street side yards (for corner lots) is also consistent with General Plan Objective 2.3, which promotes a sense of community and pride within residential areas through increased neighborhood interaction and enhanced project design. The proposed new uses (bars, bars with limited live entertainment, nightclubs, and restaurants with limited live entertainment) are consistent with Objective 2.4 of the General Plan in that expansion of restaurant and bar type uses will serve the retail and service commercial needs of Moreno Valley residents and businesses.

These proposed amendments will clarify and fix inconsistencies within the code. The Municipal Code Amendment is consistent with the General Plan and its goals, objectives, policies and programs.

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

FACT: The amendment process is necessary to ensure compliance with the procedures required by state law, and to establish a reasonable and fair means to allow amendments and changes which will ensure consistency with the general plan and all applicable zoning and other regulations. The proposed amendment meets all applicable Municipal Code requirements related to amendments to provisions of Title 9 (MC 9.02.050). The proposed changes to Title 8 and Title 12 were also reviewed and found consistent with the General Plan and all applicable zoning and other regulations.

This City initiated “clean-up” amendment will correct minor technical errors and inconsistencies, and will add clarifying language to the municipal code. These proposed amendments will clarify and fix inconsistencies within the code. As proposed, the amendment is consistent with the purposes and intent of Title 9, Title 8 and Title 12.

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

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions.

Staff has reviewed the proposed Municipal Code Amendment in accordance with the CEQA Guidelines and has determined that the project qualifies for a categorically exemption pursuant to Section 15061 (b) (3) (Review for Exemption) of the CEQA Guidelines. This exemption states that if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The proposed Municipal Code Amendment includes various policy clarifications and text clean-ups amending several zoning regulations. The proposed amendments range from minor “clean-up” items, changes to further internal Municipal Code consistency, additions of definitions, changes to the permitted uses table, and changes to massage facilities to be in agreement with Title 11

(Peace, Morals, and Safety). Based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that this project will have a significant effect on the environment. Therefore, the proposed Project is exempt from CEQA and no further environmental review is required.

SECTION 3. AMENDMENT TO SECTION 9.12.60:

3.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

3.2 Section 9.12.060 of Chapter 9.12 of the City of Moreno Valley Municipal Code is hereby amended with the following:

This section, 9.12.060 the term "modified" from "modified monument signs" shall be removed from the City of Moreno Valley Municipal Code and replaced with "monument signs".

Section 9.12.060 of Chapter 9.12 of the City of Moreno Valley Municipal Code is hereby amended to read as provided in **Exhibit A of this Ordinance**.

SECTION 4. AMENDMENT TO SECTION 9.15.030:

4.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

4.2 Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended with the following:

This section, 9.15.030, will have the term "modified" from "modified monument signs" removed and replaced with simply "monument signs" in the definition section of the City of Moreno Valley Municipal Code.

4.3 Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

"Monument sign" means a sign supported permanently on the ground by columns, pilasters, or similar details to provide design interest and complement their surroundings. Monument signs shall incorporate landscaping to screen the base. Landscaping around monument signs should be designed to ensure the long-term readability of the sign.

SECTION 5. AMENDMENT TO SECTION 9.12.060:

5.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

5.2 Section 9.12.060.B.2.b of Chapter 9.12 of the City of Moreno Valley Municipal Code is hereby amended with the following:

This section, 9.12.060 will allow multiple-family complexes greater design flexibility with entry wall signs while not expanding the amount of total square footage allowed for signage.

5.3 Section 9.12.060.B.2.b of Chapter 9.12 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

b. Multiple-Family Complex. One wall or monument sign, not exceeding 25 square feet in area per display face, is allowed for each public street frontage. Monument signs may not exceed 6 feet in overall height. In lieu of a freestanding sign or one large wall sign, 2 single-sided, wall mounted-signs not exceeding 25 square feet per display face are allowed for each public street frontage when located at a project entry point. The content of such signs shall be limited to the name of the complex and the range of addresses within the complex.

SECTION 6. AMENDMENT TO SECTIONS 8.21 AND 8.14 OF TITLE 8

6.1 Title 8 of the City of Moreno Valley Municipal Code is hereby revised as follows:

6.2 Sections 8.21 of Title 8 (Building and Construction), and 8.14 (General) of the City of Moreno Valley Municipal Code is hereby amended with the following:

These sections address the work hours allowed for construction and grading activities in the City of Moreno Valley. The time tables for both activities (grading and construction) will be revised to be the same.

6.3 Section 8.21.050.O of Title 8 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

The amendment to Section O of Chapter 8.21.050 will be as follows:

O. Time of Grading Operations. Grading and equipment operations shall only be completed between the hours of seven a.m. to seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday. The city engineer may, however, permit grading or equipment operations before or after the allowable hours of operation if he or she determines that such operations are not detrimental to the health, safety, or welfare of residents or the general public. Permitted hours of

operations may be shortened by the city engineer's finding of a previously unforeseen effect on the health, safety, or welfare of the surrounding community.

6.4 Section 8.14.040.E of Title 8 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

E. Hours of Construction. Any construction within the city shall only be completed between the hours of seven a.m. to seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday, unless written approval is obtained from the city building official or city engineer.”

SECTION 7. AMENDMENT TO SECTION 9.02.130

7.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

7.2 Section 9.02.130 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended with the following:

This section, 9.02.130.6 provides clarification of the sizes of vehicles that may be parked at single-family residences in conjunction with a home occupation approved business.

7.3 Section 9.02.130.6 of Chapter 9.12 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

6. No commercial vehicles may be used for delivery of materials, with the exception of occasional and reasonable courier services to or from the premises. No more than one vehicle larger than a three-quarter-ton truck may be used in connection with a home occupation. That single vehicle shall have a weight less than ten thousand (10,000) pounds “gross vehicle weight rating” and dimensions less than eight (8) feet in total outside width, or seven (7) feet in height, or twenty-one (21) feet in bumper-to-bumper length. Commercial vehicles used in the home occupation that are parked or stored on the premises shall not be visible from any public street or right-of-way. No attachments or equipment shall be permitted when vehicles are not in use and within view of the public right-of-way. Vehicles used for mobile vending shall be subject to the State Health and Safety Codes. The aforementioned vehicles and vehicles for hire shall be subject to the parking restrictions contained in Chapters 12.38 and 12.42 of the municipal code.

SECTION 8. AMENDMENT TO SECTION 9.09.202

8.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

8.2 Section 9.09.202 of Chapter 9.09 of the City of Moreno Valley Municipal

Code is hereby amended with the following:

This section, 9.09.202 provides the standards that apply to swimming pools and spas. This amendment is a text clean up.

8.3 Section 9.02.202.C of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

C. Swimming Pools and Spas. The following standards shall apply to swimming pools and spas.

1. Swimming pools and spas shall maintain a minimum five-foot setback from property line to the water line. Pool appurtenances greater than five feet in height shall be subject to the setback requirements of the underlying district.
2. Swimming pool equipment and self-contained or portable spas which incorporate the pump or blower assembly shall maintain a minimum setback of five feet from any rear or side property line. Pool equipment may be located closer than five feet from any rear or side property line if the equipment is screened from view from public rights-of-way and an unobstructed path at least three feet wide is provided along the side of the residence.
3. Swimming pool equipment shall be operated in accordance with Section 9.03.040(E) (7).

SECTION 9. AMENDMENT TO SECTIONS 9.05 OF TITLE 9 and 12.38 OF TITLE 12

9.1 Title 9 and Title 12 of the City of Moreno Valley Municipal Code are hereby revised as follows:

9.2 Sections 9.05.050 of Chapter 9.05 and Sections 12.38.020 of Chapter 12.38 of the City of Moreno Valley Municipal Code are hereby amended with the following:

Sections 9.05.050 and 12.38.020 will be revised to meet truck idling rules and regulations set by the State per California Code of Regulations Title 13, Section 2485, which is a five (5) minute limit.

9.3 Section 9.05.050.D of Chapter 9.05 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

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

1. Enforce compliance with Moreno Valley Municipal Code Section 12.38.020(C), Parking Prohibitions or Restrictions, while adjacent to a developed residential area, the operator shall not idle the vehicle's engine for longer than five (5) minutes.

2. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040(A)(1), Idling Limitation, a driver of a vehicle must turn off the engine upon stopping at a destination.
3. Enforce compliance with Moreno Valley Municipal Code Section 12.50.040(C), Idling Limitation, an equipment operator of a TRU (transportation refrigeration unit) must not cause or allow a TRU to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking by this code and not within five hundred (500) feet of a school unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two hours.
4. Enforce compliance with Moreno Valley Municipal Code Section 12.50.060(D), Relationship to Other Laws, nothing in this chapter allows idling in excess of other applicable laws, including, but not limited to, any other local, state or federal law or regulation as stringent as, or more stringent than this chapter.
5. Future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigeration units.
6. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use.

9.4 Section 12.38.020.C of Chapter 12.38 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

- C. While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than five (5) minutes.

SECTION 10. AMENDMENT TO SECTION 9.05.040

10.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

10.2 Section 9.05.040 of Chapter 9.05 of the City of Moreno Valley Municipal Code is hereby amended with the following:

The amendment to Section 9.05.040B.9 is a simple text clean-up with the deletion of the word "building". The rest of Section 9.05.040B (numbers 1-8 and 10) will remain.

10.3 Section 9.05.040.B.9 of Chapter 9.05 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

9. In the LI district, industrial and warehouse, structures greater than fifty thousand (50,000) square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be two hundred fifty (250) feet between the residential district and the truck court or loading area.

SECTION 11. AMENDMENT TO SECTION 9.03.040

11.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

11.2 Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended with the following:

This section, 9.03.040.E.2 requires residential developments of five or more dwellings within the Residential 5 (R5) districts to have fully landscaped front yards and street side yards (for corner lots). The amendment extends this requirement to Residential 2 (R2), Residential Agriculture 2 (RA2) and Residential 3 (R3) districts.

11.3 Section 9.03.040.E.2 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
2. In the R2, RA2, R3 and R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:
 - a. Front porches;
 - b. Automatic garage door openers;

c. Electronic security systems.

5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.
6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.
7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

SECTION 12. AMENDMENTS TO SECTIONS 9.07.020 AND 9.13.040

12.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

12.2 Section 9.07.020 of Chapter 9.07 of the City of Moreno Valley Municipal Code is hereby amended by deleting the whole section. Section 9.13.040 of Chapter 9.13 of the City of Moreno Valley Municipal Code is hereby amended by deleting a reference to the General Plan.

12.3 Section 9.07.020 of Chapter 9.07 of the City of Moreno Valley Municipal Code is hereby deleted.

12.4 Section 9.13.040 of Chapter 9.13 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

Areas within an approved specific plan shall be designated on the official zoning map as follows:

In all cases, the “SP” symbol shall be followed by a number to designate the specific plan (e.g., SP-1: Specific Plan No. 1). All development shall be subject to provisions of the designated specific plan, associated documents and the regulations of this chapter.

SECTION 13. AMENDMENT TO SECTION 9.02.150

13.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

13.2 Section 9.02.150.D of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended with the following:

Section 9.02.150.D is being revising by adding the time limits for larger shopping centers as Number 2 and renumbering the rest of the section as Numbers 3 through 9.

13.3 Section 9.02.150.D of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

D. Special Requirement for Merchandise Sales. The following shall apply to merchandise sales, as delineated in the Temporary Uses Table 9.02.150-3 above:

1. “Merchandise sale... in conjunction with established businesses” means an event managed and operated by the owner or operator of a permanently established business, on the premises of that business (or upon immediately adjacent common area of a shopping or commercial center in which the business is located), conducting the sale, lease, rental or other transfer of control of merchandise which is inventory of the established business and which is of the same or similar kind and quality normally offered as immediately available to the public by that business at that business site. Sales operated by outside vendors shall not be permitted under this provision. An outdoor sale of merchandise on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery at another site or at another time shall not be permitted under this provision. This subsection shall not apply to “merchandise sales on the premises of a bank, [etc.],” as listed in the Temporary Uses Table.

2. Merchandise sales sponsored and sanctioned by the Master Property Association or Property Manager for Shopping Centers, which are 20 acres or larger and located within the Community Commercial zoning (CC) district, shall be have a maximum of 36 days per calendar year.

3. Food and Entertainment. Upon approval of the community development director and compliance with all other laws and regulations, food or entertainment may be sold or provided by two or fewer secondary vendors incidental to the merchandise sale, such as a hot dog cart, snow cone or popcorn wagon, pony ride, inflatable jumper, etc., provided that such uses occupy not more than twenty-five (25) percent of the total space occupied by the sale or four hundred (400) square feet, whichever is less.

4. Merchandise sales (including display areas) shall not occupy landscaped areas or unimproved surfaces.

5. Merchandise sales taking place upon parking surfaces shall be confined to improved parking surfaces. Merchandise sales shall not occupy more than twenty (20) percent of the legally required improved parking spaces for the business conducting the sale. No merchandise sale shall occupy parking spaces legally required for another business, including other businesses located in the same shopping or commercial center, or parking spaces otherwise required for the shopping or commercial center in which the business is located. Merchandise sales may occupy on-site improved parking spaces that are not so legally required, subject to all other provisions of this chapter. No merchandise sale shall occupy or encumber more than one hundred twenty-five (125) parking spaces.

6. Merchandise sales shall not negatively affect the vehicular and pedestrian circulation patterns of the subject site or nearby streets, or the usability of the remaining parking spaces for the site, and shall allow unabated access for public safety personnel and vehicles.

7. Setup and Takedown. One day of setup before a merchandise sale and one day of takedown/cleanup after the sale shall not be counted against the total number of permitted sale days. No sales activity shall occur on such setup or takedown/cleanup days.

8. No Use of Public Right-of-Way. Any and all personal properties or merchandise shall be solely contained on private property and shall not extend into the public right-of-way.

9. Cleanup. The permittee shall be responsible for cleanup of the site within twenty-four (24) hours of termination of the sale event.

SECTION 14. AMENDMENTS TO SECTIONS 9.02.020 AND 9.15.

14.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

14.2 Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal

Code is hereby amended by adding the four new restaurant and bar type uses to the “Permitted Uses Table 9.02.020-1” in Section 9.02.020 (Permitted Uses). Section 9.15.030 is hereby amended to add the definitions of the four new restaurant and bar type uses.

14.3 Section 9.02.130.6 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to read as the attached revised “Permitted Uses Table 9.02.020-1” (**Exhibit B of the Ordinance**).

14.4 Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended to include the four new definitions and read as follows:

“Bars” means an establishment serving alcoholic beverages for on-site consumption as the primary use, including bars, cocktail lounges, pubs, saloons, and taverns and in which the service of food is only incidental to the consumption of such beverages.

“Bars, with Limited Live Entertainment” means a bar or tavern that provides incidental entertainment, such as musical performances, where the performance area does not exceed 75 square feet and customer dancing does not occur. The use shall instead be classified as a nightclub if the performance area exceeds 75 square feet or customer dancing occurs. Live entertainment does not include a sexually oriented business.

“Nightclubs” means a bar, tavern, restaurant or similar establishment that provides live entertainment (music, comedy, etc.) that may serve alcoholic beverage for sale, where the performance area exceeds 75 square feet, or customer dancing occurs.

“Restaurants with Limited Live Entertainment” means a restaurant that provides incidental entertainment, such as musical performances, where the performance area does not exceed 75 square feet, and customer dancing does not occur. The use shall be classified as a nightclub (commercial entertainment) if the performance area exceeds 75 square feet or customer dancing is provided. Live entertainment does not include a sexually oriented business.

SECTION 15. AMENDMENT TO SECTION 9.15.030

15.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

15.2 Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended by adding five new definitions: hardscape, mulch, permeable paving/surfaces, pool hall and spa facility.

15.3 Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended to include four new definitions in the Definitions Section and read as follows:

“Hardscape” refers to the solid, hard elements in landscape design that stay the same for years. Examples of hardscape designs include patios, decks, driveways, walkways, stairs, water features, retaining or garden walls and outdoor kitchens. Many different materials are used in hardscape designs including concrete, brick, slate and flagstone.

“Mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.

“Permeable paving/surfaces” means any paving or surfaces that allow storm water to infiltrate the underlying soils. Permeable paving/surfaces are required to be contained so neither sediment nor the permeable surface discharges off the site. Materials allowed include but are not limited to: porous asphalt, porous concrete, single-sized aggregate, planting beds, open-jointed blocks, stone, pavers or brick that are loosely set without mortar.

“Pool hall” means a building or portion thereof having within its premises four or more pool tables or billiard tables, or combination thereof, regardless of size, and whether activated manually or by the insertion of a coin, token or other mechanical device.

“Spa facility” means an establishment in a fixed location where massage is performed for compensation pursuant to all applicable state and local laws, rules and regulations as well as meeting all the requirements of Chapter 11.96 (Spa facilities). Spa facilities may include additional services such as full service hair salons, make-up consultation and application and manicure and pedicure services, and therapeutic treatments such as body packs and wraps, exfoliation, cellulite and heat treatments, electrolysis, body toning, waxing, aromatherapy, cleansing facials, medical facials, non-surgical face lifts, electrical toning and electrolysis. Hydrotherapy and steam and sauna facilities, nutrition and weight management, spa cuisine and exercise facilities and instruction may also be provided as additional services.

SECTION 16. AMENDMENT TO SECTION 9.17.070

16.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

16.2 Section 9.17.070 of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended with the following:

The existing landscape guidelines for single-family residential homes in Section 9.17.070 will be revised to include better guidance for drought tolerant landscapes.

16.3 Section 9.17.070 of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

- A. Plans for landscape construction or reconstruction of existing single-family units, custom homes and model home complexes are subject to review by the planning division to ensure:
1. Conformance with prevailing building design guidelines, with pleasing visual aesthetics and water efficient design.
 2. Use of xeriscape landscaping.
 3. Use of approved landscape materials.
 4. Use of approved “smart irrigation” controllers.
 5. Irrigation systems minimize overspray onto structures or hard surfaces such as sidewalks, driveways and walls/fences.
 6. The front yard areas have a maximum allowance of twenty-five (25) percent turf with the remaining yard planted with shrubs, groundcovers and required trees. Turf should be planted in gathering areas only. Pavement and other solid surfaces shall not cover more than half of the required front yard setback. Pervious pavement/surfaces are recommended to reduce water run-off.
 7. Ground Treatment. The ground area within required landscape areas shall receive landscape treatment and present a finished appearance and reasonably complete coverage upon planting. Areas not planted with trees, shrubs, or bedding plants shall be planted according to the following provisions.
 - (1) Areas may be planted with ground cover. Ground cover shall be of a size and spacing to provide one hundred (100) percent coverage within the first year of planting. Edging shall be provided for all ground cover.
 - (2) Mulch shall be installed and maintained at a minimum depth of three (3) inches on all planted areas except where ground cover plants are fully established. Mulch may be approved as a permanent ground treatment in landscape designs up to 25 percent of the total required landscape area. Mulch with an accompanying weed barrier may be used in a limited way when appropriate to a design concept and as a ground treatment in areas where drainage is a problem.
 8. New and existing single-family front yard setbacks include front and street side yard landscaping consisting predominantly of plant materials including shrubs, groundcovers and required trees, except for necessary

walks, drives and fences, not including weeds, as defined in Municipal Code Chapter 6.04, or concrete/hardscape materials.

9. Groundcover should be used to absorb run-off from rain or irrigation.
10. Reduction of hardscape/paving is recommended to reduce water run-off. Pervious pavement/surfaces are preferred.
11. The plant palette provided in the County of Riverside Guide to Friendly Landscaping is recommended to identify plants which can be used to establish an aesthetically pleasing and water efficient landscape.

SECTION 17. AMENDMENT TO SECTION 9.09.130

17.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

17.2 Section 9.09.130.D of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended by:

This item is therefore a minor clean-up item to be consistent with noticing requirements in State law (Government Code Section 65852.2). This section, Section 9.09.130.D, which addresses the noticing requirements in for second dwelling units will be deleted.

17.3 Section 9.09.130.D of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to be deleted.

SECTION 18. AMENDMENT TO SECTION 9.11.040

18.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

18.2 Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended with the following:

Both Table 9.11.040A-12 (Off-Street Parking Requirements) and Table 9.11.040B-12 will be replaced in order to reinsert the uses inadvertently deleted in a past Municipal Code Amendment.

18.3 Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to read as the attached revised "Off-Street Parking Requirements Tables 9.11.040A-12 and Table 9.11.040B-12" (**Exhibit C of this Ordinance**).

SECTION 19. AMENDMENTS TO SECTIONS 9.02.020, 9.02.130 AND 9.15.030

19.1 Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

19.2 Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended with the following:

The Permitted Uses Table will be further revised to change the term “massage establishment” under Personal Services to “spa facilities.”

Section 9.02.130 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended with the following:

The term “massage establishment” under Prohibited Home Occupation Uses will be replaced with “spa facilities.”

Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended by the deletion of the definition for massage parlor.

19.3 Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to read as the attached revised “Permitted Uses Table 9.02.020-1” (Attachment #2).

19.4 Section 9.02.130.E of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to read as follows:

E. Prohibited Home Occupation Uses. The following uses, either by operation or nature, are not considered to be incidental to or compatible with residential activities and therefore shall not be permitted as home occupations:

1. Automotive and other vehicle (inclusive of motorcycles or recreational vehicles) repair (body or mechanical), upholstery, painting or storage;
2. Towing;
3. The sale, use or manufacture of ammunition, explosives or fireworks;
4. Spa Facilities. This shall not be construed to prohibit medical massage performed by licensed professionals, as defined in this title;
5. Junk yards;
6. Escort services; and
7. Quantities of materials which may present a health and/or safety hazard, including, but not limited to: explosives; flammable or combustible dusts, liquids or gases; corrosives; irritants and toxic materials.

19.5 Section 9.15.030 of Chapter 9.15 of the City of Moreno Valley Municipal Code is hereby amended by the deletion of the definition “massage parlor”.

SECTION 20. SEVERABILITY

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

SECTION 21. REPEAL OF CONFLICTING PROVISIONS

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

SECTION 22. EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 23. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 24. EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, _____.

Mayor

ATTEST:

City Clerk

Attachment: Draft City Council Ordinance (1993 : Municipal Code Amendment (PA14-0011))

APPROVED AS TO FORM:

City Attorney

Attachment: Draft City Council Ordinance (1993 : Municipal Code Amendment (PA14-0011))

ORDINANCE JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Attachment: Draft City Council Ordinance (1993 : Municipal Code Amendment (PA14-0011))

Exhibit A: “List of Changes to Section 9.12.060 Permitted signs”

9.12.060 Permitted signs.

A. General Provisions.

1. The following signs shall be permitted subject to a sign permit:

- a. Monument signs;
- b. Tenant identification (wall) signs;
- c. Drive-through restaurant menu boards;
- d. Freeway signs;
- e. Gas station signs;
- f. Theater marquees;
- g. Internal guidance signs;
- h. Directory signs;
- i. Special event signs;
- j. Off-site directional signs;
- k. Banners.

2. Changeable Copy. The signs described in this section may include manual, electronic or mechanically activated changeable copy comprising not more than fifty (50) percent of the sign copy area. Such changeable copy shall not blink, flash or change in appearance more than once in three seconds. Manually activated changeable copy signs shall use no more than two colors and shall be enclosed within a cabinet with a clear protective cover.

B. Monument Sign Requirements.

1. Commercial and Industrial Developments. One sign is allowed per driveway not to exceed a total per street frontage of two square feet of copy area and two and one-half square feet of sign area respectively for each one thousand (1,000) square feet of gross floor area within the development. With respect to a single building of less than ten thousand (10,000) square feet in gross floor area located on an individual parcel with street frontage, such sign need not be less than

twenty (20) square feet in sign copy area and thirty-five (35) square feet in sign area per street frontage.

2. Residential Developments.

a. Neighborhood Identification Signs.

i. One non-illuminated neighborhood identification sign is permitted at each street entrance to each neighborhood.

ii. Neighborhood identification signs shall not exceed twenty-five (25) square feet in copy area, forty-five (45) feet in sign area and six feet in height.

iii. The content of such signs shall be limited to the name of the neighborhood.

iv. All neighborhood identification signs shall be designed for maximum vandal resistance and shall be made of masonry, cement, or other materials of comparable durability. Such signs may be either freestanding or affixed to the neighborhood perimeter wall.

v. All neighborhood identification signs shall comply with the sight distance requirements for traffic safety.

vi. No neighborhood identification sign shall be allowed unless a homeowners' association or community services district is responsible for sign maintenance.

vii. Any neighborhood identification sign located within a city right-of-way shall require an encroachment permit for such sign from the city engineer.

b. Multiple-Family Complex. One sign is permitted per street frontage not to exceed twelve (12) square feet in copy area, twenty-five (25) square feet in sign area and six feet in height. The content of such signs shall be limited to the name of the complex and the range of addresses within the complex.

c. Temporary Model Home Complex. Two non-illuminated signs are permitted not to exceed twenty-five (25) square feet in copy area, forty-five (45) square feet in sign area and six feet in height at each major entrance to the complex. Such signs shall be removed at the completion of home sales.

3. Institutional Signs Within Residential Districts. One monument sign not to exceed thirty-six (36) square feet in copy area, forty-eight (48) square feet in sign area and eight feet in height is permitted to identify the premises of a place of religious worship or similar quasi-public institution.

4. Sign Height and Area.

- a. The height of a monument sign is the vertical dimension measured from the average finished grade level to the highest point of the sign. The height of a monument sign shall not exceed fifteen (15) feet.
 - b. The maximum height of a sign located on a berm with a finished grade level more than two feet above the top of the street curb shall be reduced an amount equal to the distance that the grade level exceeds two feet above the top of curb.
 - c. Where topographic constraints make the established copy height standards impractical, the community development director may adjust the height requirements on a project by project basis.
 - d. The sign area of a monument sign may not exceed the limits prescribed in this section unless a determination is made by the decision-making body that an increase is needed to improve the compatibility of the sign with the architecture of the development where the sign is to be located. This provision shall not be construed to apply to the sign copy area.
5. Addresses. Addresses with a minimum of six-inch letters shall be located above the copy area. If a series of addresses are located within the project, the address shall include the entire address range beginning with the lowest number. Addresses shall not be considered in the calculation of the copy area.
 6. Vacant Spaces. Any vacant tenant spaces on a multitenant monument sign shall appear opaque until occupied using a material and texture consistent with the rest of the sign copy area.
 7. Opaque Backgrounds. The sign copy area shall be designed with opaque backgrounds such that when illuminated from behind, only the sign text is illuminated against a dark (unlighted) background.
 8. Application to Multitenant Centers. Monument sign standards apply to any development designed as an integrated center with shared parking and access. Leasing to individual tenants or subdivision of the center shall not establish separate sign privileges for each tenant or parcel.
 9. Setback Requirements. Monument signs may be placed at the ultimate street right-of-way line, except that they shall not encroach within the limited use area described in the landscape development guidelines and specifications.

C. Tenant Identification (Wall) Sign Requirements.

1. Signs on Buildings Up to Two Stories High. Each tenant may erect a wall sign on the front, side and rear of the building space occupied by such tenant with a sign area not to exceed ten (10) percent of the building face occupied by such tenant, except that such sign need not be less than twenty (20) square feet in area.
2. Signs Within Any District on Buildings Over Two Stories High.
 - a. One wall sign not to exceed two percent of the building face may be placed above the windows of the highest floor on each exterior wall (front, rear and side) of the building. Such sign(s) shall display the name of the building or the major tenant.
 - b. Up to four wall signs per building, each not to exceed twenty (20) square feet in area, may be placed below the second floor to identify building tenants.
3. Residential Uses. One wall sign is permitted per street frontage of a multiple-family complex not to exceed twelve (12) square feet in area. The content of such signs shall be limited to the name of the complex and the range of addresses within the complex.
4. Approved Types of Wall Signs. Wall signs shall consist of individually mounted channel letters, carved or routed wood, neon, sculptured cans, can signs and awning signs.
5. Wall Sign Specifications.
 - a. The copy area of a can wall sign shall use an opaque background. The retainer shall be decorative.
 - b. Individually mounted letters may be constructed of metal, plastic or foam, provided that the letters are a minimum of one inch in depth and the density of the plastic or foam is three pounds or greater. Alternative materials may be approved provided they are equivalent in durability to the above-referenced materials.
 - c. Carved or routed wood signs shall be constructed of redwood, cedar, balsa or an equivalent material. Wood signs shall be coated with sealer to minimize weathering. Plywood signs are prohibited.
 - d. Letters or graphics on an awning sign shall be painted, printed or affixed flat against the surface of an awning. An awning is a roof-like cover constructed of non-rigid material over a supporting framework that projects from the exterior wall of a building.
6. Raceways and Conduit. Raceways and electrical conduit shall not be visible.

- D. Drive-Through Restaurant Menu Boards. Two additional signs shall be permitted for the purpose of displaying the type and price of products sold on-site to drive-through customers. Such signs may include a speaker system to allow drive-through customers to order food and beverages. Such signs shall not exceed forty-eight (48) square feet in area and eight feet in height inclusive of the base. If the restaurant elects to build only a single menu board, the sign shall not exceed sixty-four (64) square feet and the height shall not exceed eight feet inclusive of the base.
- E. Freeway Signs. One freestanding on-site sign shall be permitted per parcel or business complex, provided that the sign is located within six hundred sixty (660) feet of a freeway right-of-way. Such sign shall not exceed forty-five (45) feet in height and one hundred fifty (150) feet in sign area. The sign area may not exceed the limits prescribed in this section unless a determination is made by the community development director that an increase is needed to improve the compatibility of the sign with the architecture of the development where the sign is to be located.
- F. Gas Station Signs.
1. Monument Signs. Gas stations shall be allowed one monument sign per street frontage to identify the business and the state-mandated price identification. Each sign shall not exceed forty (40) square feet in copy area and seventy-five (75) square feet in sign area, except that up to forty-five (45) square feet in copy area may be allowed where there is joint use of a gas station with other businesses.
 2. Gas Pump Island Signs. Signs are allowed on or above the fuel pumps not to exceed a maximum aggregate surface area of four square feet per linear foot of pump island.
 3. Gas Pump Canopy (Liter Box) Signs. Letters and symbols placed on the canopy over the fuel pumps shall not exceed twenty (20) percent of the total surface area of each face of the canopy.
- G. Theater Marquees. Theater marquees shall be subject to review by the community development director.
- H. Internal Guidance Signs. Internal guidance signs may be erected to direct pedestrian or vehicular traffic within the internal circulation system of a business or residential complex. Internal guidance signs shall list one or more of the businesses or buildings on the premises and indicate the recommended route to the businesses or buildings. Such signs shall not exceed fifteen (15) feet in height. Such signs shall be oriented for viewing from within the premises, and shall not be readily visible from outside of the premises in which they are located.

Internal guidance signs located twenty (20) feet or more from the public right-of-way and less than four square feet in sign area do not require a sign permit.

I. Directory Signs.

1. Vehicular-Oriented Directory Signs. One vehicular-oriented directory sign may be required near each major entrance of a multiple-structure project. One vehicular-oriented directory sign shall be permitted near each major entrance of a multitenant, business complex. Such signs shall not exceed forty-eight (48) square feet in sign area and eight feet in height. A vehicular-oriented directory sign shall not be placed at the driveway entrance but shall be located in an easily accessible location adjacent to the driveway. Such sign may contain a list and map and accompanying legend indicating the name of the development, streets, buildings, unit numbers and fire hydrant locations within the development. Vehicle-oriented directory signs shall be oriented for viewing from within the complex and not from the street outside of the complex.
2. Pedestrian-Oriented Directory Signs. One pedestrian-oriented directory sign not to exceed ten (10) square feet in copy area shall be permitted for each multitenant building in a business or residential complex. Such sign shall list each business or residence located within the building and its address.

J. Projecting Signs. A projecting sign may be permitted in lieu of a monument sign based on a determination by the decision-making body that the physical limitations of the site make it impractical to erect a monument sign on the premises. The copy area and sign area shall not exceed the size of the monument sign.

K. Special Event Signs.

1. Special event signs are permitted subject to the following:

a. Definition. A “special promotion” means a commercial event for which the special use of special event signs which are otherwise prohibited by this chapter, are permitted with a granting of a permit by the community development department prior to such displays. No special promotion shall exceed thirty (30) days during any calendar year at any one address or location within the city;

b. The community development director shall issue permits for “special event signs” not to exceed thirty (30) days during any calendar year. The applicant for such special event signs may elect to determine how the days shall be allocated to that particular address or premises within the city. However, no more than three permits may be issued per calendar year;

- c. Applications for “special event sign” permits shall be filed with the community development department, at least five days prior to the beginning of the event; provided, however, that the community development director may exempt an applicant from the five days application prior to the beginning of an event provided the applicant files a declaration under penalty of perjury that the nature of his business activities does not permit advance knowledge by the applicant of the time of any particular “special event” and that such applicant agrees that he will not exceed the total number of thirty (30) days within any calendar year.
- d. All special event signs shall comply with the following requirements and restrictions:
- i. The applicant shall obtain any other required permits, licenses, written approvals from the city or other agencies and observe all laws concerning health and safety.
 - ii. Written approval from the property owner or authorized agent shall be submitted with the permit application.
 - iii. A copy of the approved permit application will be furnished by the community development department. This copy, and all other required permits, must be displayed in a conspicuous place on the premises throughout the duration of the event.
 - iv. Signs, advertising devices and other approved outdoor displays shall substantially conform in size and location to the site plan sketched on or attached to the permit and conform with any restrictions stated upon the permit.
 - v. Signs, advertising devices and other approved outdoor displays shall be erected or placed only on property in possession or control of the permittee. No off-site signs or displays shall be permitted.
 - vi. Within ten (10) feet of any vehicular access or five feet of any public street property line, no sign, advertising device, or other approved outdoor display shall exceed thirty (30) inches in height above street curb. No public right-of-way shall be used for locating any sign or display.
 - vii. Signs or banners shall be permitted with an area of one square foot for each lineal foot of store or building front, owned or operated by the permittee, up to a maximum of eighty (80) square feet.
 - viii. All signs, or other approved outdoor displays shall be erected and maintained in a clean, safe manner and in good repair at all times.

- ix. The community development director may impose special requirements and restrictions when unusual conditions exist at or near the proposed event location. Such restrictions shall be listed on the approved permit application and shall be adhered to throughout the duration of the event.
 - x. Search lights may be permitted concurrently with other signs as part of a special event promotion.
2. Special event signs for grand openings shall be permitted in addition to the time frames specified above, provided that no additional time shall be granted for inflatable signs.
- a. No sign shall be displayed more than thirty (30) calendar days;
 - b. The event is for the original opening of a business at a particular location, within thirty (30) days after occupancy. Existing businesses may qualify if the ownership and the name of the business are changed. A grand opening is not an annual or occasional sales promotion or the opening of a related store at another location;
 - c. The requirements of special event signs are met.
3. Inflatable Signs. Inflatables shall be allowed with a special event sign permit, provided that:
- a. Inflatables shall not be displayed for more than thirty (30) days per calendar year;
 - b. Balloons and blimps shall not exceed a maximum height of fifty (50) feet above grade;
 - c. Large (greater than forty (40) inches in diameter) balloons and blimps shall be permitted for commercial uses only;
 - d. Any size balloon or blimp may be illuminated but may not have been constructed of reflective material.
- L. Off-Site Directional Signs. Only off-site directional signs which are in conformance with this section may be erected or maintained within the city. Off-site directional signs shall only be permitted for residential subdivisions, public and quasi-public uses or facilities. The following standards shall apply to the construction and installation of off-site directional signs:
- 1. The city shall designate an organization for administration of the terms of this section, except that the organization shall have no enforcement powers

hereunder. The duties of the organization under this section include, but are not limited to, the following:

- a. Timely, equitable and nondiscriminatory processing of applications to install a directional sign on a kiosk;
 - b. Obtaining sites and approvals for kiosk locations;
 - c. Timely construction and installation of kiosks and directional signs; and
 - d. Maintenance of kiosks, kiosk sites and directional signs in a neat, clean and orderly condition.
2. The duties imposed upon the organization pursuant to this section may be exercised by a third party, subject to prior approval of such third party by the public works director.
 3. The design of kiosks and directional signs shall be prepared by the organization and submitted to the city for written approval by the public works director.
 4. Kiosks and directional signs shall conform to the following general standards:
 - a. Kiosks shall contain no more than eight directional signs per face;
 - b. No kiosk shall have more than one face, except that additional faces, not to exceed three in number, may be approved for specific locations by the planning commission;
 - c. No kiosk shall exceed nine feet in height or five feet in width;
 - d. Each directional sign shall be nine inches high and five feet long;
 - e. Directional signs may contain the following information: name of use; applicant logo; and a directional arrow;
 - f. No tag sign, streamer, device, display board, or other appurtenance may be added to or placed upon any kiosk or kiosk site, except as approved in writing by the public works director;
 - g. Kiosks will be permitted in all land use districts and on private or public property or right-of-way, subject in each case to written permission of the owner of such property or right-of-way and subject to written approval of the city. Permission of the property owner for each kiosk site shall be filed with the public works director. Approval of the city may be obtained in the following manner:

- i. By designation as an approved site by the public works director,
 - ii. For kiosks of one face, by the public works director, and
 - iii. For kiosks of two or more faces, by the planning commission, except that the public works director may give interim approval of such sites for a period of thirty (30) days or less;
- h. All liabilities, costs and expenses arising out of the siting, installation and construction of kiosks and directional signs, and out of administering the provisions of this section, other than enforcement expenses related to violations of this section, shall be borne by the organization; the organization shall enter into an agreement with the city, under which it indemnifies, defends and holds harmless the city, in such form as approved by the public works director and city attorney, and shall provide public liability insurance in the minimum amount of three hundred thousand dollars (\$300,000.00) naming the city as additional insured and in such form and with a company or companies approved by the director of public works and city attorney; and the city shall have no liability therefor.
- i. In addition to other penalties provided by law, including those set forth in this section, any directional sign erected, constructed, installed or maintained in violation of this section shall be deemed a public nuisance and may be summarily abated as such by the city.

M. Banners.

1. General Provisions.

- a. Banners shall be maintained free from deterioration, disrepair or other condition that would create a nuisance as described in Section 6.04.030(P) of this code.
- b. Banners shall be attached to buildings unless otherwise specified in this section. The banners shall be securely fastened at all four corners to the wall of the building on which it is located. The method of attachment shall prevent the banner from flapping in the wind.
- c. A banner shall not obscure windows, doors, lighting fixtures, other signs, nor shall it be displayed above the walls of the building on which it is located.

2. Promotional Advertising Banners.

- a. A “promotional advertising banner” means a banner advertising the name of a business or a product or service provided on the premises.
 - b. No promotional advertising banner shall be displayed unless authorized by permit issued by the community development department. Each may cover more than one banner. A banner permit shall be effective for as long as the business receiving the permit has a valid business license for the location. A new permit shall be required if the business moves to a new location. Banners shall be maintained in good condition and in conformance with the approved permit.
 - c. Banners shall be displayed on the wall(s) of the building space occupied by the business advertised on the banner, not to exceed one banner per wall and two banners per business. Each promotional advertising banner shall not exceed ten (10) percent of the area of the building face on which it is placed.
 - d. In the case of a business engaged in a substantially outdoor enterprise, the community development director may permit a promotional advertising banner to be placed in a location other than the wall of a building occupied by such business and of a size that would be enjoyed by a typical indoor business situated on a site of the same size.
 - e. A copy of the approved banner permit shall be displayed in a conspicuous place on the premises in full public view for as long as the permit is in effect.
 - f. A promotional advertising banner shall not be displayed in lieu of a permanent wall or canopy sign except during the first sixty (60) days of issuance of the certificate of occupancy for the business.
 - g. A promotional advertising banner shall not be displayed facing a freeway.
3. Quasi-Public Uses. One banner not to exceed sixteen (16) square feet in sign area may be displayed per street frontage in conjunction with a quasi-public use.
- N. Off-Site Real Estate Signs.
- 1. An off-site real estate sign is a sign advertising real estate that is for sale, rent, lease or exchange where the advertised property is not the same property on which the sign is located.
 - 2. No off-site real estate sign may be illuminated.
 - 3. No off-site real estate sign shall be allowed without written consent of the property owner.

4. No off-site real estate sign shall be installed in a manner that creates a hazard for vehicle or pedestrian traffic. All off-site real estate signs shall comply with the sight distance requirements for traffic safety.
5. Off-site real estate signs are prohibited within the public right-of-way.
6. No off-site real estate sign shall exceed twenty-four (24) square feet in area or eight feet in height.
7. Off-site real estate signs shall be made of weather-resistant materials, maintained in good condition and kept free of graffiti. No paper, cardboard, lightweight plastic or similar fragile material shall be used. Off-site real estate signs shall be coated with materials that allow graffiti to be removed easily.
8. The content of each off-site real estate sign shall be limited to the information identified in Section 713 of the California Civil Code: a statement that the property is for sale, lease or exchange; directions to the property; and the owner's or agent's name, address and telephone number.
9. Off-site real estate signs shall be removed within ten (10) days of the execution of the sale, lease, exchange or rental agreement for the property for which the sign is erected.
- O. Signs in the Public Right-of-Way.
 1. A Monument Sign that is otherwise permissible pursuant to Section 9.12.060(B)(1) of this chapter and located in the public-right-of-way may be permitted in the following circumstances:
 - a. The sign is located within a public right-of-way controlled by the city of Moreno Valley;
 - b. The sign is located along Sunnymead Boulevard between Frederick Street and Perris Boulevard;
 - c. There is no practicable location on private property to locate the sign;
 - d. The sign design and location do not obstruct or impede any utility, utility access, pedestrian walkways or pedestrian or vehicle sight lines;
 - e. The sign design and location are not located over or upon any other easement without written authorization for such from the owner of the easement;
 - f. An encroachment permit is obtained, all fees paid, and all required insurance and other requirements are kept current and valid;

- g. A sign permit is obtained in accordance with this chapter.
2. In order to apply for a permit for a sign in the public right-of-way pursuant to this section, an application must first be made for an encroachment permit and all criteria for such encroachment permit must be met.
3. In the event that any of the requirements or terms of the encroachment permit are not met or are not continually maintained in accordance with the encroachment permit, any sign permit shall become void and such sign shall become a public nuisance and may be removed by the city at any time at the sign owner's expense.
4. Any such sign in the public right-of-way shall be immediately removed from the public right-of-way upon request by the city for any public purpose and shall not be entitled to any compensation.

Permitted Uses Table 9.02.020-1

<p>X - Indicates stated use is permitted subject to district requirements. C - Indicates stated use is allowed with a conditional use permit. ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses. A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.</p>																										
	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses																A		A	A		A	A	A	A		
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																					X					
Aircraft Landing Facilities																C		C	C	C	C					
Ambulance Service																♦				♦	X	X	X	X		
Amusement Parks, Fairgrounds																♦					X					
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Appliance and Electronic Repair Shops												X	X	X	X	X					X	X		X		
Arcades, Video Machines															♦	X	♦									
Athletic Clubs, Gymnasiums and Spas												X	X	X	X	X		X			X	X	X	X		
Auction Houses																X								X		
Auditoriums												♦	♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Auto Electronic Accessories and Installation																X						X	X		X	
Automobile Fleet Storage																					X	X				
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle																♦					X	X				

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 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	Residential Zones											Mixed Use Overlay			Commercial & Office Zones					Industrial Zones				OS
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	

and Boat Sales and Incidental Minor Repairs and Accessory Installations																											
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)																♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair)																♦	X						X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul																	♦						X				
Auto Rentals																	X							X	X	X	
Auto Supply Stores												X	X	X	X	X	X						X	X		X	
Bakery Shops												X	X	X	X	X	X									X	
Bakery—Commercial																						X					
Banks—Financial Institutions												X	X	X	X	X	X	X	X	X					X	X	
Barber and Beauty Colleges												X	X	X	X	X			X	X				X	X		

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS

<u>Bars (Drinking Establishments)</u>																											
<u>Bars</u>													IC	IC	IC	IC	IC	IC									
<u>Bars, with Limited Live Entertainment</u>													IC	IC	IC	IC	IC	IC									
Boat Sales New and Used Including Repairs and Accessory Installation																	♦						X				
Boarding and Rooming Houses									X	X	X	X	X	X													
Bowling Alley													♦	♦	♦	X	X										
Building Material Sales																	♦										
With outdoor storage																							X	X			
Building Material Storage Yards																							X				
Bus, Rail and Taxi Stations																	♦										
Business Equipment Sales (includes repairs)													X	X	X	X	X	X	X							X	
Business Schools													X	X	X	X	X	X	X	X				X	X	X	
Business Supply Stores													X	X	X	X	X	X					X	X	X	X	
Cabinet Shop																							X	X	X	X	
Caretakers Residence ¹																	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash																	X	X					X				
Accessory to auto related use																	♦	♦					X				
Catering Service													X	X	X	X	X	X							X	X	
Cemetery (Human or Pet) With or Without	C	C	C	C	C	C	C	C	C	C	C	C															

Permitted Uses Table 9.02.020-1

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS

Accessory Mortuary and Cremation Services (Minimum 10-acre site required)																											
Churches ²	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C	
Commercial Radio or Television Stations																											
With on-site antenna																	♦					♦	♦	♦	♦		
Without on-site antenna																X						X	X	X	X		
Communications Facilities (See Section 9.09.040 of this title)																											
Computer Sales and Repairs													X	X	X	X	X		X			X	X	X	X		
Contractors Storage Yard																						X					
Convalescent Homes/Assisted Living							C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦						
Convenience Stores																											
With drive-through																X	X										
Without drive-through													X	X	X	X	X										
With alcohol sales													♦	♦	♦	♦	♦										
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															C		♦		♦		♦			♦	♦		
Copy Shops													X	X	X	X	X	X	X	X		X	X	X	X		
Country Club	C	C	C	C	C	C	C	C	C	C	C	C															
Dancing, Art, Music and													X	X	X	X	X	X	X	X			X	X	X		

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX

Similar Schools																											
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens													X	X	X	X	X	X	X						X	X	X
Diaper Supply Service																							X				
Laundry with fleet storage																						X					
Disposal company																						X					
Drapery Shops													X	X	X	X	X	X									
Dressmaking Shops													X	X	X	X	X										
Driving School													X	X	X	X	X		X	X			X	X	X		
Drug Stores													X	X	X	X	X	X									
Dry Cleaning or Laundry																											
a. Dry Cleaning													X	X	X	X	X	X	X							X	
b. Laundromat													X	X	X	X	X	X									
c. Laundry Commercial																						X	X				
Emergency Shelters ¹⁴																					X	C				C	
Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack)	C	C	C	C													♦										C
Exterminators																		C					X	X	X	X	
Farm Worker Housing									X	X	X	X															
Feed and Grain Stores																X	X	X									
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X	X	X						X				
Fraternity/Sorority								C	C	C	C	C															

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUI (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS

Frozen Food Locker																						X	X				
Gasoline Dispensing - Non-retail accessory to an auto-related use																	X						X	X	X	X	
Glass Shops and Glass Studios—Stained, etc.																X	X						X	X		X	
Golf Courses or Golf Driving Ranges with Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C	C														◆	
Handicapped Housing								X	X	X	X	X	X	X	X												
Heavy Equipment Sales and Rentals																	X							X	X		
Hospitals																	◆		◆		◆	◆			C	C	C
Hotels																											
a. With 20% or less of the units containing kitchens													X	X	X		X		C					X	X	X	
b. With over 20% of the units containing kitchens													C	C	C		C		C					C	C	C	
Ice Cream Stores—Including Yogurt Sales													X	X	X	X	X	X	X							X	
Impound Yards																							X				
Jewelry Stores													X	X	X	X	X	X									
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		◆	◆	◆	◆	C				
Laboratories (medical and dental)													X	X	X	X	X		X	X			X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	

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Liquor Stores													♦	♦		♦	♦										
Live/Work Unit (12)													X	X	X								X	X	X	X	
Locksmith Shops													X	X	X	X	X	X					X	X	X	X	
Lodge Halls and Similar Facilities													♦	♦	♦	♦	♦		♦						♦	♦	
Lumberyards																	X						X				
Mail Order House																	X						X	X	X	X	
Manufacturing and Assembly																											
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																							X	X	X	X	
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																							X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																							X	X			
d. Retail sales of goods produced or																							X	X	X	X	

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warehoused on-site ³																										
Medical Clinics/Medical Care																										
Inpatient care													X	X	X	X	X		X	X			X	X	X	X
Urgent care													X	X	X	X	X		X	X						
Medical device services and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices															X	X	X		X							
Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment															X	X	X		X							
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C	C														
Mobile Home Sales or Rentals (outdoor display)																	C									
Mortuaries																										
With cremation services																								X	X	
No cremation services			C	C	C	C	C	C	C	C	C	C			◆	◆	◆							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X	X	X						X	X	X	X
Nightclubs														C	C		C									
Nursery, (Plant),	X	X	X	X																		X	X			X

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Wholesale and Distribution																										
Offices (administrative and professional)													X	X	X	X	X	X	X	X			X	X	X	
Open Air Theaters															C						C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C	C														
Painting Contractor																						X	X			
Parcel Delivery Terminals																						X	X	X	X	
Parking Lot															C	C	X	X	C					X		
Parks and Recreation Facilities (public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment , <u>spa facilities</u> ¹⁵ , barber and beauty shops, and tattoo parlors)													X	X	X	X	X	X							X	
Pharmacy ⁴													X	X	X	X	X	X							X	
Photo Studios													X	X	X	X	X	X							X	
Plumbing Shops																	X								X	
Plumbing Supply Stores for Contractors																							X	X	X	
Pool Hall														♦		♦	♦									
Postal Services													X	X	X	X	X	X					X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers													X	X	X	X	X	X	X	X	X	X	X	X	X	

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Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks																	C				C					
Record Store													X	X	X	X	X	X								
Recording Studio													X	X	X	X	X	X	X			X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦								
Recycling, Large Collection Facility ⁵																	♦					X	X			
Recycling, Small Collection Facility													X	X	X	X	X	X								
Recycling Processing Centers																						X	X	X	X	
Refreshment Stands													X	X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																										
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)																♦	♦					X	X			
Research and Development													X	X	X				X	X		X	X	X	X	
Residential																										
Single-Family	X	X	X	X	X	X	X	X																		

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Multiple-Family									X	X	X	X	X	X	X											
Manufactured home park (see mobile home parks)																										
Residential Care Facility (for seven or more persons)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	X											
Restaurants (Eating and Drinking Establishments)																										
With entertainment													C	C	C											
Without entertainment													X	X	X	X	X	X	X							X
With Limited Live entertainment													X	X	X	X	X	X	X							
With alcoholic beverage sales													X	X	X	X	X	X	X							X
With outdoor seating ¹³													X	X	X	X	X	X	X							X
Restaurants (fast-food)																										
With drive-through																♦	♦									♦
Without drive-through													X	X	X	X	X									X
Retail Sales													X	X	X	X	X	X								
Support Retail Sales													X	X	X				X							X
Sandwich Shops ⁶													X	X	X	X	X	X	X	X ⁶						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦		♦	♦					♦	♦
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands													X	X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X	X	X								
Sign Shop													X	X	X	X	X	X				X	X	X	X	
Single room occupancy											C	C	C	C				X								

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(SRO) facility																										
Skating Rinks														X			X									
Stationery Stores													X	X	X	X	X	X	X					X	X	
Statue Shop -Outdoor display																	♦					X	X			
Storage Lots and Mini-Warehouses																										
Indoor																	C					X				
Outdoor																	C					X				
Swim Schools/Center with Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C	C					X									
Taxidermist																	X					X	X			
Theaters (excludes open air)													X	X	X	X	X	X								
Tire Recapping																						X				
Trade and Vocational Schools													X	X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																						X	X			
Truck Wash																						X	X			
Upholstery Shops																	X					X	X		X	
Vehicle Storage Yards																										
Indoor																	X					X	X			
Outdoor																	C					X	X			
Vending Machine Service and Repair																						X	X	X	X	
Veterinarian (including animal hospital)																										
All activities within an													X	X	X	X	X							X	X	

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enclosed structure																										
With outdoor activities																	◆								◆	◆
Weight Reduction Center													X	X	X	X	X	X	X							
Wholesale, Storage, and Distribution																										
All activities indoors (50,000 square feet or less)																						X	X	X	X	
All activities indoors (more than 50,000 square feet)																						X	X			
All activities outdoors																						X				
Retail sale of goods warehoused on-site ⁷																						X	X	X		
Wrecking Yard																						◆				

Notes:

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

Permitted Uses Table 9.02.020-1																										
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- (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot's property lines, and (b) are allowed, but not required on the other lots.
- (10) See Section 9.07.40 (Medical Use Overlay District)
- (11) See Section 9.09.260 (Mixed Use Development)
- (12) See Section 9.09.250 (Live-Work Development)
- (13) See Section 9.09.270 (Outdoor Dining)
- (14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)
- (15) For Spa Facilities refer to Title 11, Chapter 11.96 of the Municipal Code.

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Zoning District Key

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

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

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	1/bedroom		The second dwelling unit shall provide a minimum of one parking space per bedroom in addition to the parking required for the main dwelling without blocking any required parking (no tandem parking)
Duplex	2/unit	Within an enclosed garage	
3 or more units:			Guest parking is required for all units at "0.25 spaces/unit". Guest parking is included in the minimum required parking standard.
Studio	1.25/unit	1 covered/unit	
1 bedroom	1.5/unit	1 covered/unit	
2 bedrooms	2.0/unit	1 covered/unit	
3+ bedrooms	2.5/unit	2 covered/unit	
Senior housing:	1.0/unit	1 covered/unit	Guest parking is required for all units at "0.25 spaces/unit". Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
Studio	1.25/unit	1 covered/unit	
1 bedroom	1.5/unit	1 covered/unit	
+ bedrooms			
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		
Live-work units (residential component)	2/unit	2 covered/unit	Guest parking is required for all units at "0.25 spaces/unit". Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "live-work" parking standard.
Residential component of mixed-use project	See multiple-family requirements in this table	See multiple-family requirements in this table	Guest parking is required for all units at "0.25 spaces/unit". Guest parking is included in the minimum required parking standard and may be shared with the nonresidential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.

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

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public. 2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments: Self-serve Automated	2 spaces + 2/washing stall 10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15% of the interior gross floor area of the primary food service use; if outdoor dining area is over 15%, 1 space for every 60 sq. ft. or 1 space for every 3 seats, whichever is greater.
Eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage.	
Hotel/Motel	1/guest room	For facilities with 100+ parking spaces, two 12'x36' through stalls for RV parking are required. These stalls may be counted as 4 auto parking stalls.
Kennels	2 spaces per 1,000 sq. ft.	2 spaces "per 1,000 sq.ft." of indoor animal enclosure.
Veterinary Hospital and Clinic	1/200 sq.ft. of gross floor area	
Mortuaries	¼ seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	

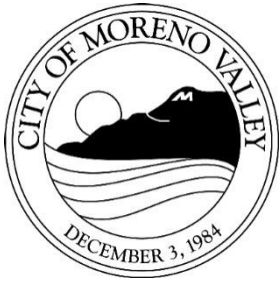
Schools, private:		
Business and Trade	10 spaces + 24/classroom	
College	10 spaces + 30/classroom	
Elementary/Junior High	10 spaces + 2/classroom	
Senior High	10 spaces + 10/classroom	
Storage Lots and Mini-Warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and Health Services:		
Convalescent and Nursing Homes	1/3 beds	
Homeless Shelter	1/4 beds	
Hospitals	1/ bed	
Residential Care Facilities	(see Residential Uses, Section 9.11.040 Table 9.11.040A 12	
Recreation:		
Arcades	1/75 sq.ft. of gross floor area	
Bowling and Billiards	5/alley + 2/billiard table	
Commercial Stables	1/5 horse capacity for boarding onsite	
Golf Course	6/hole	
Golf Driving Range	1/tee	
Golf, miniature	3/hole	
Health Club	1/100 sq.ft. of gross floor area	
Parks-Public and Private	To be determined by the approval authority based upon an approved parking study.	
Skating Rink	1/100 sq.ft. of gross floor area	
Tennis, Handball and Racquetball facilities	3/court	
Theaters	1/3 fixed seats	

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

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

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

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



**NOTICE
OF
PLANNING COMMISSION PUBLIC
HEARING**

THE PLANNING COMMISSION WILL CONSIDER A CITYWIDE AMENDMENT TO THE CITY'S MUNICIPAL CODE TO MAKE SEVERAL TECHNICAL CORRECTIONS AND CLARIFICATIONS IN ORDER TO ADDRESS INTERNAL CONSISTENCY, AND TO ADD CLARIFYING LANGUAGE TO THE MUNICIPAL CODE.

The proposed amendment (PA14-0011) includes various clarifications and text clean-ups amending several zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code. The proposed amendments include technical corrections to further internal Municipal Code consistency, including additions of definitions, changes to the Permitted Uses Table, and changes to massage facilities to be in agreement with changes that have been made to Title 11 (Peace, Morals, and Safety) of the Municipal Code. Minor changes are also proposed truck idling times in Title 12 (Vehicles and Traffic), and hours of operation for construction and grading in Title 8 (Building and Construction).

The proposal is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) (Review for Exemption) of the CEQA Guidelines in that there is no possibility that the proposal could have a significant impact on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the proposed amendment or the environmental determination. Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday), or you may telephone (951) 413-3206 for further information.

Any person may also appear and be heard in support or in opposition to any project or recommended environmental determination at the time of hearing.

The Planning Commission may consider an appropriate modification or alternative to the project or the environmental determination. If you challenge this item in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

**Thursday, March 24, 2016
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805**

PLANNING COMMISSION RESOLUTION NO. 2016-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF PA14-0011 TO AMEND SEVERAL ZONING REGULATIONS CONTAINED IN TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE. THE PROPOSED AMENDMENTS INCLUDE TECHNICAL CORRECTIONS TO FURTHER INTERNAL MUNICIPAL CODE CONSISTENCY, INCLUDING ADDITIONS OF DEFINITIONS, AND CHANGES TO THE PERMITTED USES TABLE. MINOR CHANGES ARE ALSO PROPOSED TO TRUCK IDLING TIMES IN TITLE 12, AND HOURS OF OPERATION FOR CONSTRUCTION AND GRADING IN TITLE 8.

WHEREAS, City of Moreno Valley has filed an application for the approval of PA14-0011 (Municipal Code Amendment) as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, upon completion of a through development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of March 24, 2016; and

WHEREAS, on March 24, 2016, the Planning Commission of the City of Moreno Valley Planning Commission conducted a public hearing to consider the application and voted 7-0 to continue the project until the April 28, 2016 public hearing; and

WHEREAS, on April 28, 2016, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

WHEREAS, on April 28, 2016, the Planning Commission of the City of Moreno Valley made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15061 (b)(3), Review for Exemption;

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

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 28, 2016, 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 proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed Municipal Code Amendment includes various policy clarifications and text clean-ups amending several zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code. The proposed amendments range from minor “clean-up” items, changes to further internal Municipal Code consistency, additions of definitions, changes to the permitted uses table, and changes to massage facilities to be in agreement with Title 11 (Peace, Morals, and Safety). There are also minor changes to Title 12 (Vehicles and Traffic) referring to truck idling times and Title 8 (Building and Construction) referring to hours of operation for construction and grading.

The list of Municipal Code sections to be revised include the following: 9.12.060 (Permitted Signs), 9.15.030 (Definitions), 9.02.130.6 (Home Occupation Permits), 9.09.202 (Swimming pools, spas and recreational courts), 9.05.050 (Good Neighbor Guidelines for warehouse distribution facilities), 12.38.020 (Parking prohibitions or restrictions), 9.05.040 (Industrial Site Development Standards), 9.03.040E (Special Single-Family Residential Development Standards), 9.13.040 (Map designation), 9.16.130 (Single-Family Residential General Guidelines), 9.02.150 (Temporary Use Permits), 9.02.020 (Permitted Uses), 9.17.070 (Single-family residential development), 9.11.040 (Off-Street Parking Requirements), 9.02.130 (Home Occupation Permits), 8.21.050 (Grading Permit Requirements), 8.14.040 (Miscellaneous standards and regulations) and the elimination of Section 9.07.020 (Specific Plan District) from the City of Moreno Valley Municipal Code.

This City initiated “clean-up” amendment will correct minor technical errors and inconsistencies, and will add clarifying language to the municipal code. All text changes were reviewed to ensure that the

clarifying language and minor technical errors are consistent with general plan polices.

Furthermore, the proposed amendment to Municipal Code Section 9.03.040E (Special Single-Family Residential Development Standards) to require residential developments of five or more dwellings within the Residential 2 (R2), Residential Agriculture 2 (RA2) and Residential 3 (R3) districts to have fully landscaped front yards and street side yards (for corner lots) is also consistent with General Plan Objective 2.3, which promotes a sense of community and pride within residential areas through increased neighborhood interaction and enhanced project design. The land use categories (bars, bars with limited live entertainment, nightclubs, and restaurants with limited live entertainment) are consistent with Objective 2.4 of the General Plan in that defining and clarifying these uses provides an added measure of certainty to the business community with regard to development of such uses in the City. This will serve the retail and service commercial needs of Moreno Valley residents and businesses.

These proposed amendments will clarify and fix inconsistencies within the code. The Municipal Code Amendment is consistent with the General Plan and its goals, objectives, policies and programs.

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

FACT: The amendment process is necessary to ensure compliance with the procedures required by state law, and to establish a reasonable and fair means to allow amendments and changes which will ensure consistency with the general plan and all applicable zoning and other regulations. The proposed amendment meets all applicable Municipal Code requirements related to amendments to provisions of Title 9 (MC 9.02.050). The proposed changes to Title 8 and Title 12 were also reviewed and found consistent with the General Plan and all applicable zoning and other regulations.

This City initiated “clean-up” amendment will correct minor technical errors and inconsistencies, and will add clarifying language to the Municipal Code. These proposed amendments will clarify and fix inconsistencies within the code. As proposed, the amendment is consistent with the purposes and intent of Title 9, Title 8 and Title 12.

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

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions.

Staff has reviewed the proposed Municipal Code Amendment in accordance with the CEQA Guidelines and has determined that the project qualifies for a categorically exemption pursuant to Section 15061 (b) (3) (Review for Exemption) of the CEQA Guidelines. This exemption states that if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The proposed Municipal Code Amendment includes various policy clarifications and text clean-ups amending several zoning regulations. The proposed amendments range from minor “clean-up” items, changes to further internal Municipal Code consistency, additions of definitions, changes to the permitted uses table, and changes to massage facilities to be in agreement with Title 11 (Peace, Morals, and Safety). Based on staff’s review of the Project, no special circumstances exist that would create a reasonable possibility that this project will have a significant effect on the environment. Therefore, the proposed Project is exempt from CEQA and no further environmental review is required.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2016-05 and thereby:

1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), CEQA Guidelines, Section 15061 (Review for Exemption); and
2. **APPROVE** Planning Commission Resolution No. 2016-05, recommending that the City Council approve PA14-0011.

APPROVED on this 28th day of April, 2016.

Brian R. Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

Attachment: Resolution No. 2016-05 [Revision 1] (1993 : Municipal Code Amendment (PA14-0011))