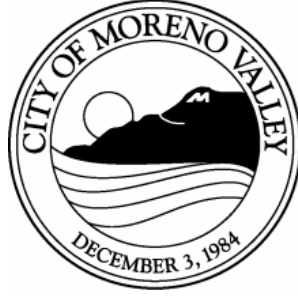

PLANNING COMMISSIONERS

ALVIN DEJOHNETTE
Chairperson

MATTHEW CHEN
Vice Chairperson

JEFFREY SIMS
Commissioner



OMAR COBIAN
Commissioner

JOANN STEPHAN
Commissioner

VACANT
Commissioner

VACANT
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, July 14, 2022 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENTS PROCEDURE

Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, members of the public 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.

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and non-controversial and may be enacted by one roll call vote. There will be no discussion of these items unless a member of the Planning Commission requests that an item be removed for separate action

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 the ADA Coordinator, at 951.413.3350 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.

1. Planning Commission Minutes – Regular Meeting – May 12, 2022, 7:00 PM

NON-PUBLIC HEARING ITEMS

1. Appointment of Subcommittee for Review of Planning Commission Rules and Procedures

PUBLIC HEARING ITEMS

1. Case: PEN22-0063
- Applicant: Moreno Valley Retail, LLC
- Property Owner: Plaza at Lakeside
- Location: 25900 Iris Avenue, on the north side of Iris Avenue, approximately 300 feet west of Lasselle Street in the Lakeside Plaza with the Moreno Valley Ranch.
- Case Planner: Malinda Lim
- Council District: 4
- Proposal: Conditional Use Permit for the operation of a Commercial Cannabis Dispensary within an existing 1,786 square-foot suite within the Lakeside Plaza.
2. Case: PEN22-0037 (Conditional Use Permit)
- Applicant: Hidenori Iwagami
- Property Owner: DGK INV
- Location: 24491 Alessandro Boulevard, at the southwest corner of Alessandro Boulevard and Indian Street.
- Case Planner: Malinda Lim
- Council District: 3
- Proposal: Conditional Use Permit for the operation of a Commercial Cannabis Dispensary within a 2,445 square-foot existing suite.

3. Case: PEN20-0162 (Plot Plan)
- Applicant: LDC Industrial Realty LLC
- Property Owner: Housing Authority
- Representative: Larry Cochrun
- Location: Northeast corner of Alessandro Boulevard and Day Street.
- Case Planner: Julia Descoteaux
- Council District: 1
- Proposal: The applicant is requesting Plot Plan approval for the development of a 164,187 square foot light industrial building.

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting, July 28, 2022, at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

**OFFICIAL MINUTES OF THE
PLANNING COMMISSION
OF THE CITY OF MORENO VALLEY**

**REGULAR MEETING – 7:00 PM
May 12, 2022**

CALL TO ORDER

This regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 7:00 p.m., by Chair DeJohnette in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Planning Commission:	Alvin DeJohnette	Chair	Present
	Matthew Chen	Vice-Chairperson	Present
	Omar Cobian	Commissioner	Present
	Jeffrey Sims	Commissioner	Present

PLEDGE OF ALLEGIANCE

Vice-Chairman Chen led the pledge of allegiance.

APPROVAL OF AGENDA

Planning Official asks to move item number two to item number three due to the pending arrival of the applicant. Commissioners approve the change unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Matthew Chen, Vice-Chairperson
SECONDER:	Omar Cobian, Commissioner
AYES:	Matthew Chen, Omar Cobian, Alvin DeJohnette, Jeffrey Sims

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

No public speakers.

CONSENT CALENDAR

1. Planning Commission - Regular Meeting - Apr 28, 2022, 7:00 PM

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

Minutes Acceptance: Minutes of May 12, 2022 7:00 PM (CONSENT CALENDAR)

1. Conditional Use Permit (PEN21-0149) for a 2,735 square-foot conversion of the existing Vista Paint building for a Commercial Cannabis Dispensary (Report of: Planning Commission)

A. Staff recommends that the Planning Commission take the following actions:

1. **APPROVE** Resolution No. 2022-29, and thereby:
 - a) **DETERMINE** that Conditional Use Permit PEN21-0149 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
 - b) **APPROVE** Conditional Use Permit PEN21-0149 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

Public Hearing Opened: 7:14 PM.

No public speakers.

Public Hearing Closed: 7:15 PM.

RESULT: APPROVED [UNANIMOUS]
MOVER: Matthew Chen, Vice-Chairperson
SECONDER: Omar Cobian, Commissioner
AYES: Matthew Chen, Omar Cobian, Alvin DeJohnette, Jeffrey Sims

2. Municipal Code Amendments amending various sections within Title 9 planning and zoning, including chapter 9.02 permits and approvals, chapter 9.09 specific use development standards, chapter 9.13 specific plans, chapter 9.14 land divisions, and chapter 9.16 design guidelines. (Report of: Planning Commission)

A. Staff recommends that the Planning Commission take the following actions:

1. **APPROVE** Resolution No. 2022-31, and thereby **RECOMMEND** that the City Council:
 - a) **APPROVE** the Municipal Code Title 9 Amendments (PEN22-0087), based on the findings contained set forth and/or referenced in this Resolution and
 - b) **INTRODUCE** and **ADOPT** an ordinance to include the amendments included in this Resolution.

Public Hearing Opened: 7:35 PM.

No Public Speakers

Public Hearing Closed: 7:35 PM.

Minutes Acceptance: Minutes of May 12, 2022 7:00 PM (CONSENT CALENDAR)

RESULT: APPROVED [UNANIMOUS]
MOVER: Jeffrey Sims, Commissioner
SECONDER: Omar Cobian, Commissioner
AYES: Jeffrey Sims, Omar Cobian, Alvin DeJohnette, Matthew Chen

3. Conditional Use Permit (PEN21-0249) for a 2,400 square-foot Commercial Cannabis Dispensary (Report of: Planning Commission)

A. Staff recommends that the Planning Commission take the following action:

1. **APPROVE** Resolution No. 2022-30, and thereby:
 - a) **DETERMINE** that Conditional Use Permit PEN21-0249 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
 - b) **APPROVE** Conditional Use Permit PEN21-0249 subject to the attached Conditions of Approval included as Exhibit A.

Public Hearing Opened: 7:47 PM.

Speakers:

Richard Archer
Tom Jerele
Don Martin

Public Hearing Closed: 7:55 PM.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jeffrey Sims, Commissioner
SECONDER: Matthew Chen, Vice-Chairperson
AYES: Jeffrey Sims, Matthew Chen, Alvin DeJohnette, Omar Cobian

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

No items for discussion.

PLANNING COMMISSIONER COMMENTS

Commissioner Sims apologizes for rant but stands by his word; expresses respect for staff being diligent and ahead of state legislation.
Vice-Chairperson Chen wished a happy Mother's Day to everyone and recognized Moreno Valley High School who went to the CIF Championship game. Invited the public to Beautify MoVal event on Saturday from 8 am-12 pm.

ADJOURNMENT

There being no further business before the Planning Commission, Chair DeJohnette adjourned the meeting at 8:03 pm.

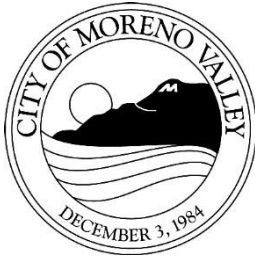
Submitted by:

Approved by:

Daniela Sanchez
Planning Commission Secretary

Alvin DeJohnette
Chairperson

Minutes Acceptance: Minutes of May 12, 2022 7:00 PM (CONSENT CALENDAR)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 14, 2022

CONDITIONAL USE PERMIT FOR THE OPERATION OF A COMMERCIAL CANNABIS DISPENSARY WITHIN AN EXISTING 1,786 SQUARE-FOOT SUITE IN THE LAKESIDE PLAZA

Case: PEN22-0063

Applicant: Moreno Valley Retail, LLC

Property Owner: Plaza at Lakeside

Location: 25900 Iris Avenue, on the north side of Iris Avenue, approximately 300 feet west of Lasselle Street in the Lakeside Plaza with the Moreno Valley Ranch (SP 193H) District

Case Planner: Malinda Lim

Council District: 4

Proposal: Conditional Use Permit for the operation of a Commercial Cannabis Dispensary within an existing 1,786 square-foot suite within the Lakeside Plaza.

SUMMARY

The Applicant, Michelle Davidson, representing Moreno Valley Retail, LLC, is requesting approval of a Conditional Use Permit (“CUP”) to operate a Commercial Cannabis Dispensary (“Proposed Project”). The Proposed Project is located within a 1,786 square-foot existing suite at the Lakeside Plaza (“Project Site”) within the Moreno Valley Ranch (SP 193H) District.

BACKGROUND

A. Maximum Number

Section 9.09.290 of the Municipal Code provides that commercial cannabis land use activities (such as the proposed Project) are conditionally permitted on, but not limited to, lands zoned Community Commercial (CC). In other words, each type of activity must be located in a permitted zone within the City, as set forth in Title 9 (Planning and Zoning) of the Municipal Code and each activity requires a CUP issued by the Planning Commission.

Currently, the City permits the approval of a maximum of twenty-five (25) dispensaries throughout the City. The table below identifies, amongst other things, 1) the maximum number of CUPs that may be issued for the entire City for each type of commercial cannabis business activity, and 2) the number of CUPs issued for each commercial cannabis business activity.

Types of Commercial Cannabis Activities	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications Pending Review	Number of Conditional Use Permit Applications Approved
Dispensaries	25	25	23	0	21
Testing Facilities	1	0	0	0	0
Cultivation	5	5	3	3	0
Microbusinesses	7	6	5	3	4
Distribution	2	2	2	1	1
Manufacturing	3	2	2	2	0

PROJECT DESCRIPTION

The Applicant proposes to operate Commercial Cannabis Dispensary for on-site sales. The Project Site is located at 25900 Iris Avenue within an existing suite in a multi-tenant building within the Lakeside Plaza retail center. Proposed tenant improvements include modifications to the existing 1,786 square-foot suite floor plan by adding new full-height wall partitions to establish a lobby, dispatch area, retail area, and storage room.

Site/Surrounding Area

The Project Site is on developed parcels with access from Lasselle Street and Iris Avenue. The Project Site is located within the Moreno Valley Ranch Specific Plan (SP 193H) District which allows for the proposed use with the approval of a CUP. The Project Site is within an existing multi-tenant building within the Lakeside Plaza retail center. The retail center is an approved, legal non-conforming development; and as proposed, the Project is consistent with the retail uses of the center. The Project Site is bounded on all sides with properties also within the Moreno Valley Ranch Specific Plan (SP 193); these properties are within different districts of this specific plan. The

properties to the south and east of the Project Site have been developed with similar commercial retail uses within the commercial district or high-density residential district (SP 193 C or H). The properties to the north and west have been developed for residential uses within the medium-low to high-density residential districts (SP 193 ML, MH, & H).

Access/Parking

The Project site has four (4) existing driveways, two (2) along Iris Avenue and two (2) along Lasselle Street, which will provide access to the Proposed Project. No additional parking will be required for the Proposed Project, as it is located within an existing shopping center that has adequate parking to accommodate the Project as proposed.

Design/Landscaping

The Applicant proposes to keep any new design elements, i.e. colors and finishes, consistent with what is already existing within Lakeside Plaza. Additionally, since the Plaza already has existing landscaping improvements, which are maintained, the Proposed Project does not propose any landscape improvements.

Project Entitlements

Status of Provisional Commercial Cannabis Regulatory Permit

On September 29, 2021, the Applicant was issued a Provisional Commercial Cannabis Regulatory Permit (Provisional CCRP) for a Commercial Cannabis Dispensary. The Applicant will apply for the Commercial Cannabis Dispensary license issued by the State Bureau of Cannabis Control should the Planning Commission approve the CUP application.

CONDITIONAL USE PERMIT

The Applicant requests approval of a CUP to operate a 1,786 square-foot Commercial Cannabis Dispensary. All operations will be consistent with all applicable federal, state, and local requirements, including all applicable provisions of Municipal Code Section 9.09.290 (Commercial Cannabis Activities) and Chapter 5.05 (Commercial Cannabis Regulatory Permit).

- **Safety and Security Plans**

The proposed security measures are similar to other cannabis businesses and comply with the provisions of Section 9.09.290 (Commercial Cannabis Activities) of the Municipal Code. The Safety and Security Plans provided to the City identify methods to address site security for employees, customers, and the public, as well as fire prevention methods that comply with local and state laws and includes provisions for on-site security guards, a fire alarm system, on-site safety, and security signage, parking lot lighting, secured parking area for

deliveries, a video surveillance system, and a system the transfer of product and currency. Additionally, a condition of approval has been included requiring the Applicant to provide all surveillance video to the City's Police and Fire Departments upon request.

- Odor Control Plan

An Odor Control Plan has been prepared in conformance with City requirements to ensure abatement of all potential odors that could emanate from the business. The plan identifies that the heating, ventilation, and air conditioning (HVAC) will have HEPA filters, bag filters, activated carbon inserts, and a negative pressure system. The air filtration system for the suite will be reviewed and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the HVAC systems for the proposed dispensary. In addition, automatic closures shall be installed on all interior and exterior doors, and all roof venting, wall penetrations, panel joints, etc., shall be sealed to prevent odors from migrating outside of the dispensary.

Commercial Cannabis State License

The Applicant plans to apply for the necessary State cannabis licenses if the CUP is ultimately approved by the Planning Commission.

Final Commercial Cannabis Regulatory Permits

The Project's Provisional CCRP will become a Final CCRP and become effective upon such time that the applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers it commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

REVIEW PROCESS

The Applicant has worked with staff and modified the proposed plans to the satisfaction of all City departments. Based on the staff's review, it was determined that the Proposed Project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

Staff recommends that the Planning Commission find that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines

as a Class 1 Exemption (Section 15301, Existing Facilities). Pursuant to the California Code of Regulations, a Class 1 Exemption can be applied to a project when the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Proposed Project involves interior alterations and no expansion of use.

NOTIFICATION

Consistent with the City's Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press-Enterprise Newspaper.

REVIEW AGENCY COMMENTS

The Proposed Project's application materials were circulated for review by all appropriate City Departments and Divisions as well as applicable outside agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2022-32, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN22-0063) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit PEN22-0063 subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:
Malinda Lim
Contract Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your "bookmarks"  on the left hand side of this document for the necessary attachment.

1. Resolution 2022-23 - Conditional Use Permit - Final
2. Exhibit A to 2022-32 Conditions of Approval
3. Project Plans
4. Zoning Map

RESOLUTION NUMBER 2022-32

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PEN22-0063) FOR HIGH SEASON A NEW COMMERCIAL CANNABIS DISPENSARY LOCATED AT THE NORTHWEST CORNER OF IRIS AVENUE AND LASSELLE STREET (APN: 486-160-048)

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

WHEREAS, Michelle Davidson (“Applicant”) has filed an application for the approval of a Conditional Use Permit PEN22-0063 (“Applicant”) for a Commercial Cannabis Dispensary (“Proposed Project”), located in the Lakeside Plaza at the northwest corner of Iris Avenue and Lasselle Street (APN: 486-160-048) (“Project Site”); and

WHEREAS, the Lakeside Plaza is an approved, legal non-conforming commercial center development and the Proposed Project is consistent with the retail uses of the center; and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis dispensaries may be allowed within Moreno Valley, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits are to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the Project, and the potential impact of the Project on the surrounding area based on fixed and established standards; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a Conditional Use Permit is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a

public hearing was scheduled for July 14, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on July 14, 2022, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN22-0063 ("CUP"), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 ("Planning and Zoning") of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division's recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15301 (Existing Facilities), which would apply to the Proposed Project since the Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Project involves limited interior alterations and no expansion of use; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

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

Section 1. Recitals and Exhibits

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

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed Project is subject to certain fees, dedications, reservations and other exactions as provided herein.

¹ 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed Conditional Use Permit, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Conditional Use Permit PEN22-0063 and all documents, records and references contained therein;
- (d) Conditions of Approval for Conditional Use Permit PEN22-0063 attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The Proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The Proposed Project complies with all applicable zoning and other regulations;
- (c) The Proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and

Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves the Proposed Project (Conditional use Permit PEN22-0063) subject to the Conditions of Approval for Conditional use Permit PEN22-0063, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

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

Section 9. Severability

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

Section 10. Effective Date

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

Section 11. Certification

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

PASSED AND ADOPTED THIS 14th day of JULY, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Attachment: Resolution 2022-23 - Conditional Use Permit - Final (5850 : PEN22-0063)

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Conditions of Approval

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution 2022-23 - Conditional Use Permit - Final (5850 : PEN22-0063)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN22-0063)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
2. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
3. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
4. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 2

sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. This project is located within Moreno Valley Ranch Specific Plan 193. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections.
11. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
12. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 3

during business hours. (MC 9.09.290 (D)(2)(g))

13. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights -of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
14. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all cannabis and marijuana securely stored.
15. A copy of all pages of these conditions shall be included in the construction drawing package.
16. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
17. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
18. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))
19. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
20. The site has been approved for a commercial cannabis retail dispensary, located at 25900 Iris Avenue (approximately 1,786 square feet) per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial cannabis activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial Cannabis Activity. A change or modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 4

21. A licensee conducting a commercial cannabis dispensary shall meet all applicable operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
22. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
23. The commercial cannabis dispensary shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))
24. Waste and storage and disposal of all cannabis and marijuana products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
25. The cannabis license and the Conditional Use Permit, apply only to the 1,786 square foot existing building at 25900 Iris Avenue. No use of any other tenant space, outside of the 1,786 square foot existing building is allowed per Conditional Use Permit PEN22-0063.
26. Daily hours of operation for the dispensary may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
27. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E) (4)(g))
28. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
29. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 5

walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:

- a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.
30. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
 31. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
 32. Automatic closures on all interior and exterior doors shall be installed.
 33. All interior and exterior door seals shall be replaced and adjusted.
 34. All roof venting, wall penetrations, panel joints etc. shall be sealed.
 35. Air curtains shall be installed on all exterior doors.
 36. Two secured parking spaces, identified on a plot plan shall be located convenient the required secured area of each facility to be used by secured transfer vehicles involved in the couriering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
 37. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E)(14)(c))
 38. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E)(14)(d))
 39. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290(E)(8)(c))
 40. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 6

41. Prior to approval of tenant improvement plans, a detailed, on-site, computer generated, point- by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted as part of the Building and Safety Plan Check submittal for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))
42. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
43. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
44. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
45. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary area.
46. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.

Building Division

47. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
48. Contact the Building Safety Division for permit application submittal requirements.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

Page 7

49. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
50. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
51. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
52. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
53. All remodeled structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
54. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

FIRE DEPARTMENT**Fire Prevention Bureau**

55. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[1])
56. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0063)

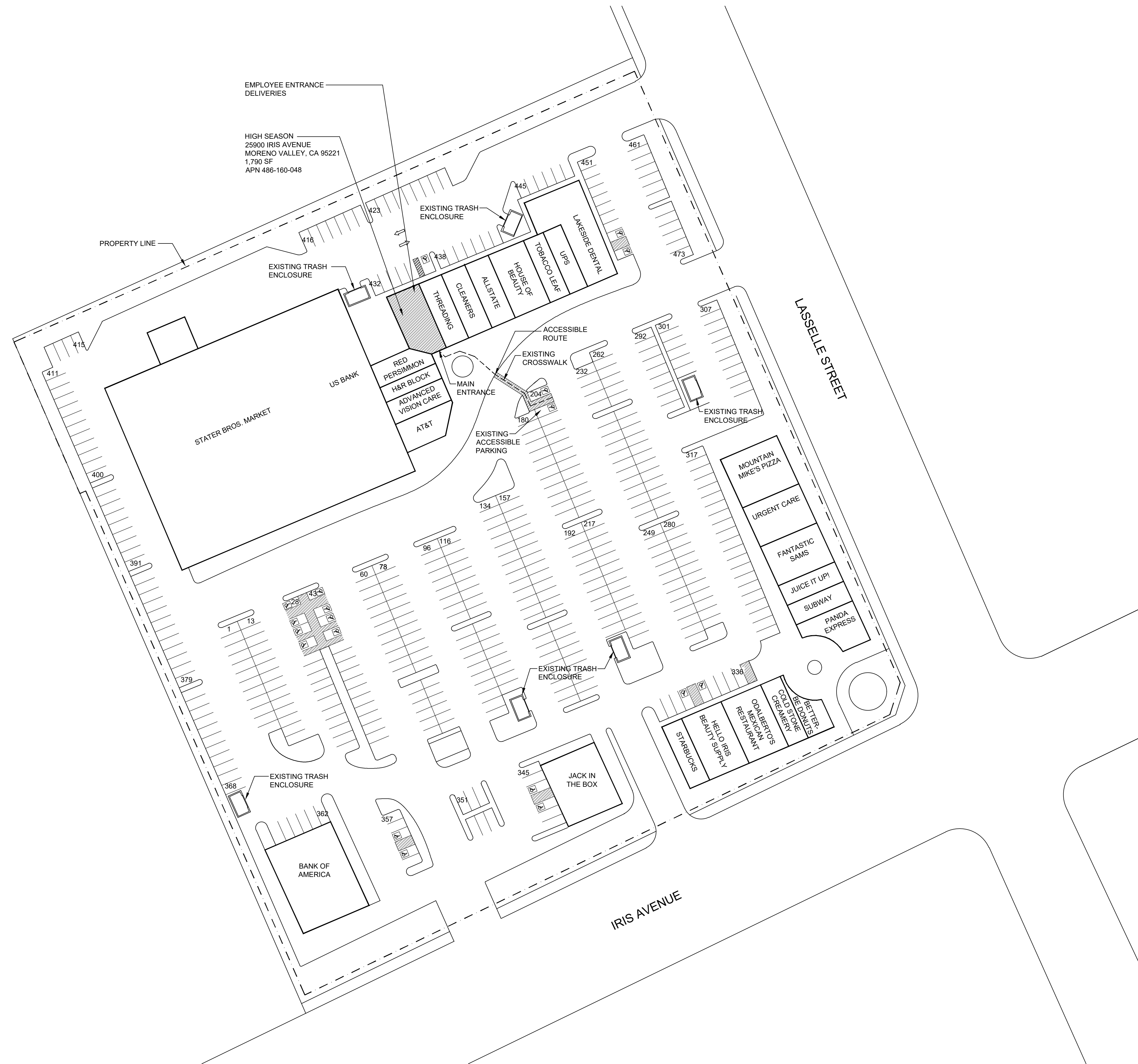
Page 8

hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

57. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
58. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
59. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
60. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
61. "DELAYED EGRESS SHALL NOT AND WILL NOT BE INSTALLED AT THIS FACILITY AT ANY TIME. In accordance with the California Building and Fire Code Chapters 9 and 10, buildings with delayed egress locks shall be equipped throughout with an automatic sprinkler system and an approved automatic smoke detection system. INSTALLATION OF DELAYED EGRESS AT THIS FACILITY WITHOUT SPRINKLERS AND DETECTION WILL RESULT IN IMMEDIATE BUSINESS CLOSURE."

PARKING CALCULATIONS BY USE			
USE	CITY REQ. RATIO	SF	PARKING REQUIRED
RETAIL/COMMERCIAL	225 GROSS	1,790	8 SPACES
EXISTING PARKING PROVIDED 473 INCLUDING 19 ACCESSIBLE SPACES			

BUILDING & PROPERTY INFORMATION	
ASSESSOR PARCEL NUMBER	486-160-048
EXISTING ZONING DISTRICT	C1-COMMERCIAL
PROPOSED ZONING DISTRICT	C1-COMMERCIAL
SIZE OF ADDITION OR REMODEL	1,790 SQ. FT.
EXISTING OCCUPANCY TYPE	M
PROPOSED OCCUPANCY TYPE	MERCANTILE - CANNABIS RETAIL
LEGAL DESCRIPTION	6.55 ACRES M/L IN POR PAR 2 PM 164/057 PM 24193



EMPLOYEE ENTRANCE DELIVERIES

HIGH SEASON
25900 IRIS AVENUE
MORENO VALLEY, CA 95221
1,790 SF
APN 486-160-048

APPLICANT:
MORENO VALLEY RETAIL, LLC
2151 E CONVENTION CENTER
ONTARIO, CA 91764
CONTACT: TODD ANDERSON
PHONE: 202-329-0310

DESIGN:
TEMEKA GROUP
9073 PULSAR CT. SUITE B
CORONA, CA 92883
CONTACT: DAN RANEY
PHONE: 909-277-2525
DAN@TEMEKAGROUP.COM
WWW.TEMEKAGROUP.COM

PLANS FOR CONDITIONAL USE PERMIT

HIGH SEASON

25900 IRIS AVENUE SUITE 5A

MORENO VALLEY, CA 92551

CANNABIS RETAIL

Attachment: Project Plans [Revision 1] (5650 : PE1422-0063)

PROJECT TITLE:

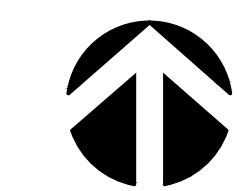
CUP
06.02.2022

ENLARGED
SITE PLAN

A0.0

ENLARGED SITE PLAN

SCALE: 1" = 50'



APPLICANT:
MORENO VALLEY RETAIL, LLC
2151 E CONVENTION CENTER
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PLANS FOR CONDITIONAL USE PERMIT
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25900 IRIS AVENUE SUITE 5A
MORENO VALLEY, CA 92551
CANNABIS RETAIL

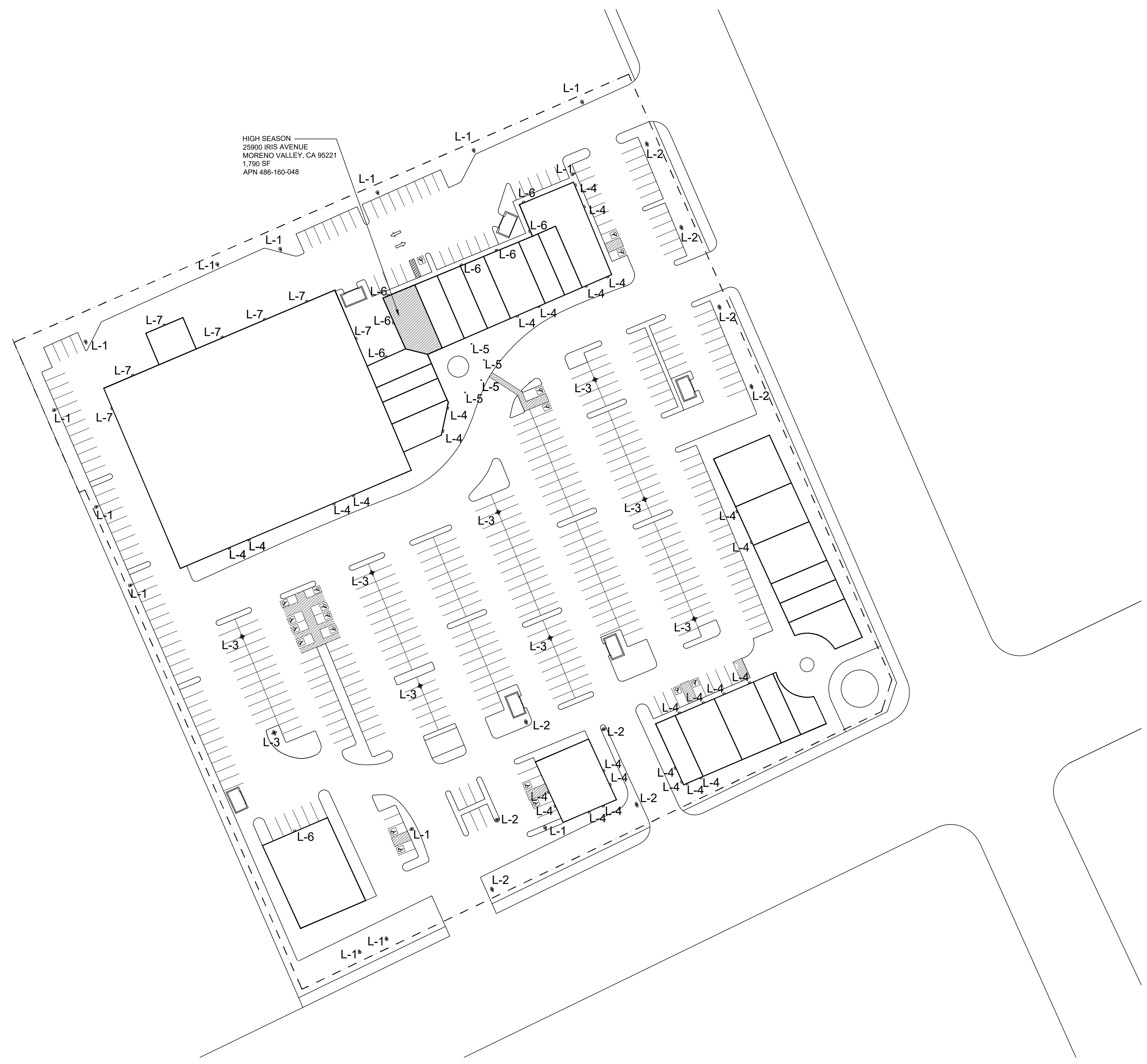
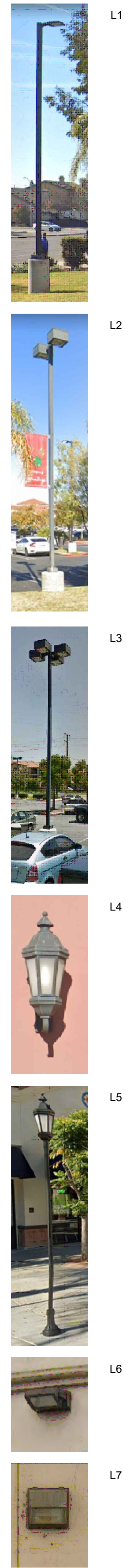
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PROJECT TITLE:

CUP
06.02.2022

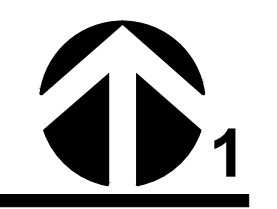
SITE LIGHTING
PLAN

A0.1



HIGH SEASON
25900 IRIS AVENUE
MORENO VALLEY, CA 95221
1,790 SF
APN 486-160-048

SITE LIGHTING PLAN
SCALE: 1" = 50'



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CANNABIS RETAIL

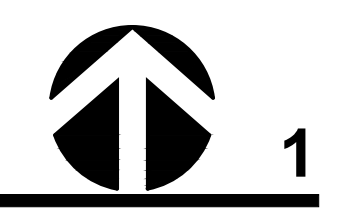
Attachment: Project Plans [Revision 1] (5850 : PE1422-0063)

PROJECT TITLE:

CUP
06.02.2022

RADIUS
MAP

A1.0

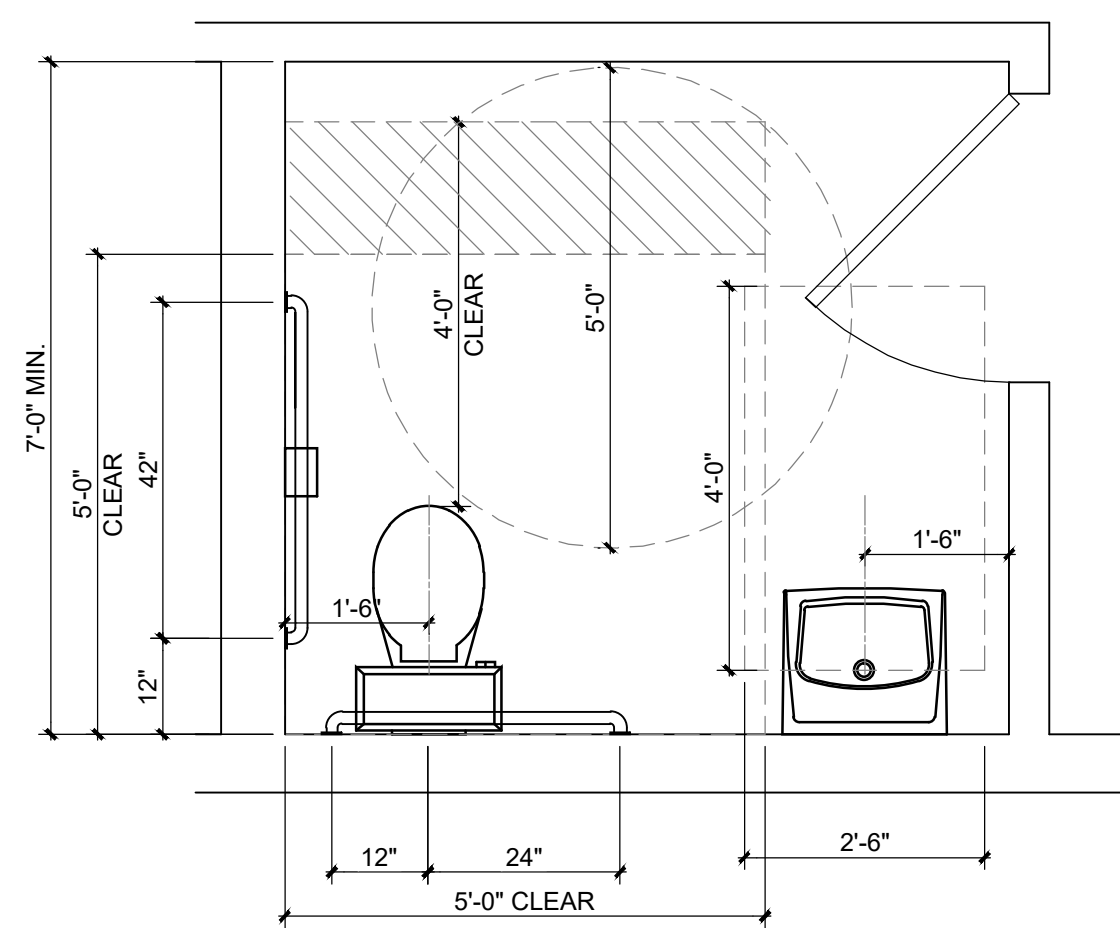


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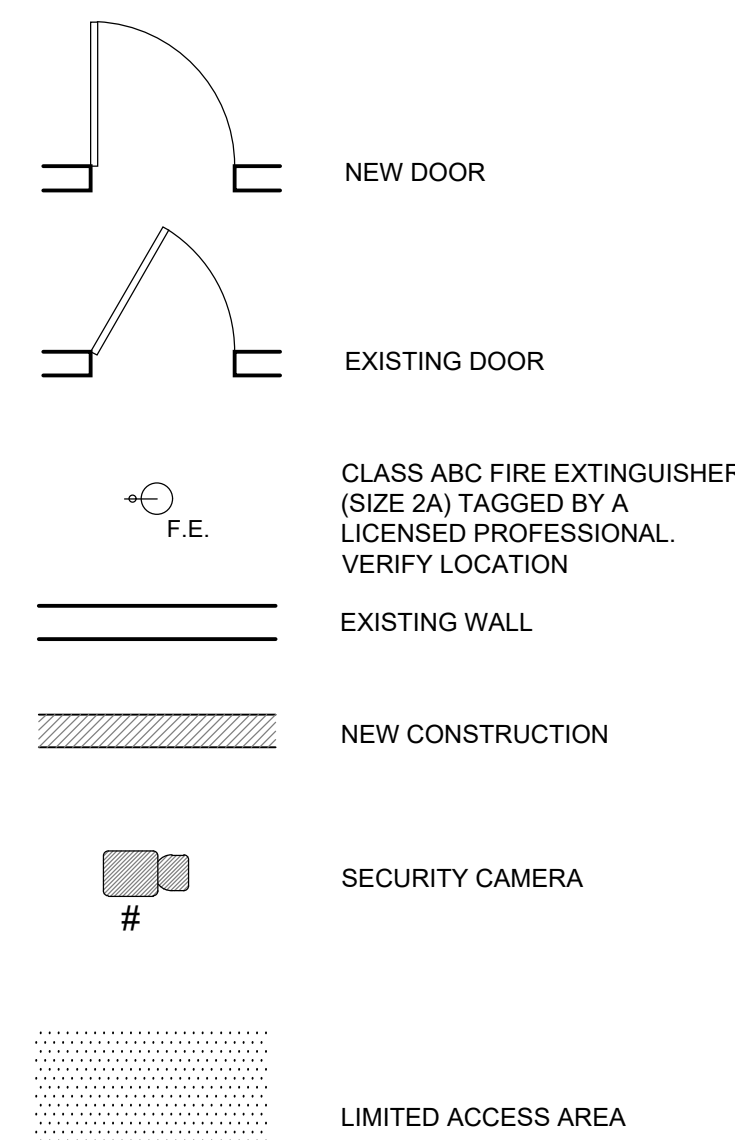


TYPICAL TOILET ROOM 2

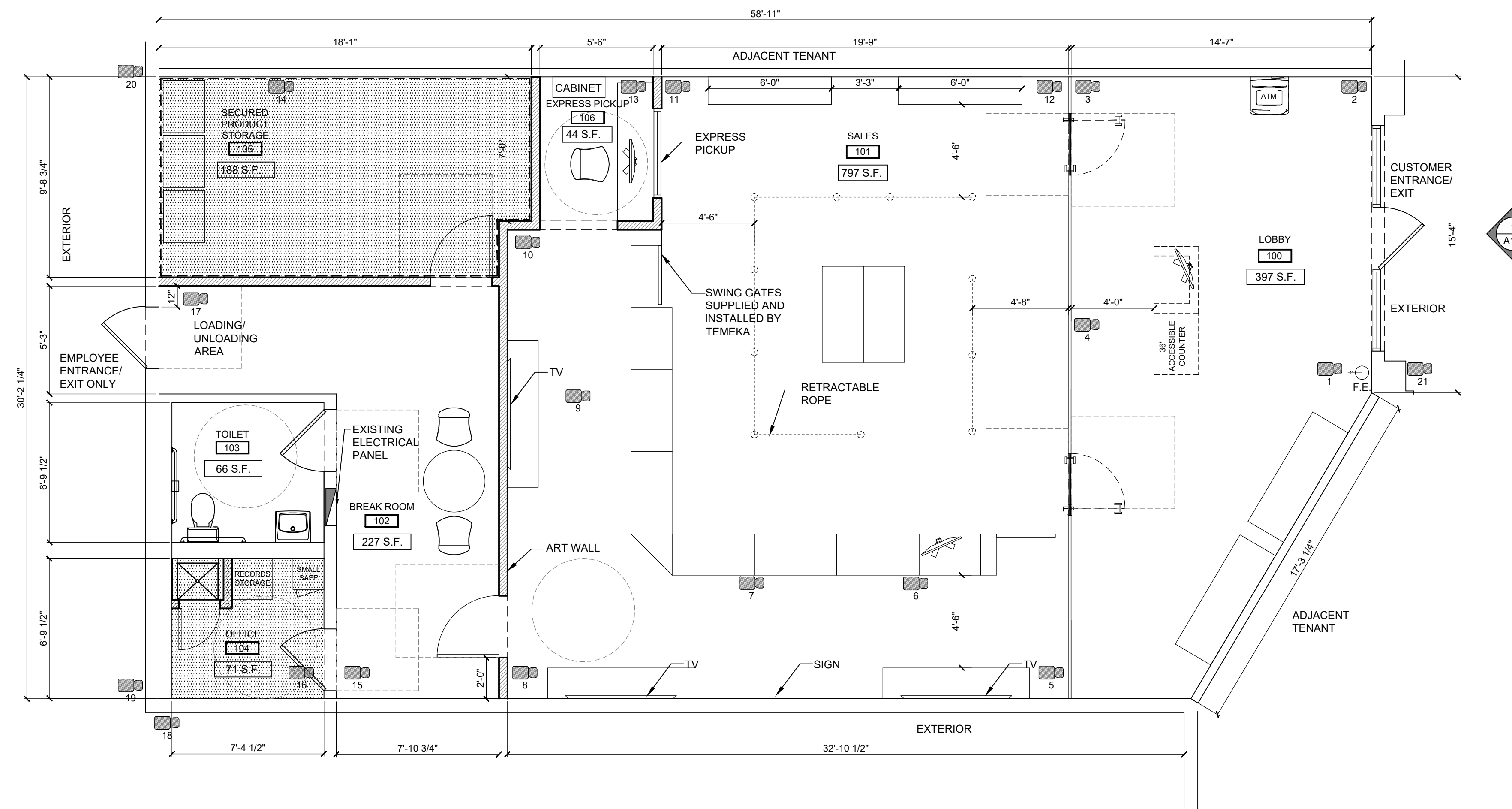
SCALE: 1/2" = 1'-0"

1. ALL WOOD USED FOR BLOCKING OR FRAMING IS TO BE FIRE-RETARDANT TREATED.
2. CONTRACTOR IS TO PROVIDE FIRE EXTINGUISHERS AS DIRECTED BY THE FIRE MARSHAL AT THE TIME OF FINAL INSPECTION.
3. ALL HARDWARE SHALL BE LEVER TYPE DESIGN. ALL CLOSERS SHALL BE FULLY ADJUSTABLE. ALL HARDWARE, THRESHOLDS, ETC. SHALL CONFIRM W/ ADAAG, T24 AND ALL APPLICABLE CODES.
4. ALL NEW DOORS, JAMBS AT HINGE SIDE SHALL BE SET 4" FROM ADJACENT WALL UNLESS AVAILABLE WALL SPACE REQUIRES OTHERWISE.
5. DIMENSIONS ARE TO FINISHED WALL. CONFIRM ALL MEASUREMENTS.

DRAWING NOTES



LEGEND



PREMISE DIAGRAM

SCALE: 1/4" = 1'-0"

PLANS FOR CONDITIONAL USE PERMIT
HIGH SEASON
25900 IRIS AVENUE SUITE 5A
MORENO VALLEY, CA 92551
CANNABIS RETAIL

PROJECT TITLE:

CUP
06.02.2022

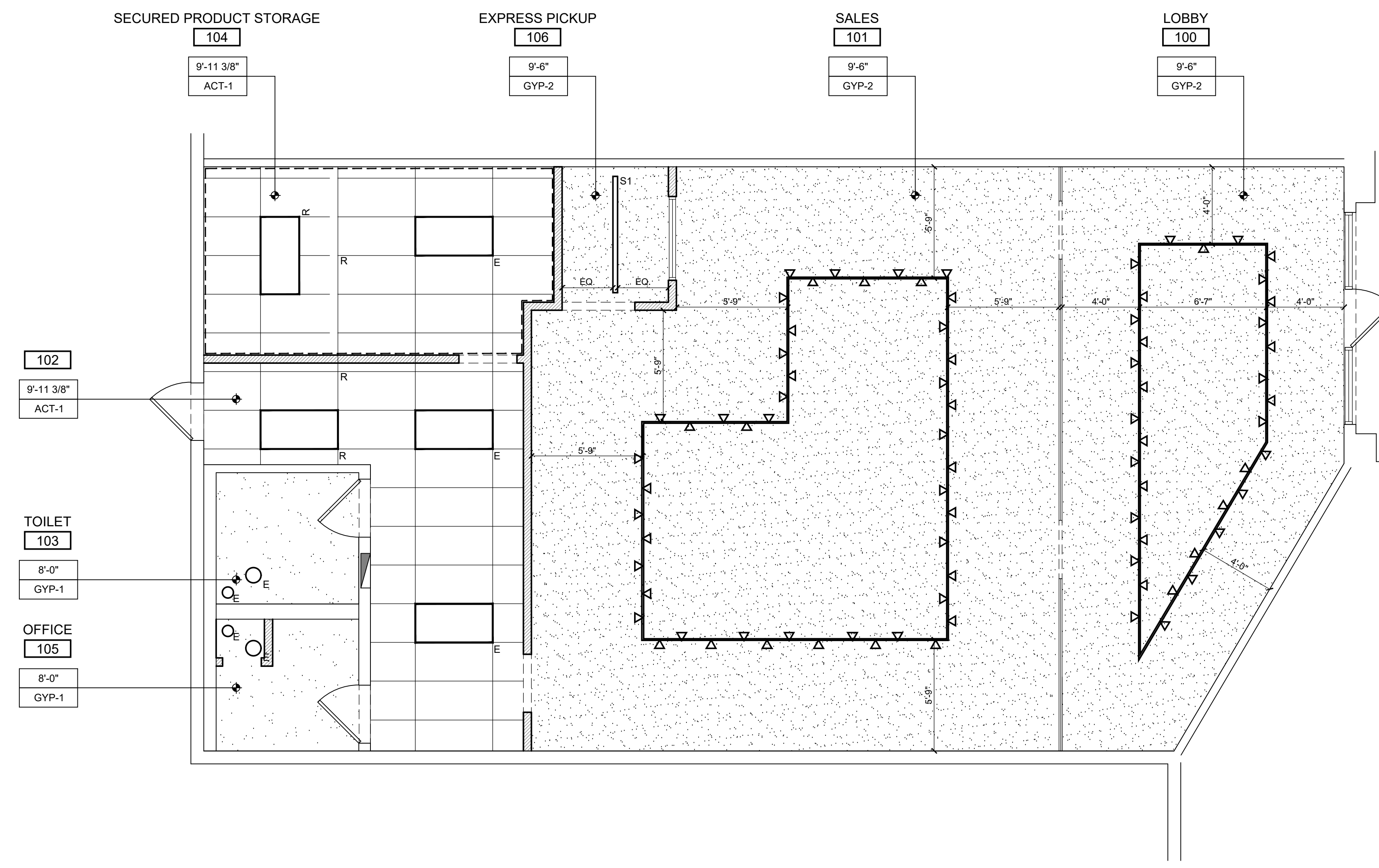
PREMISE
DIAGRAM

A1.1

APPLICANT:
 MORENO VALLEY RETAIL, LLC
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KEY LEGEND				
SYMBOL	DESCR.	MFG.	WATT	MODEL
	CEILING, 2x4 LED PANEL LIGHT FIXTURE	TRACE LITE	40	LPA24-40-35K
	CEILING, LED TRACK LIGHTS	NORA	10	NORA - NTE-870L-930X-10W
	CEILING, TRACK	JUNO		JUNO T-6FT-WH
	CEILING, 3" x 6"-6" LED LIGHT FIXTURE			
	EXIT SIGN			MODEL:
	SUPPLY AIR DIFFUSER			
	RETURN AIR GRILLE			
	NEW 2X4 LAY-IN CEILING AND GRID	ARMSTRONG		ARMSTRONG PRELUDE XL (ICC-ESR-1308) WITH 15/16" ANGLED TEGULAR DUNE TILES #1776 2X4
	(GB-2) GYPSUM BOARD CEILING	ARMSTRONG		ARMSTRONG DRYWALL GRID SYSTEM AND FRAMING (ICC-ESR-1289).



REFLECTED CEILING PLAN
 SCALE: 1/4" = 1'-0"



PLANS FOR CONDITIONAL USE PERMIT
HIGH SEASON
25900 IRIS AVENUE SUITE 5A
MORENO VALLEY, CA 92551
CANNABIS RETAIL

PROJECT TITLE:
 CUP
 06.02.2022

REFLECTED CEILING PLAN

A1.2

APPLICANT:

MORENO VALLEY RETAIL, LLC
2151 E CONVENTION CENTER
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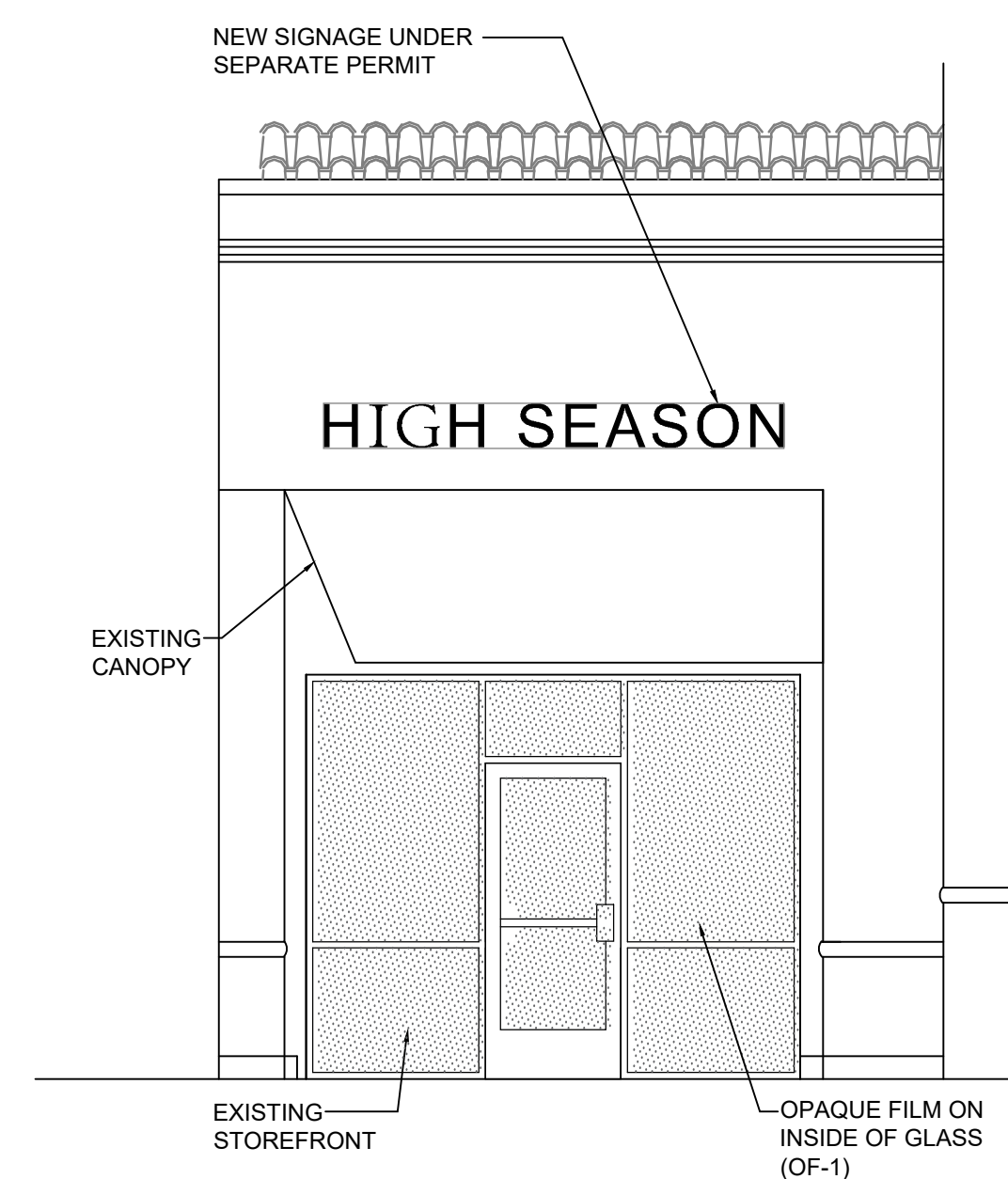
Attachment: Project Plans [Revision 1] (5850 : PE1422-0063)

PROJECT TITLE:

CUP
06.02.2022

EXTERIOR
ELEVATION

A1.3



EXTERIOR FRONT ELEVATION

1

SCALE: 1/4" = 1'-0"

PEN22-0063 High Season Cannabis Dispensary CUP Zoning Map



Legend

Zoning

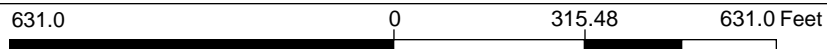
- Commercial
- Center Mixed Use
- Downtown Center
- Corridor Mixed Use
- Industrial/Business Park
- Public Facilities
- Highway Office/Commercial
- Office
- Business Flex
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Road Labels

- Parcels
- City Boundary
- Sphere of Influence

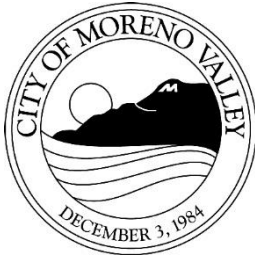
Image Source: Nearmap

Notes:



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.

Attachment: Zoning Map (5850 : PEN22-0063)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 14, 2022

CONDITIONAL USE PERMIT FOR THE OPERATION OF A COMMERCIAL CANNABIS DISPENSARY WITHIN A 2,445 SQUARE-FOOT EXISTING SUITE.

Case: PEN22-0037 (Conditional Use Permit)

Applicant: Hidenori Iwagami

Property Owner: DGK INV

Location: 24491 Alessandro Boulevard, at the southwest corner of Alessandro Boulevard and Indian Street ("Project Site") within the Commercial Mixed Use (COMU) District.

Case Planner: Malinda Lim

Council District: 3

Proposal: Conditional Use Permit for the operation of a Commercial Cannabis Dispensary within a 2,445 square-foot existing suite.

SUMMARY

The Applicant, Hidenori Iwagami, representing Shango, is requesting approval of a Conditional Use Permit ("CUP") to operate a Commercial Cannabis Dispensary ("Proposed Project"). The Proposed Project is located within a 2,445 square-foot existing suite at the southwest corner of Alessandro Boulevard and Indian Street ("Project Site") within the Commercial Mixed Use (COMU) District.

BACKGROUND

A. Maximum Number

Section 9.09.290 of the Municipal Code provides that commercial cannabis land use activities (such as the proposed Project) are conditionally permitted on, but not limited to, lands zoned Community Commercial (CC). In other words, each type of activity must be located in a permitted zone within the City, as set forth in Title 9 (Planning and Zoning) of the Municipal Code and each activity requires a CUP issued by the Planning Commission.

Currently, the City permits the approval of a maximum of twenty-five (25) dispensaries throughout the City. The table below identifies, amongst other things, 1) the maximum number of CUPs that may be issued for the entire City for each type of commercial cannabis business activity, and 2) the number of CUPs issued for each commercial cannabis business activity.

Types of Commercial Cannabis Activities	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications Pending Review	Number of Conditional Use Permit Applications Approved
Dispensaries	25	25	23	0	21
Testing Facilities	1	0	0	0	0
Cultivation	5	5	3	3	0
Microbusinesses	7	6	5	3	4
Distribution	2	2	2	1	1
Manufacturing	3	2	2	2	0

PROJECT DESCRIPTION

The Applicant proposes to operate a Commercial Cannabis Dispensary for on-site sales. The Project Site is located at 24491 Alessandro Boulevard, which currently has two (2) existing retail buildings onsite. Building two (2) of the existing buildings, is where the proposed tenant improvements will take place. These improvements include modifications to the existing 2,445 square-foot floor plan by adding new full-height wall partitions to establish a lobby, reception, office, retail area, and storage room.

Site/Surrounding Area

The Project Site is a developed corner parcel with access from Indian Street and Alessandro Boulevard. The Project Site is located within the Commercial Mixed Use District which allows for the proposed use with the approval of a CUP. The Project Site is currently developed with two (2) retail buildings. The Project Site is bounded on all sides with properties also within the Commercial Mixed Use. To the west and south of the site are undeveloped properties. Across Alessandro Boulevard to the north and across Indian Street to the east are existing multi-tenant commercial centers.

Access/Parking

Two existing driveways, one along Alessandro Boulevard and the other along Indian Street, provide access to the Project Site. As the Proposed Project will occupy an existing retail space, no additional parking is required. The project will be required to upgrade the parking lot to include a slurry seal and restriping of the parking stalls.

Design/Landscaping

The existing building will be unmodified, with the exception of any requested repairs. The existing landscaping areas will be replanted as necessary, and additional landscaping improvements will be provided along Alessandro Boulevard and Indian Street frontages.

Project Entitlements

Status of Provisional Commercial Cannabis Regulatory Permit

On January 7, 2019, the Applicant was issued a Provisional Commercial Cannabis Regulatory Permit (Provisional CCRP) for a Commercial Cannabis Dispensary. The Applicant will apply for the Commercial Cannabis Dispensary license issued by the State Bureau of Cannabis Control should the Planning Commission approve the CUP application.

CONDITIONAL USE PERMIT

The Applicant requests approval of a CUP to operate a 2,445 square-foot Commercial Cannabis Dispensary. All operations would be consistent with all applicable federal, state, and local requirements, including all applicable provisions of Municipal Code Section 9.09.290 (Commercial Cannabis Activities) and Chapter 5.05 (Commercial Cannabis Regulatory Permit).

- **Safety and Security Plans**

The proposed security measures are similar to other cannabis businesses and comply with the provisions of Section 9.09.290 (commercial Cannabis Activities) of the Municipal Code. The Safety and Security Plans provided to the City identify methods to address site security for employees, customers, and the public, as well as fire prevention methods that comply with local and state laws and includes provisions for on-site security guards, a fire alarm system, on-site safety, and security signage, parking lot lighting, secured parking area for deliveries, a video surveillance system, and a system the transfer of product and currency. Additionally, a condition of approval has been placed requiring the Applicant to provide all surveillance video to the City's Police and Fire Departments upon request.

- **Odor Control Plan**

An Odor Control Plan has been prepared in conformance with City requirements to ensure abatement of all potential odors that could be emanating from the business. The plan identifies that the heating, ventilation, and air conditioning (HVAC) will have HEPA filters, bag filters, activated carbon inserts, and a negative pressure system. The air filtration system for the suite will be reviewed and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the HVAC systems for the proposed dispensary. In addition, automatic closures shall be installed on all interior and exterior doors and that all roof venting, wall penetrations, panel joints, etc., be sealed to prevent odors from migrating outside of the dispensary.

Commercial Cannabis State License

The Applicant plans to apply for the necessary State cannabis licenses if the CUP is ultimately approved by the City.

Final Commercial Cannabis Regulatory Permits

The Project's Provisional CCRP will become a Final CCRP and become effective upon such time that the applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers its commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

REVIEW PROCESS

The Applicant has worked with staff and modified the proposed plans to the satisfaction of all departments. Based on the staff's review, it was determined that the Proposed Project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

Staff recommends that the Planning Commission find that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 1 Exemption (Section 15301, Existing Facilities). Pursuant to the California Code of Regulations, a Class 1 Exemption can be applied to a project when the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Proposed Project has been found to meet all of the conditions of the Class 1 exemption as the Proposed Project involves interior alterations and no expansion of use.

NOTIFICATION

Consistent with the City's Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press-Enterprise Newspaper.

REVIEW AGENCY COMMENTS

The Proposed Project's application materials were circulated for review by all appropriate City Departments and Divisions as well as applicable outside agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2022-34, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN22-0037) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit PEN22-0037 subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:
Malinda Lim
Contract Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your "bookmarks"  on the left hand side of this document for the necessary attachment.

1. Resolution 2022-34_Shango Conditional Use Permit_Final
2. Exhibit A to 2022-34 Conditions of Approval
3. Zoning Map
4. Project Plans

RESOLUTION NUMBER 2022-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PEN22-0037) FOR THE SHANGO NEW COMMERCIAL RETAIL CANNABIS DISPENSARY LOCATED AT THE SOUTHWEST CORNER OF ALESSANDRO BOULEVARD AND INDIAN STREET (APN: 482-501-034)

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

WHEREAS, Hidenori Iwagami (“Applicant”) has filed an application for the approval of a Conditional Use Permit PEN22-0037 (“Application”) for a Commercial Retail Cannabis Dispensary (“Proposed Project”), located at the southwest corner of Alessandro Boulevard and Indian Street (APN: 482-501-034) (“Project Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis dispensaries may be allowed within the Commercial Mixed Use (COMU) District, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits are to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the Proposed Project, and the potential impact of the Proposed Project on the surrounding area based on fixed and established standards; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a Conditional Use Permit is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for July 14, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on July 14, 2022, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN22-0037 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the Proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15301 (Existing Facilities) which would apply to the Proposed Project since the Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Proposed Project involves limited exterior/interior alterations and no expansion of use; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the Proposed Project as conditioned by the Conditions of Approval.

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

Section 1. Recitals and Exhibits

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

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations and other exactions as provided herein.

Section 3. Evidence

¹ 14 California Code of Regulations §§15000-15387

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed Conditional Use Permit, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Conditional Use Permit PEN22-0037 and all documents, records and references contained therein;
- (d) Conditions of Approval for Conditional Use Permit PEN22-0037, attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The Proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The Proposed Project complies with all applicable zoning and other regulations;
- (c) The Proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves the Proposed Project (Conditional Use Permit PEN22-0037) subject to the Conditions of Approval for Conditional use Permit PEN22-0037, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

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

Section 9. Severability

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

Section 10. Effective Date

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

Section 11. Certification

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

PASSED AND ADOPTED THIS 14th day of JULY, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin Dejohnette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Conditions of Approval

Attachment: Resolution 2022-34_Shango Conditional Use Permit_Final (5870 : PEN22-0037 Shango Cannabis Dispensary CUP)

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution 2022-34_Shango Conditional Use Permit_Final (5870 : PEN22-0037 Shango Cannabis Dispensary CUP)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN22-0037)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN22-0037)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
2. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
3. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
4. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its

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Conditional Use Permit (PEN22-0037)

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sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
7. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
8. This project is located in the Commercial Mixed Use Zoning District which allows the use with the approval of a Conditional Use Permit.
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections.
11. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
12. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities during business hours. (MC 9.09.290 (D)(2)(g))

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Conditional Use Permit (PEN22-0037)

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13. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights -of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
14. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all cannabis and marijuana securely stored.
15. A copy of all pages of these conditions shall be included in the construction drawing package.
16. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
17. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
18. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))
19. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
20. The site has been approved for a commercial cannabis retail dispensary, located at 24491 Alessandro Boulevard (approximately 2,445 square feet) per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial cannabis activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial Cannabis Activity. A change or modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.
21. A licensee conducting a commercial cannabis dispensary shall meet all applicable

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Conditional Use Permit (PEN22-0037)

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- operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
22. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
 23. The commercial cannabis dispensary shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))
 24. Waste and storage and disposal of all cannabis and marijuana products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
 25. The cannabis license and the Conditional Use Permit, apply only to the 2,445 square foot existing building at 24491 Alessandro Boulevard. No use of any other tenant space, outside of the 2,445 square foot existing building is allowed per Conditional Use Permit PEN22-0037.
 26. Daily hours of operation for the dispensary may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
 27. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license form the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E) (4)(g))
 28. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
 29. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available

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Conditional Use Permit (PEN22-0037)

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for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:

- a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.
30. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
 31. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
 32. Automatic closures on all interior and exterior doors shall be installed.
 33. All interior and exterior door seals shall be replaced and adjusted.
 34. All roof venting, wall penetrations, panel joints etc. shall be sealed.
 35. The applicant shall slurry seal and restripe the parking lot area within the limits of their parcel to the satisfaction of the Building and Planning Divisions. Applicant shall submit a restriping plan to the Planning and Building Divisions for review and approval prior to restriping the parking lot.
 36. Prior to issuance of a Building Permit or Certificate of Occupancy, the applicant shall install a five-foot-wide (interior dimension) landscape planter in front of the parking stalls along the Alessandro Boulevard frontage to be reviewed and approved by the Planning Division. (MC 9.17.050)
 37. Prior to issuance of a Building Permit or Certificate of Occupancy, the applicant shall replace and install a new screening gate for the trash enclosure to the satisfaction of the Planning Division. (MC 9.08.150)
 38. Prior to issuance of a Building Permit or Certificate of Occupancy, the applicant shall remove all lighting mounted on the rooftop and shall comply with the applicable lighting standards under MC 9.08.100.
 39. Air curtains shall be installed on all exterior doors.
 40. Two secured parking spaces, identified on a plot plan shall be located convenient the required secured area of each facility to be used by secured transfer vehicles involved in the couriering or dispensing of cannabis materials products to and from

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- the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
41. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E)(14)(c))
 42. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E)(14)(d))
 43. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290(E)(8)(c))
 44. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.
 45. Prior to approval of tenant improvement plans, a detailed, on-site, computer generated, point- by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted as part of the Building and Safety Plan Check submittal for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))
 46. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
 47. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
 48. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
 49. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary

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area.

50. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.

Prior to Building Permit

51. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval of any new or repaired landscaping by the Planning Division, designed per the City's Municipal Code 9.17.

Prior to Building Final or Occupancy

52. Prior to issuance of the Certificate of Occupancy or building final, the required landscaping and irrigation improvements shall be installed and inspected by the Planning Division. (MC 9.03.040, MC 9.17).

Building Division

53. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
54. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
55. Contact the Building Safety Division for permit application submittal requirements.
56. The proposed project will be subject to approval by the Box Springs Mutual Water Company and all applicable fees and charges shall be paid prior to permit issuance. Contact the water company at 951.653.6419 for specific details.
57. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
58. Building plans submitted shall be signed and sealed by a California licensed design

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professional as required by the State Business and Professions Code.

59. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
60. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
61. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
62. All remodeled structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
63. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

64. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
65. New Moreno Valley businesses may adopt a "First Source" approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.
66. New Moreno Valley businesses are encouraged to hire local residents.
67. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
68. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center

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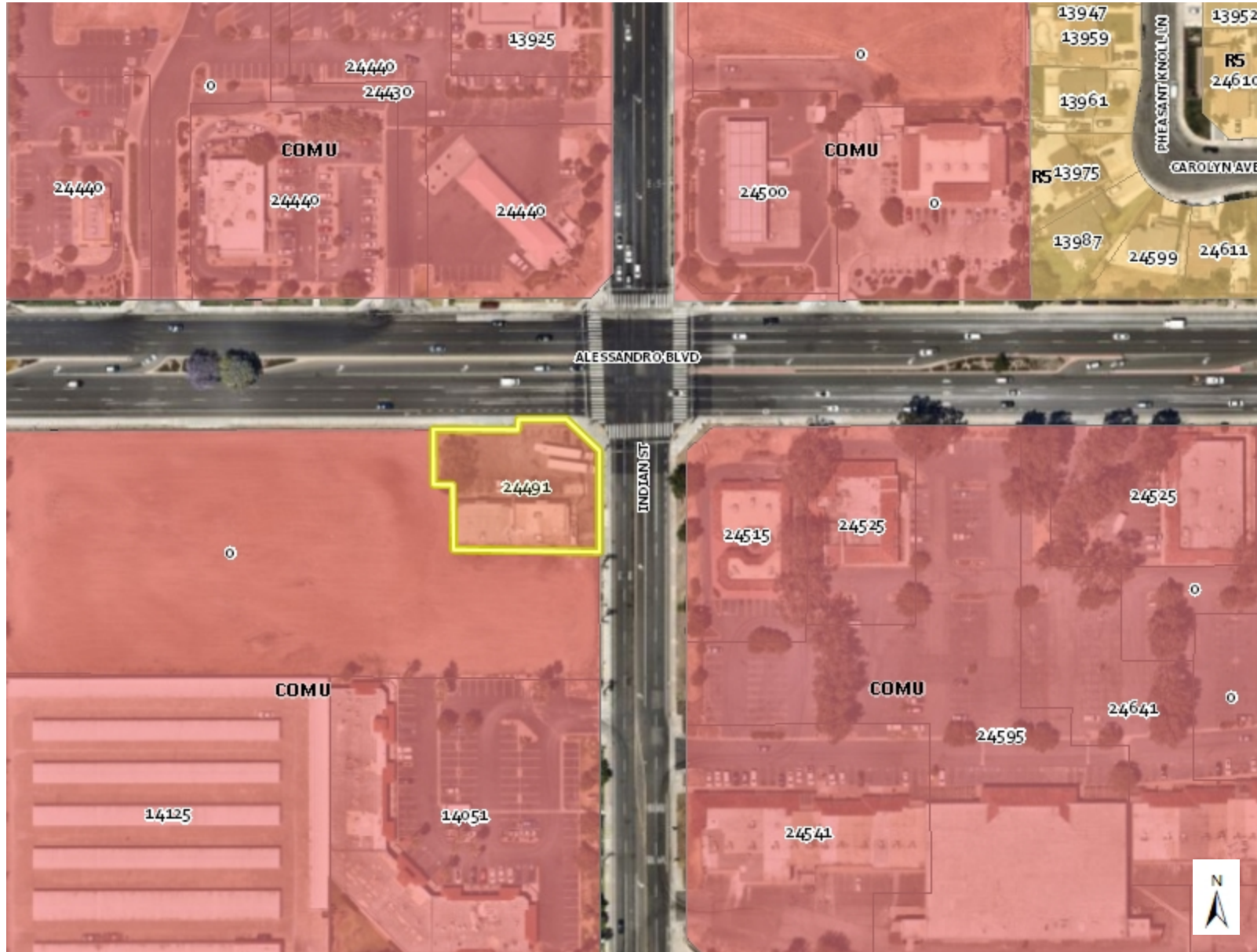
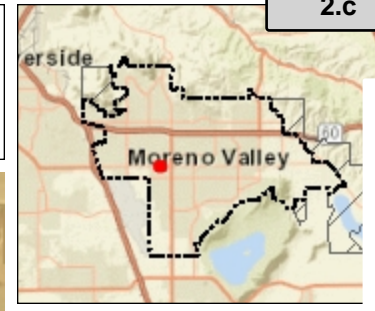
The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

69. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
70. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
71. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

PEN22-0037 Shango Cannabis Dispensary CUP Zoning Map



Legend

Zoning

- Commercial
- Center Mixed Use
- Downtown Center
- Corridor Mixed Use
- Industrial/Business Park
- Public Facilities
- Highway Office/Commercial
- Office
- Business Flex
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Road Labels

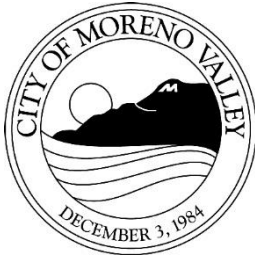
- Parcels
- City Boundary
- Sphere of Influence

Image Source: Nearmap

Notes:

315.5 0 157.74 315.5 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.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 14, 2022

PROPOSED PLOT PLAN FOR THE MORENO VALLEY BUSINESS CENTER FOR A 164,187 SQUARE FOOT LIGHT INDUSTRIAL BUILDING IN THE BUSINESS FLEX DISTRICT (BF)

Case: PEN20-0162 (Plot Plan)

Applicant: LDC Industrial Realty LLC

Property Owner: Housing Authority

Representative: Larry Cochrun

Location: North East Corner of Alessandro Boulevard and Day Street

Case Planner: Julia Descoteaux

Council District: 1

Proposal: The applicant is requesting Plot Plan approval for the development of a 164,187 square foot light industrial building.

SUMMARY

LDC Industrial Realty, LLC (“Applicant”) is requesting approval of a 164,187 square foot light industrial building on 8.2 acres located on the northeast corner of Alessandro Boulevard and Day Street in the Business Flex District.

PROJECT DESCRIPTION

Project

The Applicant is proposing the construction of a light industrial building, 164,187 square feet in size ("Proposed Project") with associated parking, landscape improvements, and off-site improvements. In addition, the Proposed Project will provide for the construction of an off-site storm drain segment and the upgrade to the water pump for the Box Springs Mutual Water Company.

Site/Surrounding Area

The approximately 8.2 acres is located at the north east corner of Alessandro Boulevard and Day Street.

The surrounding area includes existing single-family development to the north and east within the Residential 3 (R3) District. Properties to the west include a combination of vacant land and single-family residential development, legal non-conforming. Properties to the south are developed with Community Commercial (CC) to the southwest and Industrial to the southeast.

Access/Parking

The Proposed Project will take main access from Day Street, in and out of the truck court area, with automobile access, right-in and right-out on Alessandro Boulevard. By the design of the driveway, Sherman Avenue will have automobile access only.

Parking for both automobiles and trucks exceeds the City's Municipal Code requirements with 158 automobile and 28 truck spaces.

Design/Landscape

The Proposed Project's light industrial-type building incorporates a contemporary architectural design. Smoky blue tower elements provide a focal point with prominent vintage wood fiber siding sections, glass, mullions, grey-tinted windows, and metal awnings. The elements are included on the side elevations for the continuity of the building. The colors of off-white, taupe and warm grey provide the background for the vintage wood siding and flat metal awnings above the pained, which break up the massing of the buildings.

Extensive landscaping is provided along the building frontage in addition to the required front setback and right of way landscaping which includes plants, ground covers, street trees, and on-site trees.

REVIEW PROCESS

The Proposed Project has been considered by all appropriate agencies within and outside of the City, consistent with the standard review process required for these types of development applications. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and review by various staff, the Project's entitlement package was deemed complete for

processing for Planning Commission review and approval of the Proposed Project as designed and conditioned.

ENVIRONMENTAL

An Initial Study was prepared by T&B Planning, Inc., in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study examined the Proposed Project's impacts on the environment. The Initial Study/Mitigation Negative Declaration (IS/MND) provides information in support of the finding that a Mitigated Negative Declaration serves as the appropriate CEQA documentation for the Proposed Project in that the Proposed Project, with the implementation of the proposed mitigation measures, will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality Impact Analysis, Mobile Source Health Risk Assessment, MSHCP General Biological Resources Assessment, Phase I Cultural Resources Survey, Energy Analysis, Geotechnical Engineering Investigation, Greenhouse Gas Analysis, Phase I Environmental Site Assessment Report, Paleontological Assessment, Preliminary Hydrology, Preliminary Water Quality Management Plan, Noise Impact Analysis, Supplemental Noise Analysis, Trip Generation & Scoping Memo, Vehicle Miles Traveled (VMT) Assessment, and Truck Turning Memo. The electronic files for the IS/MND with appendices are attached to this staff report. Anyone wishing to view the documents can also do so at City Hall.

Mitigation Measures are recommended for the Proposed Project in the following areas: Biological Resources, Cultural Tribal Resources, and Geology and Soils. The measures for Tribal resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study, and the proposed mitigation measures, the Project will not cause any significant impacts or environmental damage.

The public comment period for the Notice of Availability for the Initial Study/Mitigated Negative Declaration began on June 16, 2022, and ends on July 6, 2022, which satisfies the required 20-day, review period. As of the preparation of this staff report, no comments have been received. Should comments regarding the Proposed Project be received prior to the Planning Commission they will be provided at the public hearing.

NOTIFICATION

Notice of the public hearing was sent to all property owners of record within 600 feet of the Project Site. The public hearing notice was also posted on the Project Site and published in the Press Enterprise newspaper.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside trustee and responsible agencies where applicable, as is the standard review process with these types of development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

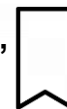
- A. That the Planning Commission **ADOPT** Resolution No. 2022-33, attached hereto, **AND:**
1. **APPROVE** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN20-0162 on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the proposed Project's potential environmental impacts; and
 2. **ADOPT** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Plot Plan PEN20-0162 pursuant to CEQA and the CEQA Guidelines.
- B. That the Planning Commission **ADOPT** Resolution No. 2022-35 attached hereto, **AND:**
1. **APPROVE** Plot Plan PEN20-0162 based on the Recital, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2020-35.

Prepared by:
Julia Descoteaux
Associate Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

1. 2022-33 Resolution IS-MND
2. Exhibit A to 2022-33 Moreno Valley Business Center IS MND
3. A1 - Air Quality Impact Analysis
4. A2 - Mobile Source Health Risk Assessment
5. A3 - Supplemental Air Quality Impact Analysis
6. A4 - Construction Health Risk Assessment

7. B - Biological Resources Assessment
8. C - Phase I Cultural Resources Survey
9. D - Geotechnical Investigation
- 10.E - Energy Analysis
- 11.F - Greenhouse Gas Analysis
- 12.G - Phase I Environmental Site Assessment
- 13.H - Paleontological Assessment
- 14.I1 - Preliminary Hydrology Calculations
- 15.I2 - Preliminary Water Quality Management Plan
- 16.J1 - Noise Impact Analysis
- 17.J2 - Supplemental Noise Analysis
- 18.K1 - Trip Generation & Scoping Memo
- 19.K2 - VMT Assessment
- 20.K3 - Truck Turning Memo
21. Exhibit B to 2022-33 Notice of Intent 06162022-Newspaper Notice07012022
22. Exhibit C to 2022-33 MMRP
- 23.5_2022-35 Resolution Plot Plan_Final
24. Exhibit A to 2022-35 Conditions of Approval
25. Project Plans
26. Arch 1-Alessandro Blvd & Day St - View 1
27. Arch 2 - Alessandro Blvd Colored Elevation with Screenwall
28. Arch 3 - Alessandro Blvd Material Board
29. Color Site Plan - Alessandro Blvd & Day St -19142 _ Colored Site
30. DayAlessandro_Zoning
31. Public Comments PEN20-0162 ISMND

RESOLUTION NUMBER 2022-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING A MITIGATED NEGATIVE DECLARATION AND APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MORENO VALLEY BUSINESS CENTER PROJECT LOCATED AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (APN'S 291-191-007 THROUGH -013 AND -025 THROUGH -029)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines; and

WHEREAS, LDC Industrial Realty, LLC., (“Applicant”) is seeking approval for the development of the Moreno Valley Business Center project on an 8.2-acre site that includes a Plot Plan (PEN20-0162) for an approximately 164,187 square foot light industrial building with associated public improvements (“Proposed Project”) located at the northeast corner of Alessandro Boulevard and Day Street (APN'S 291-191-007 through -013 and -025 through -029) “Project Site”); and

WHEREAS, Planning Division Staff completed an environmental assessment for the proposed Project, and, based on the assessment, decided to prepare an Initial Study (“IS”) and Mitigated Negative Declaration (“MND”) in accordance with Section 6 (Negative Declaration Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act (CEQA) and the requirements of the CEQA Guidelines Sections 15070 – 15075; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 20 days commencing on June 16, 2022, through July 6, 2022; and

WHEREAS, in conformance with CEQA and the CEQA Guidelines, a Mitigation Monitoring and Reporting Program (“MMRP”) that includes a program for reporting and monitoring Projects’ mitigation measures was prepared for the proposed Project and circulated with the Mitigated Negative Declaration; and

WHEREAS, on July 14, 2022, a hearing was conducted by the Planning Commission to consider and approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and approval of the Proposed Project at which time the Planning Commission considered the Initial Study, Mitigated Negative Declaration, and the Mitigation Monitoring and Reporting Program, together with any comments received during the public review process and the responses prepared; and

¹ Public Resources Code §§ 21000-21177

¹ 14 California Code of Regulations §§15000-15387

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program would reduce the environmental impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation of an environmental impact report.

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

Section 1. Recitals and Exhibits

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

Section 2. Evidence

That the Planning Commission has considered all the evidence submitted into the Administrative Record for the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, including, but not limited to, the following:

- (a) Mitigated Negative Declaration/Initial Study prepared for the proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration/Newspaper Notice, attached hereto as Exhibit B;
- (c) Mitigation Monitoring and Reporting Program, attached hereto as Exhibit C;
- (d) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing; and
- (e) Testimony, comments and correspondence from all persons that were provided at, or prior to, the public hearing.

Section 3. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That the City has independently reviewed, analyzed, and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and the whole record before it, (including, the Initial Study and comments received) and, based on the foregoing, the Planning Commission hereby finds that all environmental impact of the Proposed Project, with mitigation measures, are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment;

- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with the CEQA and are consistent with the City's Rules and Procedures for the implementation of the CEQA;
- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the City as the lead agency for the proposed Project; and
- (d) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the proposed Project.

Section 4. Adoption

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission adopt the Mitigated Negative Declaration/Initial Study attached hereto as Exhibit A and the Mitigation Monitoring and Reporting Program attached hereto as Exhibit C.

Section 5. Repeal of Conflicting Provisions

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

Section 6. Severability

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

Section 7. Effective Date

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

Section 8. Certification

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

PASSED AND ADOPTED THIS 14th day of July, 2022

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

Exhibit A: Mitigated Negative Declaration/Initial Study

Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration / Newspaper Notice

Exhibit C: Mitigation Monitoring Plan

Exhibit A
INITIAL STUDY

Exhibit B

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION /
NEWSPAPER NOTICE**

Attachment: 2022-33 Resolution IS-MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM



CITY OF MORENO VALLEY

MITIGATED NEGATIVE DECLARATION FOR THE MORENO VALLEY BUSINESS CENTER PROJECT



**Moreno Valley Business Center Project:
Plot Plan (PEN20-0162)**

June 2022

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

**Prepared By
T&B PLANNING, INC.
3200 El Camino Real, Suite 100
Irvine, CA, 92602**

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

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MITIGATED NEGATIVE DECLARATION MORENO VALLEY BUSINESS CENTER

Project Description:

The Moreno Valley Business Center project comprises a proposal for a Plot Plan (PEN20-0162) that provides for the development of a light industrial building with 164,187 square feet of building floor area, inclusive of 154,187 s.f. of warehouse/storage space and 10,000 s.f. of supporting office space (ground floor and mezzanine). The Project also would include a cargo loading area (within an enclosed truck court with loading docks on the west side of the proposed building), parking areas, landscaping, signage, and lighting.

Project Location:

The Project site is located at the northeast corner of Alessandro Boulevard and Day Street in the City of Moreno Valley, Riverside County, California. (APNs: 291-191-007 through -013, and -025 through -029)

Project Proponent:

Larry Cochrun
LDC Industrial Realty, LLC
555 N. El Camino Real Suite A456
San Clemente, CA 92672

Findings:

It is hereby determined that, based on the information contained in the attached Initial Study, the Project would not have a significant adverse effect on the environment.

Mitigation Measures:

No.	Mitigation Measure
MM BR-1	<p>Vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (January 31 through September 1), unless a migratory bird nesting survey is completed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li data-bbox="407 1360 1421 1486">a. A nesting bird survey shall be conducted on the Project site and within suitable habitat located within a 250-foot radius of the Project site by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance. <li data-bbox="407 1522 1421 1648">b. If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival. <li data-bbox="407 1684 1421 1921">c. If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities. The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife

No.	Mitigation Measure
	<p>and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Moreno Valley. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verify that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.</p>
MM BR-2	<p>Within 30 days prior to grading, a qualified biologist shall conduct a survey of suitable habitat on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Moreno Valley prior to the issuance of a grading permit and subject to the following provisions:</p> <ol style="list-style-type: none"> a) In the event that the pre-construction survey identifies no burrowing owls on the property a grading permit may be issued without restriction. b) In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit. c) In the event that the pre-construction survey identifies the presence of three (3) or more mating pairs of burrowing owl, the requirements of MSCHP Species-Specific Conservation Objectives 5 for the burrowing owl shall be followed. Objective 5 states that if the site (including adjacent areas) supports three (3) or more pairs of burrowing owls and supports greater than 35 acres of suitable habitat, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite until it is demonstrated that Objectives 1-4 have been met. A grading permit shall be issued, either: <ol style="list-style-type: none"> i. Upon approval and implementation of a property-specific Determination of Biologically Superior Preservation (DBESP) report for the burrowing owl by the CDFW; or ii. A determination by the biologist that the site is part of an area supporting less than 35 acres of suitable Habitat, and upon passive or active relocation of the species following accepted CDFW protocols. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.

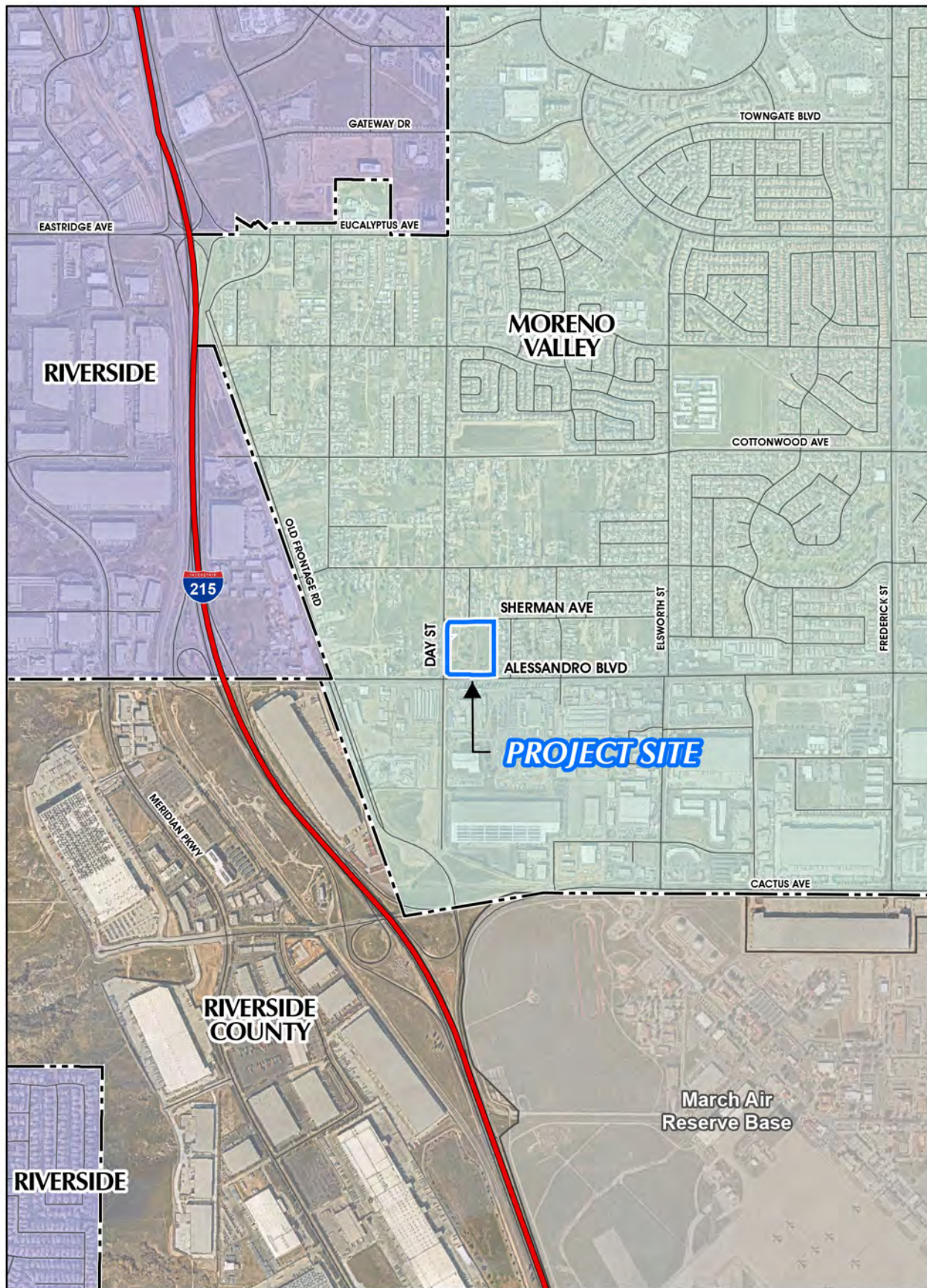
No.	Mitigation Measure
MM CR-1	<p>Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), including the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in Mitigation Measure CR-3. The Project archaeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>
MM CR-2	<p>Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>
MM CR-3	<p>The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) Project description and location; b) Project grading and development scheduling; c) Roles and responsibilities of individuals on the Project; d) The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e) The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation; f) The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and g) Contact information of relevant individuals for the Project.
MM CR-4	<p>In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ul style="list-style-type: none"> a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ul style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.

No.	Mitigation Measure
	<p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation Measure CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p>
MM CR-5	<p>The City shall verify that the following note is included on the Grading Plan:</p> <p>"If any suspected archaeological resources are discovered during ground – disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>
MM CR-6	<p>If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>
MM CR-7	<p>If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).</p>
MM CR-8	<p>It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be</p>

No.	Mitigation Measure
	asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
MM CR-9	Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).
MM GEO-1	Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.
MM GEO-2	The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at depths five or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified paleontological personnel to have a low potential to contain or yield fossil resources.
MM GEO-3	Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Western Science Museum in Hemet, California, is required for significant discoveries.
MM GEO-4	A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Moreno Valley prior to building final.

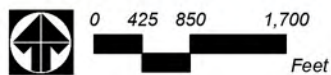
Attachments:

1. Location Map
2. Initial Study
3. Mitigation Monitoring and Reporting Program.



Source(s): ESRI, Nearmap Imagery (2020), RCLMA (2020)

Figure 1



Project Location Map



INITIAL STUDY (IS) FOR MORENO VALLEY BUSINESS CENTER PROJECT

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Project Case Number(s):** Plot Plan (PEN20-0162)
2. **Project Title:** Moreno Valley Business Center
3. **Public Comment Period:** June 16, 2022 to July 6, 2022
4. **Lead Agency:** City of Moreno Valley
Julia Descoteaux, Associate Planner
14177 Frederick Street
Moreno Valley, CA 92552
(951) 413-3209
juliad@moval.org
5. **Documents Posted At:** <https://moval.gov/cdd/documents/about-projects.html>
6. **Prepared By:** T&B Planning, Inc.
Tracy Zinn
3200 El Camino Real, Suite 100
Irvine, CA, 92602
(714) 505-6360 x 350
tzinn@tbplanning.com
7. **Project Sponsor:**

<p>Applicant/Developer Larry Cochrun LDC Industrial Realty, LLC 555 N. El Camino Real Suite A456 San Clemente, CA 92672 (949) 226-4601 lcochrun@ldcindustrial.com</p>	<p>Property Owner City of Moreno Valley 14177 Frederick Street Moreno Valley, CA 92553</p>
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8. **Project Location:** The Project site is located in the western portion of the City of Moreno Valley, Riverside County, California. The Project site is located at the northeast corner of Alessandro Boulevard and Day Street (APNs: 291-191-007 through -013, and -025 through -029). Refer to Figure 2, *Regional Map*; and Figure 3, *USGS Topographic Map*.
9. **General Plan Designation:** Business Flex (B-F). Refer to Figure 4, *Existing General Plan*.
10. **Specific Plan Name and Designation:** N/A
11. **Existing Zoning:** Business Flex. Refer to Figure 5, *Existing Zoning*.

12. **Surrounding Land Uses and Setting** (Refer to Figure 6, *Aerial Photograph*):

	Land Use	General Plan	Zoning
Project Site	Undeveloped	Business Flex	Business Flex
North	Residential, Undeveloped	Residential 3	Residential 3
South	Industrial	Business Park/Light Industrial	Industrial
East	Residential, Commercial	Residential 3/Business Flex	Business Flex and Residential 3
West	Residential	Business Flex	Business Flex

13. **Project Description:** The Moreno Valley Business Center project (hereinafter, “Project”) comprises a proposal for a Plot Plan (PEN20-0162) that provides for the development of a light industrial building with 164,187 square feet of building floor area. The Project site comprises approximately 8.2 gross acres/7.8 net acres. The components of the proposed Project are summarized on the following pages.

Plot Plan (PEN20-0162) provides a development plan for a light industrial building with 164,187 square feet (s.f.) of building floor area, inclusive of 154,187 s.f. of warehouse/storage space and 10,000 s.f. of supporting office space (ground floor and mezzanine). An employee break area with tables and seating is provided along the northwest corner of the proposed building. The site plan for the Project is illustrated on Figure 7, *Site Plan*.

Vehicular access to the Project site is provided by one proposed driveway onto Alessandro Boulevard, one proposed driveway onto Day Street, and one proposed driveway onto Sherman Avenue. The driveway onto Alessandro Boulevard would be accessible for passenger vehicles only and would be limited to right-turn movements entering and exiting the site. The driveway onto Day Street would be accessible to trucks only and only for trucks entering and exiting via Alessandro Boulevard. A “porkchop” island would be installed at the Project’s driveway at Day Street to make it impossible for trucks exiting the Project site to make a right-turn and travel northbound on Day Street. (The Project also includes signage at the driveway onto Day Street informing exiting drivers that right turns are prohibited.) The porkchop island also would prevent southbound trucks on Day Street from making a left-turn into the Project site. The driveway onto Sherman Avenue would be accessible for passenger vehicles only and would have no restrictions for vehicle turning movements entering or exiting the site.

Parking and Loading

The proposed building contains an enclosed truck court on the west side of the building (adjacent to Day Street) with 23 dock high loading bays and 28 truck trailer parking stalls. Additionally, 151 standard automobile parking stalls will be provided along the north and east sides of the building. Bicycle parking spaces (“racks”) would be provided at the northwest and southeast corners of the building in conformance with Moreno Valley Municipal Code Section 9.11060(B)(1), which requires bicycle parking spaces be provided at a rate equal to five percent of the total required parking spaces.

Architecture

Figure 8, *Architectural Elevations*, depicts the Project’s architectural design. The proposed building would have a maximum height of approximately 44 feet above finished grade. The building is proposed to be constructed with painted concrete tilt-up panels and low-reflective,

blue-glazed glass. Articulated building elements, include parapets with a varied roofline, wall recesses, and decorative, accent building materials (including wood siding) are proposed as decorative elements. The exterior color palette for the proposed building is comprised of various neutral colors, including shades of white, gray, and blue.

Prior to the issuance of building permits to construct the Project, the Project Applicant would be required to submit construction architecture documents/plans to the City of Moreno Valley for review and approval. The construction documents/plans would be required to comply with the City of Moreno Valley Building Code, which is based on the California Building Code and is included in Chapter 8.20 of the City of Moreno Valley Municipal Code.

Landscaping

Figure 9, *Conceptual Landscape Plan*, depicts the proposed landscape design for the Project. Proposed landscaping would be ornamental in nature and would feature drought-tolerant trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. Trees, shrubs and groundcovers would be concentrated along the Project site's frontages with Sherman Avenue, Day Street, Alessandro Boulevard, and along the Project site's eastern boundary. Landscaping also is massed at driveways, around the buildings, and in and around automobile parking areas.

Prior to the issuance of a building permit to construct the proposed building, the Project Applicant would be required to submit final planting and irrigation plans to the City of Moreno Valley for review and approval. The plans are required to comply with Chapter 9.17 of the Moreno Valley Municipal Code, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency.

Project Improvements

Public Roadway Improvements

The Project includes the following public roadway improvements in conjunction with development of the Project site:

1. The Project Applicant would re-pave the southern half of the Sherman Avenue segment that abuts the northern Project site boundary. In addition, the Project Applicant would install three (3) street lights along the Sherman Avenue segment that abuts the northern Project site boundary.
2. The Project Applicant would re-pave the eastern half of the Day Street segment that abuts the western Project site boundary and re-locate one (1) existing street light on the east side of the street (at the approximate mid-point of the Project site boundary).
3. The Project Applicant would improve the north side of the Alessandro Boulevard segment that abuts the southern Project site boundary to its ultimate half-section as a Divided Major Arterial. With proposed improvements, the north side of the street would feature a 67-foot-wide travel way (including turn pocket for northbound traffic onto Day Street), curb and gutter, 10-foot-wide sidewalk, and bioretention swales. In addition, the Project Applicant would install three (3) street lights along the Alessandro Boulevard segment that abuts the southern Project site boundary.

Water Infrastructure

Box Springs Mutual Water Company (BSMWC) would provide water service to the Project site. As depicted on Figure 10, *Conceptual Utilities Plan*, connection points (domestic, irrigation, and fire service) are proposed to the existing water lines installed beneath Day

Street and Alessandro Boulevard. All proposed water facilities would be designed and constructed in accordance with applicable BSMWC standards.

The Project also provides for the construction of a new public water pump on BSMWC property located approximately 375 feet north of Dracaea Avenue and approximately 225 feet east of Edgemont Avenue (APN 263-140-014). The BSMWC property where the water pump would be constructed is graded and cleared (packed dirt) under existing conditions and developed with BSMWC water tanks and associated equipment. The proposed public water pump will require the construction of a concrete pad to support the pump equipment, electrical wiring to power the pump, and a control panel. The pump would connect to an existing pipe that runs between the BSMWC property and Dracaea Avenue; this pipe, which is stubbed under existing conditions, would be connected to an abutting, existing water main within Dracaea Avenue. The water pump would correct existing deficient water pressure conditions at the Project Site to ensure the Project's fire suppression (i.e., indoor sprinkler) system can meet minimum operational and safety requirements.

Sanitary Sewer Service

Edgemont Community Services District (ECSD) would provide wastewater conveyance services to the Project site. As shown on Figure 10, the Project would connect to an existing sewer line beneath Day Street. All proposed wastewater facilities would be designed and constructed in accordance with applicable ECSD standards.

Stormwater Drainage Infrastructure

As shown in Figure 11, *Conceptual Drainage Plan*, the Project's on-site stormwater drainage system would consist of catch basins, underground storm drain pipes, bioretention swales, and a underground infiltration chambers. Stormwater runoff from the passenger vehicle parking areas in the northern and eastern portions of the Project site will be conveyed to the truck court by underground storm drain pipes. In the truck court, runoff would first be directed to underground infiltration chambers located beneath the truck court, then – when/if the infiltration chambers reach capacity – runoff would flow to an underground storm drain that would convey site runoff westerly off-site into the proposed storm drain beneath Day Street (see discussion below). During heavy rain events, storm water captured in the truck court would be temporarily detained through aboveground ponding in the truck court. The maximum depth of ponding in the truck court would be approximately 8.5 inches. The release of detained stormwater flows from the truck court into on-site catch basins would be controlled to minimize the release of stormwater flows during peak storm events.

The Project also provides for the construction of a new public storm drain beneath segments of Sherman Avenue, Day Street, Alessandro Boulevard, and Old 215 Frontage Road. The proposed storm drain begins in Sherman Avenue and traverses westerly to Day Street, southerly to Alessandro Boulevard, westerly to Old 215 Frontage Road, then northerly for 90 feet before terminating with a bubbler outlet structure that will discharge runoff flows to an existing drainage device in a drainage swale on the east side of the road. Catch basins will be installed in Sherman Avenue, Day Street, and Alessandro Boulevard abutting the Project site to capture off-site stormwater runoff and convey the flows to the proposed public storm drain.

Dry Utilities

Implementation of the Project would result in the relocation/adjustment of an existing traffic signal pull box and utility vault along the Project site frontage with Alessandro Boulevard. Implementation of the Project also would result in the relocation of existing underground electrical wiring, an electrical utility box, and a telecommunications pedestal along the Project site frontage with Day Street. Lastly, existing wooden power poles along the Project

site frontage with Alessandro Boulevard would be removed as part of Project construction and the overhead electric transmission lines suspended on these poles would be undergrounded. The removal of the power poles and the undergrounding of the transmission lines would be performed in coordination with Moreno Valley Utility.

Earthwork and Grading

Implementation of the Project would result in grading and earthwork across the entire Project site. As shown on Figure 12, *Conceptual Grading Plan*, the proposed Project would result in approximately 25,193 cubic yards of cut and 25,193 cubic yards of fill; no import or export of earthwork materials would be required. When grading is complete, the Project site would have a downward slope from northeast to southwest and the approximate elevation for the proposed building pad would be 1,559 feet above mean sea level (amsl). Manufactured slopes with maximum 2:1 gradients would be constructed along portions of the Project site's eastern, northern, western, and southern boundaries. An approximately 3-foot-tall retaining wall would be constructed at the base of the manufactured slope on the eastern Project site boundary.

Construction Characteristics

Based on information provided by the Project Applicant, the Project is expected to be constructed over a period of approximately 280 work days (12 months). Site preparation would occur first, followed by mass-grading and installation of underground infrastructure and retaining walls. Next, fine grading would occur, surface materials would be poured, and the proposed building would be erected, connected to the underground utility system, and painted. Lastly, landscaping, fencing, screen walls, lighting, signage, and other site improvements would be installed. The estimated Project construction schedule, organized by construction stage, is summarized in Table 1, *Estimated Construction Schedule*.

Table 1: Estimated Construction Schedule

Phase Name	Days
Site Preparation	10
Grading	20
Building Construction	230
Paving	20
Architectural Coating	40

Source: (Urban Crossroads, 2022b, Table 1)

Construction workers would travel to the site by passenger vehicle and materials deliveries would occur by medium- and heavy-duty trucks. Construction equipment is expected to operate on the Project site up to eight hours per day, six days per week. Even though construction activities are permitted to occur between 7:00 a.m. to 8:00 p.m. on Mondays through Saturdays pursuant to Moreno Valley Municipal Code Section 11.80.030(D)(7), construction equipment is not in continual use and some pieces of equipment are used only periodically throughout a typical day of construction. Thus, eight hours of daily use per piece of equipment is a reasonable assumption. Should construction activities need to occur at night (such as concrete pouring activities which benefit from air temperatures that are lower than daytime temperatures), the Project Applicant would be required to obtain authorization for nighttime work from the City of Moreno Valley as specified in Moreno Valley Municipal Code Section 11.80.030(D)(7).

The construction equipment fleet that the Project Applicant intends to utilize to construct the proposed Project is summarized in Table 2, *Estimated Construction Equipment Fleet*. The

Project's construction fleet listed in Table 2 would meet, at a minimum, California Air Resources Board (CARB) Tier 4 interim standards. This construction fleet is used for purposes of analysis in this IS/MND.

Table 2: Estimated Construction Equipment Fleet

Phase Name	Equipment	Amount	Hours Per Day
Site Preparation	Crawler Tractors	4	8
	Rubber Tired Dozers	3	8
Grading	Crawler Tractors	3	8
	Excavators	1	8
	Graders	1	8
	Rubber Tired Dozers	1	8
Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

Source: (Urban Crossroads, 2022b, Table 2)

Operational Characteristics

At this time, the future occupant(s) of the proposed warehouse building is/are currently unknown. The Project Applicant expects that the building primarily would be occupied by a warehouse distribution/logistics operator. The Project is expected to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. Lighting would be subject to compliance with Moreno Valley Municipal Code Section 9.08.100, which states that all outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses to reduce glare and light trespass, and shall not exceed one-quarter-foot-candle minimum maintained lighting measured from within five (5) feet of any property line.

The proposed warehouse building is designed such that business operations would be conducted within the enclosed building, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays. As a practical matter, dock doors on industrial buildings are not occupied by a truck at all times of the day. There are typically more dock door positions on industrial buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods to be carried by the truck are inside the building. As a result, many dock door positions are frequently inactive throughout the day. The outdoor cargo handling equipment used during loading, and unloading of trailers (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) are expected to be powered by non-diesel engines (e.g., gasoline, natural gas, electric).

During operation, employees, visitors, and vehicles hauling goods will travel to and from the Project site on a daily basis. Project operations are calculated to generate approximately 304 vehicle trips per day, including 194 passenger vehicle trips and 110 truck trips. Pursuant to State law, on-road diesel-fueled trucks that would service the Project are required to comply with various air quality and greenhouse gas emission standards, including but not limited to the type of fuel used, engine model year stipulations, aerodynamic features, and idling time restrictions. Compliance with State law is mandatory and inspections of on-road diesel trucks subject to applicable State laws are conducted by the California Air Resources Board (CARB).

For purposes of analysis in this IS/MND, the Project's water and wastewater treatment demand is anticipated to be 7,800 gallons per day (demand rates derived from ECSD standard wastewater treatment generation rates (ECSD, 2016, Table 3-1)). Project operations also are expected to demand approximately 1,900,224 kilowatt hours (kWh) of electricity per year; and 2,265,005 kilo-British thermal units (kBTU) of natural gas per year.

14. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

The City of Moreno Valley is required to consult with interested California Native American tribes regarding the Project pursuant to Assembly Bill 52 (AB 52). The City contacted California Native American Tribes with traditional use areas that encompass or are in the vicinity of the Project site. The Project received requests for consultation from Soboba Band of Luiseno Indians, Pechanga Band of Luiseno Indians, Rincon Band of Luiseno Indians, and Agua Caliente Band of Cahuilla Indians. The City concluded consultation on June 16, 2021.

15. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

Riverside County Airport Land Use Commission (Airport Land Use Plan Consistency Determination); Santa Ana Regional Water Quality Control Board (NPDES Permit), Riverside County Flood Control and Water Conservation District (drainage infrastructure design); Box Springs Mutual Water Company (domestic water system design/connections); and Edgemont Community Services District (sewer system design/connections).

16. **Other Technical Studies Referenced in this Initial Study (Provided as Appendices):**

Technical Appendix A1: *Moreno Valley Business Center Air Quality Impact Analysis*

Technical Appendix A2: *Moreno Valley Business Center Mobile Source Health Risk Assessment*

Technical Appendix A3: *Moreno Valley Business Center Supplemental Air Quality Impact Analysis*

Technical Appendix A4: *Moreno Valley Business Center Construction Health Risk Assessment*

Technical Appendix B: *General Biological Resources Assessment for the Moreno Valley Business Center Project*

Technical Appendix C: *Phase I Cultural Resources Survey for the Moreno Valley Business Center Project*

Technical Appendix D: *Geotechnical Investigation Proposed Warehouse Building Development Northeast Corner Alessandro Boulevard and Day Street Moreno Valley, California*

Technical Appendix E: *Moreno Valley Business Center Energy Analysis*

Technical Appendix F: *Moreno Valley Business Center Greenhouse Gas Analysis*

Technical Appendix G: *Phase I Environmental Site Assessment LDC Alessandro Business Park*

Technical Appendix H: *Paleontological Assessment for the Moreno Valley Business Center Project*

Technical Appendix I1: *Preliminary Hydrology Calculations for PEN20-0162/LST20-0025 LDC Alessandro Business Park*

Technical Appendix I2: *Project Specific Preliminary Water Quality Management Plan for: PEN20-0162/LWQ20-0026 LCD-Alessandro*

Technical Appendix J1: *Moreno Valley Business Center Noise Impact Analysis*

Technical Appendix J2: *Moreno Valley Business Center Off-Site Improvements Noise Assessment*

Technical Appendix K1: *Moreno Valley Business Center Project Scoping Form*

Technical Appendix K2: *Moreno Valley Business Center Vehicle Miles Travelled (VMT) Analysis*

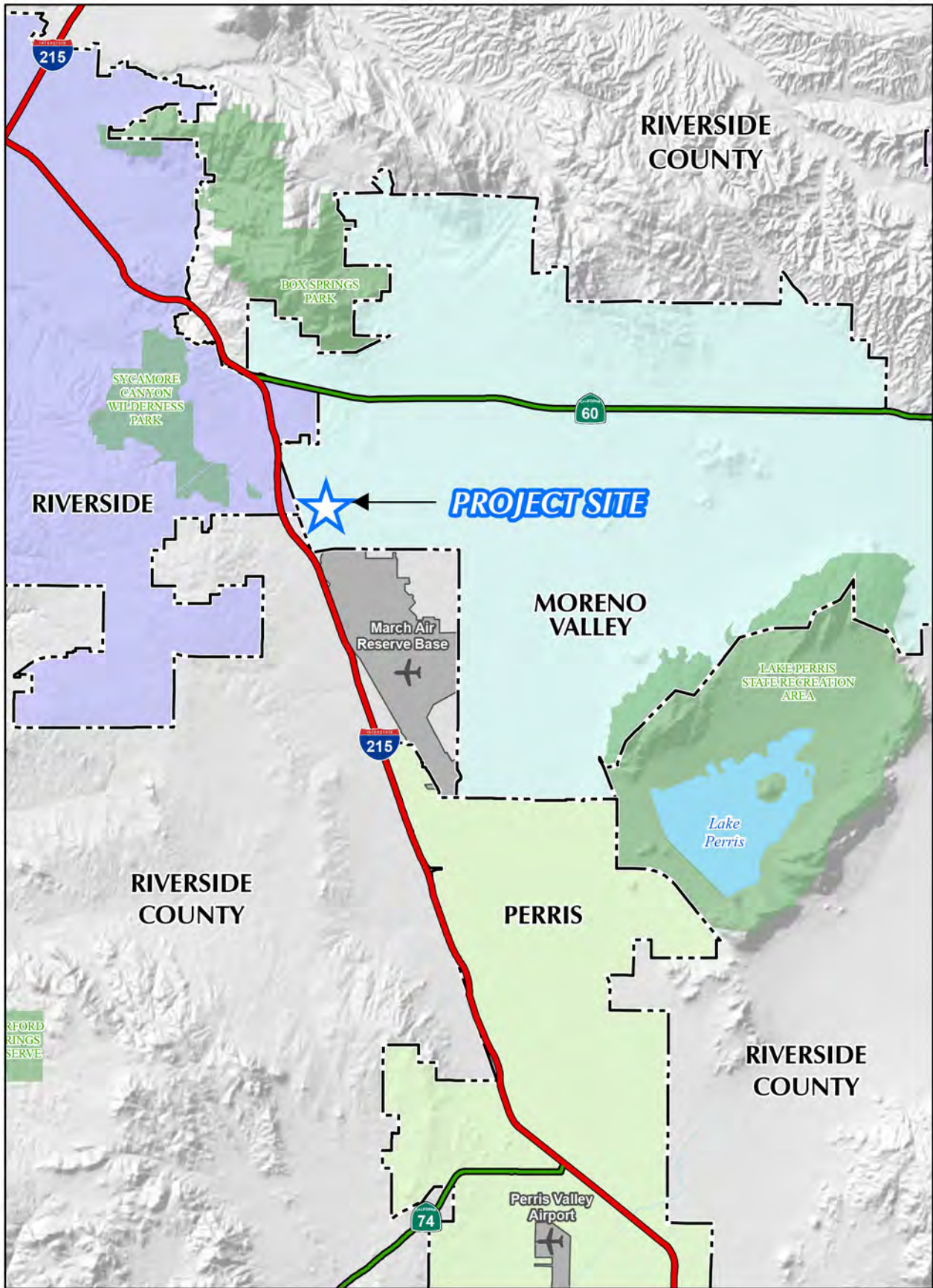
Technical Appendix K3: *Moreno Valley Business Center Truck Turning Evaluation*

17. Acronyms:

AB-#	Assembly Bill
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
amsl	Above mean sea level
APN	Assessor Parcel Number
AQMP -	Air Quality Management Plan
BMP	Best Management Practice
BP	Business Park/Light Industrial
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CalFire	California Department of Forestry and Fire Protection
CalGreen	California Green Building Standards Code
CalRecycle	California Department of Resources, Recycling, and Recovery
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CAPSSA	Criteria Area Plant Special Survey Area
CARB	California Air Resources Board
CBSC	California Building Standards Code
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEQA -	California Environmental Quality Act
CH ₄	Methane
CIWMP	Countywide Integrated Waste Management Plan
CO	Carbon Monoxide
CRMP	Cultural Resources Management Plan
dBA	A-weighted decibels
DBESP	Determination of Biologically Superior Preservation
DIF	Development Impact Fee
DPM	Diesel Particulate Matter
DTSC -	Department of Toxic Substance Control

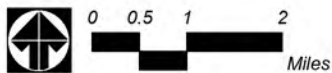
ECSD	Edgemont Community Services District
e.g.	Exempli gratia meaning “for example”
EIC	Eastern Information Center
EIR -	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FEMA -	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FMMP -	Farmland Mapping and Monitoring Program
GCC	Global Climate Change
GHG -	Greenhouse Gas
gpcd	Gallons per capita per day
gpd	Gallons per day
HCP	Habitat Conservation Plan
HMBEP	Hazardous Materials Business Emergency Plan
I-#	Interstate
i.e.	Id est meaning “that is”
IEPR	Integrated Energy Policy Report
IS -	Initial Study
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITE	Institute of Transportation Engineers
kBTU	Kilo-British thermal units
kWH	Kilowatt hours
lbs/day	Pounds per day
Leq	Equivalent Sound Level
LI	Light Industrial
MAFB	March Air Force Base
MARB -	March Air Reserve Base
MARB/IPA-	March Air Reserve Base/Inland Port Airport
MEIR	Maximally Exposed Individual Receptor
MEIW	Maximally Exposed Individual Worker
mgpd	Million gallons per day
MND	Mitigated Negative Declaration
MS4	Municipal Separate Storm Sewer System
MSHCP -	Multiple Species Habitat Conservation Plan
MTCO ₂ e	Metric Tons of Carbon Dioxide Equivalent
MT/yr	Metric Tons per year
MVFD	Moreno Valley Fire Department
N ₂ O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEPSSA	Narrow Endemic Plant Special Survey Area
NO _x	Nitric Oxide
NPDES -	National Pollutant Discharge Elimination System
PCE	Passenger Car Equivalent
PM ₁₀	Particulate Matter (10 microns in diameter)
PM _{2.5}	Particulate Matter (2.5 microns in diameter)
R30	Residential: Max 30 du/ac
REC	Recognized Environmental Condition
RTP -	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB-#	Senate Bill
SCAB	South Coast Air Basin
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE -	Southern California Edison
SCS	Sustainable Communities Strategy
s.f.	Square feet
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Lands Files
SO _x	Sulfur Oxide

SR-#	State Route
SRA	State Responsibility Area
SWPPP -	Storm Water Pollution Prevention Plan
TEA-21	The Transportation Act for the 21 st Century
UCR	University of California Riverside
USEPA	United States Environmental Protection Agency
USFWS -	United States Fish and Wildlife
UWMP	Urban Water Management Plan
VdB	Vibration Decibels
VEC	Vapor Encroachment Condition
VES	Vapor Encroachment Screening
VMT -	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WMWD	Western Municipal Water District
WQMP -	Water Quality Management Plan



Source(s): ESRI, RCTLMA (2020)

Figure 2

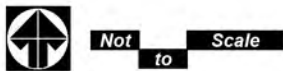


Regional Map

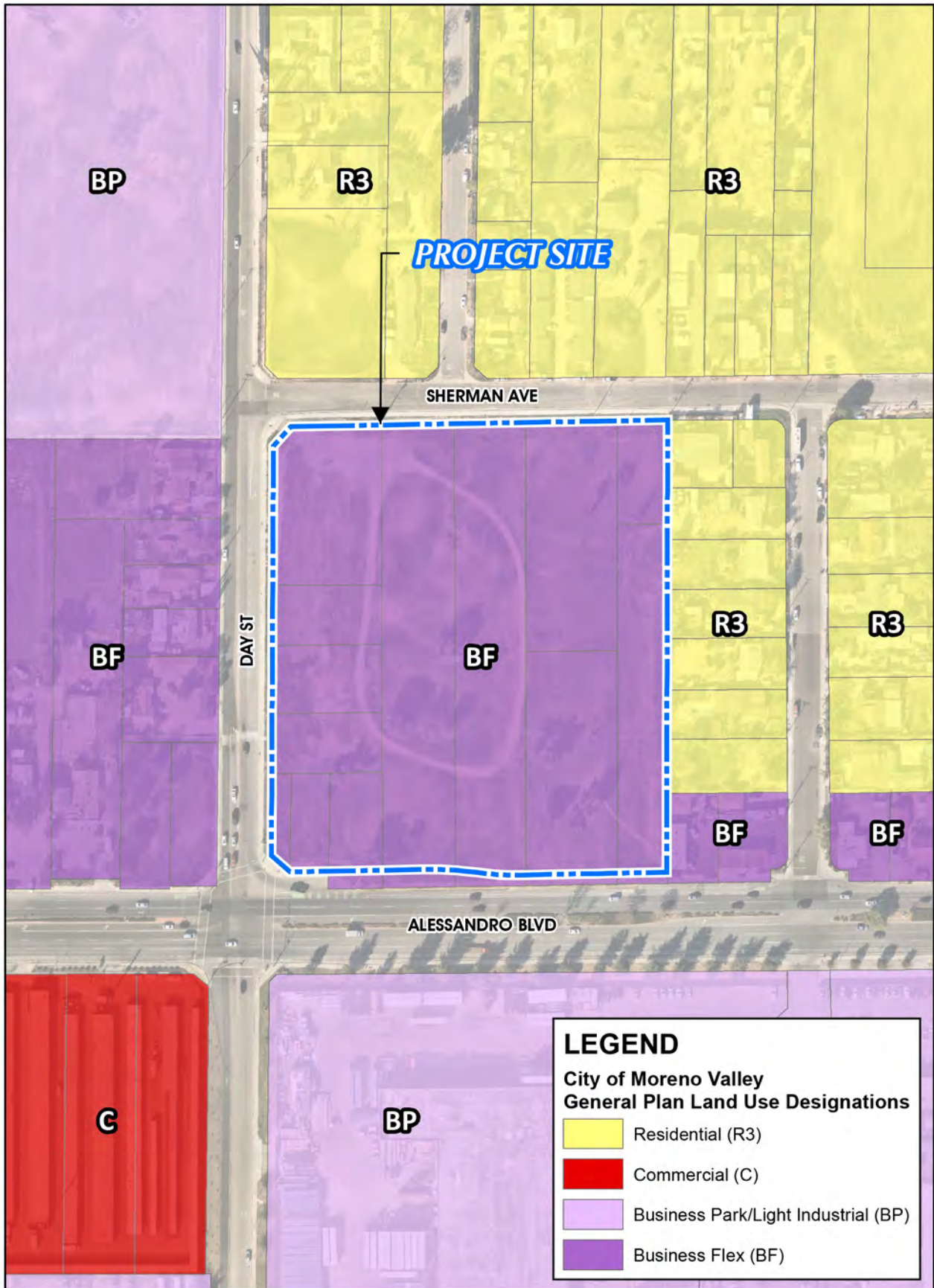


Source(s): USGS (2018)

Figure 3

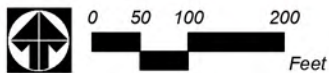


USGS Topographic Map

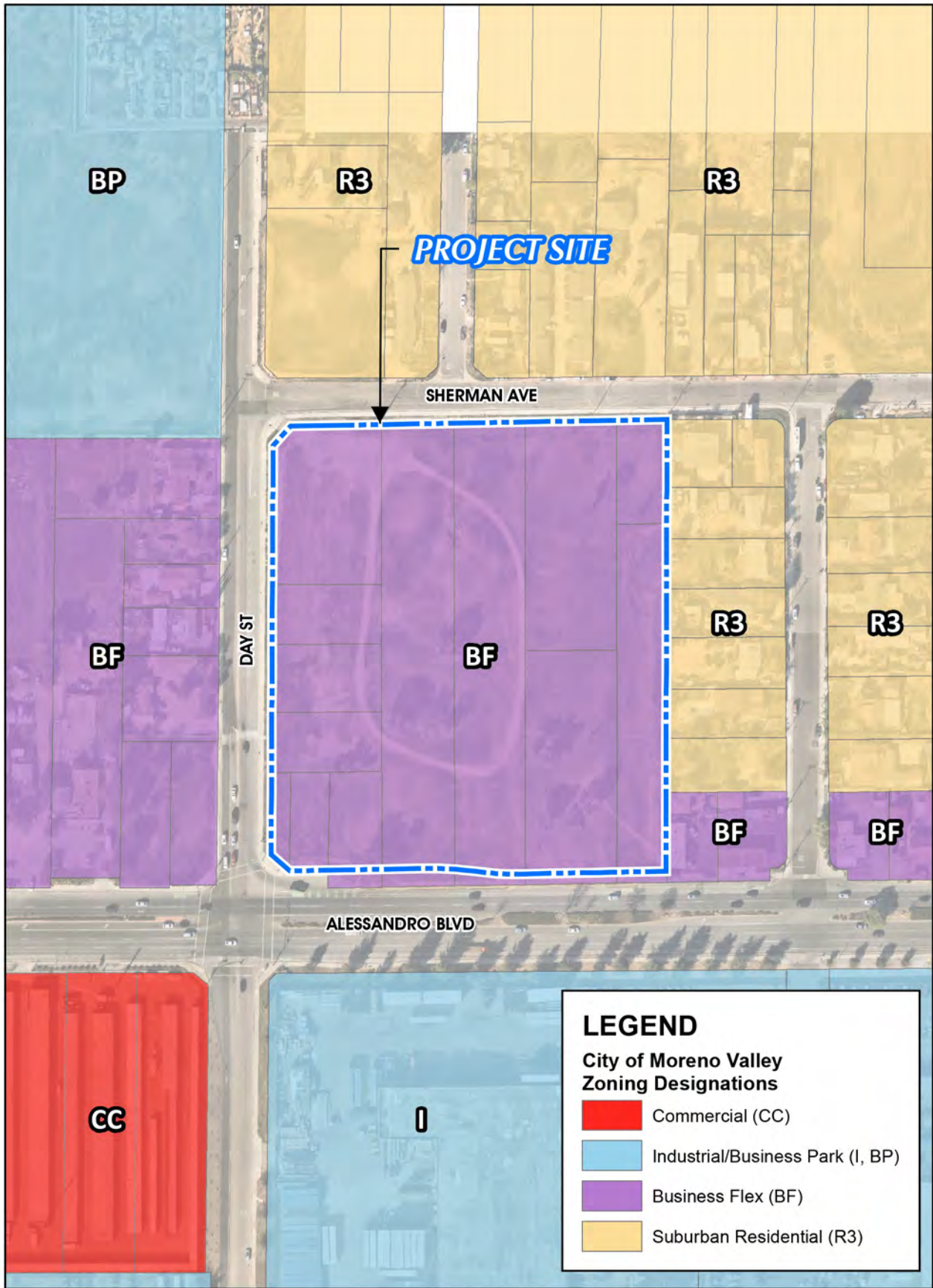


Source(s): City of Moreno Valley (2021), ESRI, Nearmap Imagery (2020), RCTLMA (2020)

Figure 4

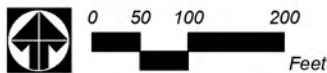


Existing General Plan



Source(s): City of Moreno Valley (2021), ESRI, Nearmap Imagery (2020), RCLMA (2020)

Figure 5

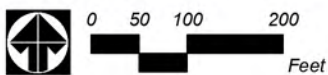


Existing Zoning

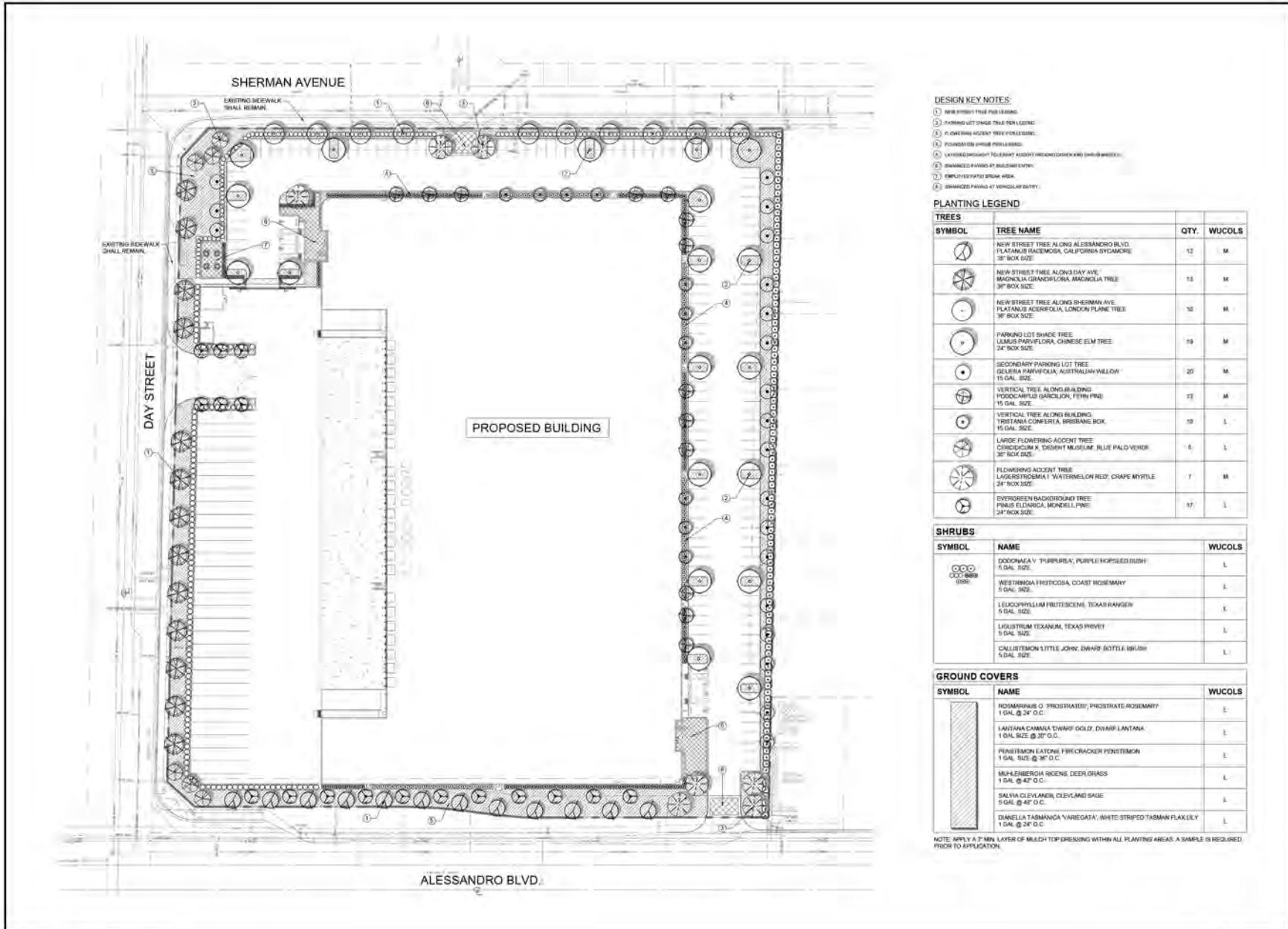


Source(s): ESRI, Nearmap Imagery (2020), RCLMA (2020)

Figure 6

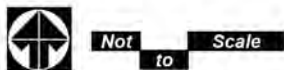


Aerial Photograph

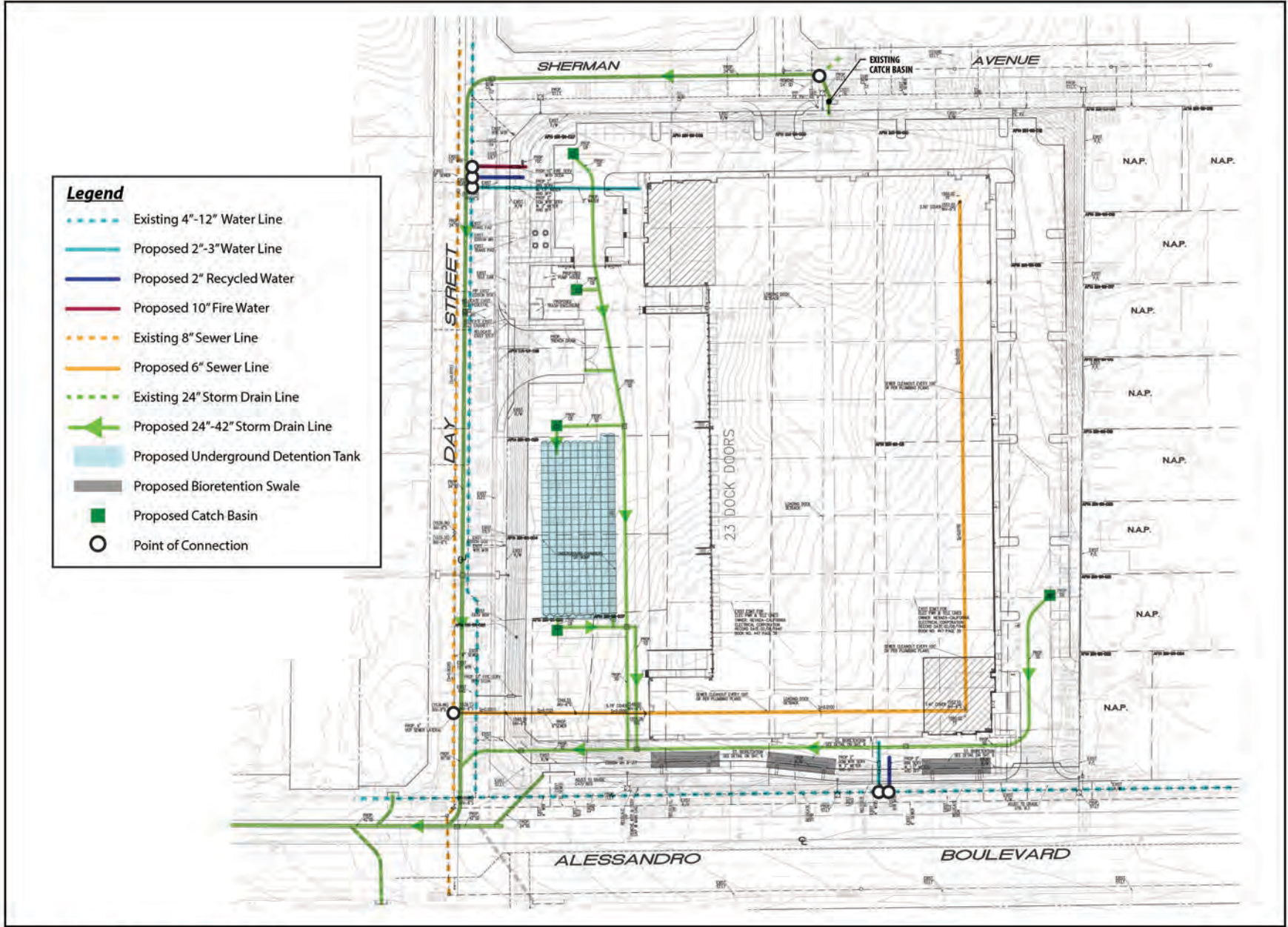


Source(s): SPLA (08-21-2020)

Figure 9



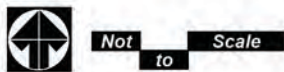
Conceptual Landscape Plan



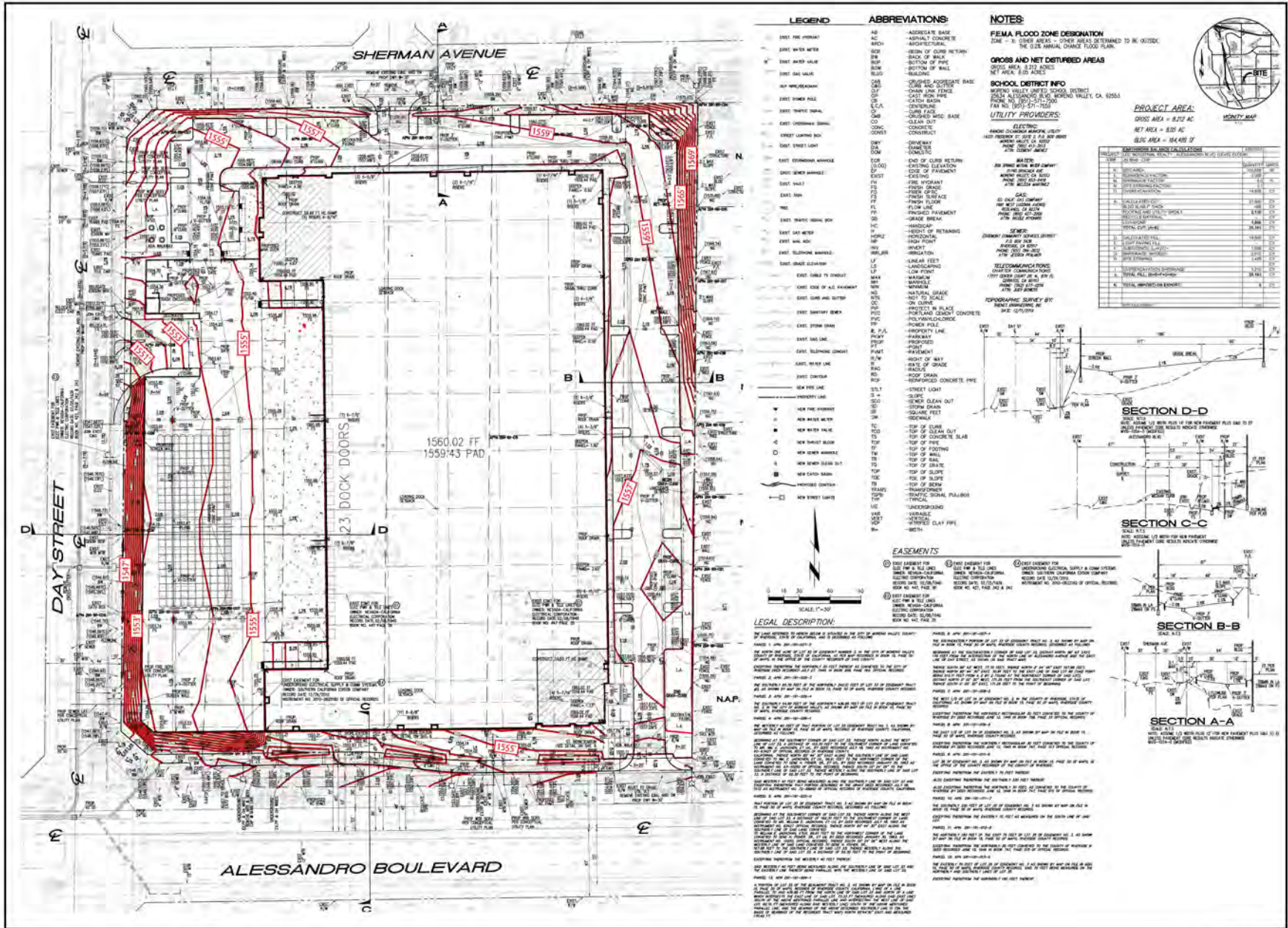
- Legend**
- Existing 4"-12" Water Line
 - Proposed 2"-3" Water Line
 - Proposed 2" Recycled Water
 - Proposed 10" Fire Water
 - Existing 8" Sewer Line
 - Proposed 6" Sewer Line
 - Existing 24" Storm Drain Line
 - Proposed 24"-42" Storm Drain Line
 - Proposed Underground Detention Tank
 - Proposed Bioretention Swale
 - Proposed Catch Basin
 - Point of Connection

Source(s): Thienes Engineering, Inc. (07-08-2021)

Figure 10

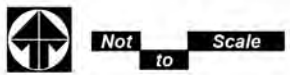


Conceptual Utilities Plan



Source(s): Thienes Engineering, Inc. (07-08-2021)

Figure 11



Conceptual Grading Plan

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

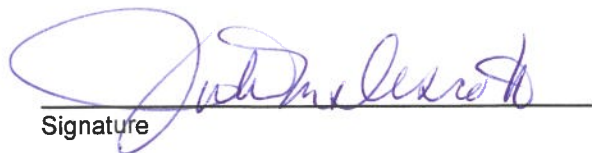
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology & Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature

6/10/2022

 Date

Julia Descoteaux

 Printed Name

City of Moreno Valley

 For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or another CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code § 21099 – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Scenic resources within the City of Moreno Valley are identified as Box Springs Mountains, the Foothills, the Badlands, and Mount Russell and its foothills. According to General Plan Map ORSC-3, <i>Scenic Resources and Ridgelines</i>, the Project site is not located within or adjacent to a designated scenic resource or within a view corridor for any of the designated scenic resources in the City (Moreno Valley, 2021a, Map ORSC-3).</p> <p>Due to intervening development and their distance and orientation in relation to the Project site, prominent, distinct views of the Badlands (and beyond, San Gorgonio Mountain) and Mount Russell are not available from public viewing areas abutting the Project site under existing conditions (Google Earth Pro, 2020). Scenic resources visible (at least partially) from public viewpoints adjacent to the Project site include the Box Springs Mountains (approximately 2.2 miles to the north and partially visible from Alessandro Boulevard) and the Foothills (approximately 4.1 miles to the northeast and partially visible from Day Street). Under existing conditions, views of the Box Springs Mountains to the north are mostly obscured from Alessandro Boulevard due to intervening development, on- and off-site plant materials (i.e., trees), topography, and atmospheric haze that is common in the Inland Empire throughout the year (Google Earth Pro, 2020). Under existing conditions, views of the Foothills to the northeast are largely obstructed from Day Street by existing development, on- and off-site plant materials (i.e., trees), and atmospheric haze (ibid.).</p> <p>The Project would result in the construction of an approximately 44-foot-tall warehouse – with a solid screen wall surrounding the building’s truck court – and install new landscaping on the Project site. With these improvements, views of the Box Springs Mountains would continue to be mostly obscured from Alessandro Boulevard – although not substantially more than views are obscured under existing conditions. Similarly, implementation of the Project would not substantially alter existing views of the Foothills from Day Street because views of the Foothills from Day Street are mostly obscured by existing on-site landscaping and off-site development under existing conditions and the proposed warehouse building and other vertical site improvements (landscaping, screen walls, etc.) would not be so tall as to block views of the Foothills to a more substantial degree than already occurs.</p> <p>Based on the foregoing analysis, the Project would not have a substantial adverse effect on a scenic vista or scenic resources in the Project vicinity. Impacts would be less than significant.</p>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site is not located within or adjacent to a scenic highway corridor and there are no State-designated or eligible scenic highways within the vicinity of the Project site (Caltrans, 2019). Additionally, the City of Moreno General Plan does not identify any scenic route within proximity to the Project site (Moreno Valley, 2021a, Map ORSC-3) (Moreno Valley, 2021b, Figure 7-2). The nearest State-designated scenic highway to the Project site is a segment of State Route 74 (SR-74) located approximately 9.8 miles southeast of the Project site; the Project site would not be visible from this SR-74 segment due to distance and intervening development/topography (Caltrans, 2019; Google Earth Pro, 2020). It should be noted, also, that an area of Interstate 15 (I-15) near the above-named segment of SR-74 is eligible for consideration as a State scenic highway; however, the Project site would not be visible from this portion of I-15 due to distance and intervening development/topography (ibid.). Accordingly, the Project site is not located within a State scenic highway corridor and implementation of the proposed Project would not have a substantial effect on scenic resources within a State scenic highway corridor. Thus, no impact to a State scenic highway would occur from implementation of the Project.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located within an urbanized area, as defined by U.S. Census Bureau, and determined as part of the 2010 Census (U.S. Census Bureau, 2012). Thus, pursuant to this threshold, a potentially significant impact to visual character only would occur if the Project were to conflict with applicable zoning and/or other City of Moreno Valley regulations governing scenic quality. Implementation of the proposed Project would result in the visual conversion of the site from vacant, undeveloped land to an industrial building with associated improvements including parking lots, drive aisles, utility infrastructure, landscaping, exterior lighting, and signage. The Project would be compatible with the size, scale, and aesthetic/decorative architectural and landscaping features of the existing light industrial/warehouse buildings constructed on the south side of Alessandro Boulevard to the south and southeast of the Project site. Furthermore, the Project Applicant would be required to comply with the applicable development standards and design guidelines contained in the Moreno Valley Zoning Ordinance, which regulate the visual quality of new development and ensure that new development does not detract from any scenic attributes/qualities in the surrounding area. Because the Project site is located in an urbanized area and because the Project would not conflict with applicable regulations governing scenic quality, a less-than-significant impact would occur from implementation of the Project.</p>				
<p>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Under existing conditions, the Project site contains no sources of artificial lighting; however, street lights are present along the Project site’s frontage with Sherman Avenue, Day Street, and Alessandro Boulevard. The Project Applicant proposes to develop the site with one industrial warehouse building and would introduce new lighting elements on-site to illuminate the parking areas, truck docking areas, and building entrances.</p> <p>The Project Applicant would be required to comply with lighting requirements as set forth in the City of Moreno Valley Municipal Code Sections 9.10.110 and 9.16.280. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances (e.g., blinking/flashing lights, unusually high intensity, or needlessly bright lighting). The City would confirm compliance with applicable lighting requirements during future review of building permit applications/plans. Mandatory compliance with the Municipal Code would ensure that the Project would not introduce any permanent design features that would adversely affect day or nighttime views in the area. This impact would be less than significant.</p> <p>With respect to glare, a majority of Project building materials would consist of concrete panels, which are non-reflective. While window glazing has a potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed for the Project would be low-reflective. In addition, the proposed building would be set back from adjacent roadways at a minimum distance of approximately 35 feet, and proposed landscaping would provide a buffer between all proposed glass surfaces and the public right of way. Thus, glare impacts from proposed building elements would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Chapter 10 – Open Space and Resource Conservation - Map OSRC-3 –Scenic Resources and Ridgelines 				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code <ul style="list-style-type: none"> Section 9.10.110 – Performance Standards, Light and Glare Chapter 9.16 – Design Guidelines 3. Google Earth Pro, https://earth.google.com/web/ 4. California Department of Transportation (Caltrans) Scenic Highway Program, https://dot.ca.gov/-/media/dot-media/programs/design/documents/design-and-eligible-aug2019_a11y.xlsx 5. U.S. Census Bureau Urbanized Area Reference Maps, https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340.pdf				
II. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: The Project site is not utilized for agricultural purposes under existing conditions. According to mapping information available from the California Department of Conservation’s (CDC) Farmland Mapping and Monitoring Program (FMMP), the entire Project site contains “Urban and Built-up Land” (CDC, 2016). Accordingly, the Project site does not contain any lands mapped by the FMMP as “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” and, thus, implementation of the Project would not convert such Farmland to a non-agricultural use. No impact would occur.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: The Project site is not zoned for an agricultural use under existing conditions; therefore, implementation of the Project would not conflict with existing zoning for agricultural use. Additionally, as disclosed in the City of Moreno Valley General Plan Final EIR, no land within the City – inclusive of the Project site – is under a Williamson Act Contract (Moreno Valley, 2021b, Figure 4.2-1). Based on the foregoing analysis, implementation of the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: The Project site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. According to the City of Moreno Valley Zoning Map, there are no lands located within the City that are zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site does not contain a forest and is not designated as forest land; therefore, the Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur.</p>				
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: “Farmland” is defined in Section II (a) of Appendix G of the State CEQA Guidelines as “Prime Farmland,” “Unique Farmland” or “Farmland of Statewide Importance” (“Farmland”). As disclosed above under Response II(a), the Project would not result in the conversion of Farmland to non-agricultural use.</p> <p>As discussed under Responses II(c) and II(d), the Project would not convert forest land to non-forest use. No impact would occur.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Section 4.2 – Agriculture and Forestry Resources 2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 3. Moreno Valley Zoning Map, https://www.moval.org/city_hall/general-plan2040/NewZoning.pdf 4. California Department of Conservation – California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/ 				
<p>III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located within the South Coast Air Basin (SCAB or “Basin”). The SCAB encompasses approximately 6,745 square miles and includes Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south. In these areas, the South Coast Air Quality Management District (SCAQMD) is principally responsible for air pollution control, and works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, as well as State and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet State and federal ambient air quality standards.</p> <p>Historically and presently, State and federal air quality standards are exceeded in most parts of the SCAB. In response, the SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the State and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. The current AQMP, the 2016 AQMP, was adopted by SCAQMD in March 2017. Criteria for determining consistency with the AQMP are defined in Chapter 12 of the SCAQMD’s <i>CEQA Air Quality Handbook (1993)</i>. The Project’s consistency with these criteria is discussed below.</p> <p><i>Consistency Criterion No. 1: The Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.</i></p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Consistency Criterion No. 1 relates to violations of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). As evaluated under Response III(c), below, the Project would not exceed the applicable SCAQMD localized emissions threshold for any criteria pollutant; thus, the Project's short-term construction activities would not increase the frequency or severity of existing NAAQS and/or CAAQS violations in the SCAB, cause or contribute to new violations, and/or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. Likewise, the Project's operational emissions would not exceed SCAQMD localized emissions thresholds (refer to Response III(c), below); thus, long-term operation of the Project would not increase the frequency or severity of existing NAAQS and/or CAAQS violations in the SCAB, cause or contribute to new violations, and/or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.</p> <p><u>Consistency Criterion No. 2:</u> <i>The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.</i></p> <p>The growth forecasts used in the AQMP to project future emissions levels are based in part on land use data provided by lead agency general plan documentation. Projects that propose to increase the intensity of use on a subject property may result in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions. If a project does not exceed the growth projections in the applicable local general plan, then the project is considered to be consistent with the growth assumptions in the AQMP. The prevailing planning documents for the Project site is the City of Moreno Valley General Plan. At the time the AQMP was prepared, the City of Moreno Valley General Plan Land Use Map designated the Project site for "Residential: Max 30 du/ac" land use. Although the proposed Project is consistent with the City's current general plan (General Plan 2040), the Project would result in a land use and development intensity that was not anticipated by the General Plan, and, by extension, the growth models that were used in the AQMP. Although the Project would not be consistent with the land use assumptions used in the AQMP, Project operation would not exceed applicable SCAQMD regional or localized air quality significance thresholds (refer to Responses III(b) and (c) below). Construction emissions are largely independent of land use assumptions but rather a function of the maximum area of disturbance on a development site. The entire Project site likely would be disturbed were it to be developed under the growth projections used in the AQMP; therefore, the Project's construction-related air quality effects are not considered to exceed the assumptions in the AQMP. Based on the foregoing, the Project's inconsistency with Consistency Criterion No. 2 would not result in a substantial adverse environmental impact.</p> <p>In summary, implementation of the proposed Project would not result in a significant adverse effect on the environment due to an inconsistency with AQMP. Impacts would be less than significant.</p>				
<p>b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The proposed Project has the potential to generate substantial pollutant concentrations during both construction activities and long-term operation. An Air Quality Impact Analysis (Urban Crossroads, 2021a), Mobile Source Health Risk Assessment (Urban Crossroads, 2021b), Supplemental Air Quality Analysis (Urban Crossroads, 2022a), and Construction Health Risk Assessment (Urban Crossroads, 2022b) were prepared for the Project by Urban Crossroads, Inc. to evaluate potential criteria and hazardous air pollutant emissions that could result from the Project's construction and operation. These reports are included as <i>Technical Appendices A1</i> through <i>A4</i> to this IS/MND and their findings are incorporated into the analysis presented herein.</p>				
<p>The following analysis is based on the applicable significance thresholds established by the SCAQMD for regional criteria pollutant emissions (as summarized in Table 3-1 of <i>Technical Appendix A1</i>). This analysis assumes that the Project would comply with applicable, mandatory regional air quality standards, including: SCAQMD Rule 403, "Fugitive Dust;" SCAQMD Rule 431.2, "Sulfur Content of Liquid</p>				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Fuels;" SCAQMD Rule 1113, "Architectural Coatings;" SCAQMD Rule 1186, "PM₁₀ Emissions from Paved and Unpaved Roads, and Livestock Operations;" SCAQMD Rule 1186.1, "Less-Polluting Street Sweepers," and Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations "Airborne Toxic Control Measure."

For a detailed description of the health effects of air pollutants refer to Section 2.4 of the Project's Air Quality Impact Analysis (*Technical Appendix A1*). In general, air pollutants have adverse effects to human health including, but not limited to, respiratory illness and carcinogenic effects; however, based on available modeling it is not feasible to correlate regional criteria pollutant emissions from development projects of the scale of the proposed Project to adverse health effects on a SCAB-wide level (Urban Crossroads, 2021a, pp. 59-60). The potential for the Project to result in substantial adverse health effects from toxic air contaminant emissions is addressed under Response III(c), below.

Impact Analysis for Construction Emissions

For purposes of the construction emissions analysis, construction was conservatively expected to occur between July 2021 and July 2022. The California Emissions Estimator Model (CalEEMod) accounts for the implementation and enforcement of California's progressively more restrictive regulatory requirements for construction equipment and the ongoing replacement of older construction fleet equipment with newer, less-polluting equipment. Thus, according to the CalEEMod, construction activities that occur in the near future are expected to generate more air pollutant emissions than the same activities that may occur farther into the future. Accordingly, although the Project's construction would occur at a later date than assumed as part of the air quality analysis, Project-related construction emissions are not expected to exceed the values presented below (Urban Crossroads, 2021a, p. 38).

The calculated maximum daily emissions associated with Project construction are presented in Table 3, *Summary of Construction-Related Emissions*. The Project's construction characteristics and construction equipment fleet assumptions used in the analysis were previously described above in the Project Description (see Tables 1 and 2).

Table 3: Summary of Construction-Related Emissions

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2021	1.34	15.20	31.13	0.06	10.67	4.38
2022	36.10	16.02	29.56	0.06	2.51	0.78
Winter						
2021	1.29	15.31	30.98	0.06	10.67	4.38
2022	36.05	16.17	28.45	0.06	2.51	0.78
Maximum Daily Emissions	36.10	16.17	31.13	0.06	10.67	4.38
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: (Urban Crossroads, 2022a, Table 1)

As shown in Table 3, the Project's daily construction emissions of volatile organic compounds (VOCs), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur oxides (SO_x), and particulate matter (PM₁₀ and PM_{2.5}) would not exceed SCAQMD regional criteria thresholds and, thus, would be less than significant. The SCAQMD considers any project-specific criteria pollutant emissions that exceed applicable SCAQMD significance thresholds also to be cumulatively considerable. To put it another way, if a project does not exceed the SCAQMD regional thresholds, then SCAQMD considers that project's air pollutant emissions to not be cumulatively-considerable. Thus, because Project construction would not exceed the SCAQMD regional criteria significance thresholds, implementation of the Project would not result in a cumulatively considerable net increase of any criteria pollutant, including any pollutants for which the SCAB does not attain applicable federal or State ambient air quality standards during construction.

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Impact Analysis for Operational Emissions

Operational activities associated with the Project are expected to generate air pollutant emissions from the operation of motor vehicles (including trucks), landscape maintenance activities, application of architectural coatings, and the use of electricity and natural gas. Long term operational emissions associated with the Project are presented in Table 4, *Summary of Peak Operational Emissions*.

Table 4: Summary of Peak Operational Emissions

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Area Source	3.76	3.30E-04	0.04	0.00	1.30E-04	1.30E-04
Energy Source	0.07	0.64	0.54	3.83E-03	0.05	0.05
Mobile Source (Passenger Cars)	0.46	0.54	8.60	0.03	2.74	0.73
Mobile Source (Trucks)	0.49	18.02	4.14	0.09	3.60	1.18
TRUs	0.21	1.83	2.37	3.76E-04	0.04	0.04
On-Site Equipment Source	0.12	1.27	0.76	3.17E-03	0.04	0.04
Total Maximum Daily Emissions	5.12	22.30	16.44	0.12	6.47	2.04
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO
Winter						
Area Source	3.76	3.30E-04	0.04	0.00	1.30E-04	1.30E-04
Energy Source	0.07	0.64	0.54	3.83E-03	0.05	0.05
Mobile Source (Passenger Cars)	0.38	0.56	6.97	0.02	2.74	0.73
Mobile Source (Trucks)	0.48	18.97	4.16	0.09	3.60	1.18
TRUs	0.21	1.83	2.37	3.76E-04	0.04	0.04
On-Site Equipment Source	0.12	1.27	0.76	3.17E-03	0.04	0.04
Total Maximum Daily Emissions	5.02	23.27	14.83	0.12	6.47	2.04
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: (Urban Crossroads, 2022a, Table 2)

As summarized in Table 4, Project operational emissions of VOCs, NO_x, CO, SO_x, PM₁₀ and PM_{2.5} would not exceed SCAQMD regional criteria thresholds. Accordingly, the Project would not emit substantial concentrations of these pollutants during long-term operation and would not contribute to an existing or projected air quality violation. The Project's long-term emissions of VOCs, NO_x, CO, SO_x, PM₁₀ and PM_{2.5} would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

Response: The following analysis addresses the Project's potential to expose sensitive receptors in the immediate vicinity of the Project site to substantial pollutant concentrations during Project construction and long-term operation. The following analysis is based on the applicable significance thresholds established by the SCAQMD (as summarized in Table 3-11 of *Appendix A1*).

Impact Analysis for Construction Localized Emissions

As summarized in Table 5, *Summary of Construction Localized Emissions*, localized emissions of NO_x, CO, and particulate matter (PM₁₀ and PM_{2.5}) would not exceed applicable SCAQMD thresholds during peak Project construction activities. Accordingly, Project construction would not expose any sensitive receptors to substantial localized pollutant concentrations and impacts would be less than significant.

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Table 5: Summary of Construction Localized Emissions

On-Site Emissions	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Site Preparation				
Maximum Daily Emissions	15.04	30.31	10.45	4.32
SCAQMD Localized Threshold	270	1,577	13	8
Threshold Exceeded?	NO	NO	NO	NO
Grading				
Maximum Daily Emissions	12.49	24.51	5.73	1.72
SCAQMD Localized Threshold	270	1,577	13	8
Threshold Exceeded?	NO	NO	NO	NO

Source: (Urban Crossroads, 2022a, Table 3)

Impact Analysis for Operational Localized Emissions

The Project's operational localized emissions are presented in Table 6, *Summary of Operational Localized Emissions*. As shown, the Project's peak operational emissions would not exceed the localized thresholds established by the SCAQMD. Accordingly, long-term operation of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

Table 6: Summary of Operational Localized Emissions

On-Site Emissions	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	3.51	3.62	0.41	0.19
SCAQMD Localized Threshold	270	1,577	4	2
Threshold Exceeded?	NO	NO	NO	NO

Source: (Urban Crossroads, 2022a, Table 4)

Impact Analysis for CO "Hot Spots"

Localized areas where ambient CO concentrations exceed the CAAQS and/or NAAQS are termed CO "hot spots." Emissions of CO are produced in greatest quantities from motor vehicle combustion and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Consequently, the highest CO concentrations are generally found within close proximity to congested intersection locations.

For purposes of providing a conservative, worst-case impact analysis, the Project's potential to cause or contribute to CO hotspots was evaluated by comparing study area intersections that would receive Project traffic (both intersection geometry and traffic volumes) with prior studies conducted by the SCAQMD in support of their AQMPs. In the 2003 AQMP, the SCAQMD evaluated CO concentrations at four (4) busy intersections in the City of Los Angeles that were determined to be the most congested intersections in the SCAB. Each of the evaluated intersections were primary thoroughfares, some of which were located near major freeway on/off ramps, and experienced traffic volumes of approximately 100,000 vehicles per day. The SCAQMD's analysis at these busy intersections did not identify any CO hotspots. Based on an analysis of the intersections in the Project's study area, Urban Crossroads determined that none of the intersections in the Project's study area would be subject to the extreme traffic volumes and vehicle congestion of the intersections modeled by the SCAQMD in the 2003 AQMP (Urban Crossroads, 2021a, pp. 54-56). Therefore, Project-related vehicular emissions would not create a CO hot spot and would not substantially contribute to an existing or projected CO hot spot. Impacts would be less than significant.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u><i>Impact Analysis for Diesel Particulate Emissions</i></u> This section evaluates the potential health risk impacts to sensitive receptors and adjacent workers associated with the development of the proposed Project, more specifically, health risk impacts as a result of exposure to Toxic Air Contaminants (TACs) including diesel particulate matter (DPM) as a result of heavy-duty diesel trucks accessing the Project Site. Detailed air dispersion model outputs and risk calculations are presented in Appendices 2.1 and 2.2, respectively, of <i>Technical Appendix A2</i> and in <i>Technical Appendix A4</i>.</p> <p>Project Construction Analysis The land use with the greatest potential exposure to Project construction DPM source emissions (i.e., maximally exposed individual receptor, MEIR) is located approximately 30 feet east of the Project site at an existing residence located at 13937 Pepper Street. At the MEIR, the maximum incremental cancer risk attributable to Project construction DPM source emissions is estimated at 1.79 in one million, which is less than the SCAQMD’s significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. (Urban Crossroads, 2022b, p. 7) All other receptors, including worker and school child receptors, in the vicinity of the Project site would experience less risk than what is identified for the MEIR (ibid.). As such, Project construction activities would not result in significant human health or cancer risks.</p> <p>Project Operation Analysis At the maximally exposed individual receptor (MEIR) – the existing residential home located at 13909 Day Street approximately 102 feet west of the Project site – the maximum cancer risk attributable to the Project’s DPM emissions is calculated to be 4.13 in one million (Urban Crossroads, 2021b, p. i). The cancer risk attributable to the Project at the MEIR would not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same receptor location, the non-cancer health risk index attributable to the Project would be 0.002, which would not exceed the SCAQMD non-cancer health risk index of 1.0 (ibid.). Accordingly, long-term operations at the Project site would not directly cause or contribute in a cumulatively-considerable manner to the exposure of residential receptors to substantial DPM emissions. Therefore, implementation of the Project would result in a less-than-significant impact.</p> <p>At the maximally exposed individual worker (MEIW) – located approximately 176 feet south of the Project site – the maximum cancer risk attributable to the Project’s DPM emissions is calculated to be 0.34 in one million (Urban Crossroads, 2021b, p. i). The cancer risk attributable to the Project at the MEIW would not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same receptor location, the non-cancer health risk index attributable to the proposed Project would be 0.001, which would not exceed the SCAQMD non-cancer health risk index of 1.0 (ibid.). Therefore, the Project would result in a less-than-significant impact.</p> <p>There are no schools located within a ¼ mile of the Project site or the Project’s primary truck route to I-215, which is the location with the highest concentration of Project-related DPM emissions. Proximity to sources of toxics is critical to determining the impact. Based on California Air Resources Board and SCAQMD emissions and modeling analyses, particulate matter pollutant concentrations drop by 70 percent at approximately 500 feet from the emissions source and by 80 percent at approximately 1,000 feet from the emissions source (Urban Crossroads, 2021b, p. i). Because there are no schools located within at least 1,320 feet of the Project site, implementation of would not expose any school child receptors to substantial concentrations of diesel particulate matter emissions. Project-related truck traffic would travel off-site along public streets (traffic to/from I-215 is expected to travel along Alessandro Boulevard and Day Street). There are no schools located within ¼ mile of Alessandro Boulevard and Day Street between the Project site and I-215; therefore, the Project-related traffic traveling to/from I-215 would not expose school children receptors to substantial DPM concentrations. Based on the foregoing analysis, implementation of the Project would not expose school child receptors to substantial DPM concentrations. This impact is less than significant.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance (Urban Crossroads, 2021a, p. 61). Accordingly, the proposed Project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant.</p> <p>During long-term operation, the Project would include a warehouse land use, which is not typically associated with objectionable odors. The temporary storage of refuse associated with the proposed Project’s long-term operational use could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City’s solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation (Urban Crossroads, 2021b, p. 61). As such, long-term operation of the proposed Project would not create objectionable odors affecting a substantial number of people.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Urban Crossroads, 2021a, Moreno Valley Business Center Air Quality Impact Analysis, <i>Technical Appendix A1</i> 2. Urban Crossroads, 2021b, Moreno Valley Business Center Mobile Source Health Risk Assessment, <i>Technical Appendix A2</i> 3. Urban Crossroads, 2022a, Supplemental Air Quality Analysis, <i>Technical Appendix A3</i> 4. Urban Crossroads, 2022b, Construction Health Risk Assessment, <i>Technical Appendix A4</i> 5. South Coast Air Quality Management District – National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin, http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naaqs-caaqs-feb2016.pdf 				
<p>IV. BIOLOGICAL RESOURCES – Would the project:</p>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: A <i>General Biological Assessment</i> was prepared for the Project by Alden Environmental, Inc. (hereinafter, “Alden”), which addresses potential impacts to candidate, sensitive, or special status species due to implementation of the Project and is included as <i>Technical Appendix B</i> to this IS/MND (Alden, 2020). The analysis presented below is based on the findings of the <i>General Biological Assessment</i> report. The Project’s off-site improvement area (i.e., the areas where proposed public water pump and public storm drain improvements would be constructed) is entirely developed and devoid of vegetation and natural habitat features. Accordingly, the analysis below addresses the potential for proposed development activities on the Project site to affect biological resources.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u><i>Special-Status Plants Species</i></u> Alden biologists surveyed the Project site and determined the site to be entirely devoid of native plant communities (Alden, 2020, p. 4). The Project site was determined to contain approximately 6.9 acres of non-native grassland and 1.2 acres of disturbed habitat (ibid.). No special-status plant species were observed on the Project site (Alden, 2020, p. 5). The Project site is not located within a Narrow Endemic Plant Special Survey Area (NEPSSA) or Criteria Area Plant Special Survey Area (CAPSSA) for the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and, thus, is not considered to be in an area with a high likelihood of supporting populations of sensitive native plant species (Alden, 2020, p. 6). No sensitive plant species records were returned in the California Natural Diversity Database (CNDDDB) and United States Fish and Wildlife Service (USFWS) species database queries for the site and its vicinity and the soils on the site do not have the potential to support the listed and sensitive plant species on site known to occur in the Project region (ibid). Accordingly, development of the Project would result in no impact to special-status plant species.</p> <p><u><i>Special-Status Wildlife Species</i></u> No special status wildlife species were observed on the Project site (Alden, 2020, p. 5) . Three (3) wildlife species on the California Department of Fish and Wildlife (CDFW) “Watch List” were observed during field surveys: Cooper’s hawk (<i>Accipiter cooperii</i>), California gull (<i>Larus californicus</i>), and California horned lark (<i>Eremophila alpestris actia</i>) (ibid.). Cooper’s hawk and California gull were observed flying overhead the Project site and the California horned lark was observed foraging on-site (ibid.). The CDFW Watch List corresponds with species that were listed as “Species of Special Concern” at one time but their prevalence no longer warrants such a designation. The CDFW Watch List is not considered to be a special-status list. Therefore, implementation of the Project would not result in a substantial adverse impact to any special-status wildlife species known to use the Project site.</p> <p>The Project site supports suitable foraging habitat for the burrowing owl; however, the site does not contain any burrows suitable for burrowing owl nesting (Alden, 2020, p. 6). No burrowing owl individuals or their indirect sign (e.g., pellets, feathers) were observed on the Project site (ibid.). Accordingly, implementation of the Project would not result in a substantial adverse impact to the burrowing owl.</p> <p>Notwithstanding the analysis above, implementation of Project would result in removal of vegetation across the Project site that has the potential to support nesting and/or migratory birds that are granted special status by federal and State regulations. The Project’s potential to impact nesting birds and migratory birds is a significant direct impact for which mitigation is required, as discussed below.</p> <p>MM BR-1 would reduce potential impacts to nesting/migratory birds to less-than-significant levels by ensuring that pre-construction surveys are conducted to determine the presence or absence on the Project site of protected nesting bird species prior to the commencement of construction activities. If the protected nesting bird species are present, the mitigation measures provide performance criteria that require avoidance and/or relocation of the species in accordance with accepted protocols.</p> <p>Based on the foregoing analysis, the proposed Project would result in less-than-significant impacts to candidate, sensitive, or special status species with the implementation of mitigation.</p> <p><u>Mitigation</u> MM BR-1 Vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (January 31 through September 1), unless a migratory bird nesting survey is completed in accordance with the following requirements:</p> <ol style="list-style-type: none"> a. A nesting bird survey shall be conducted on the Project site and within suitable habitat located within a 250-foot radius of the Project site by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance. b. If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that 				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.</p> <p>c. If the biologist is not able to verify any of the conditions from sub-item “b,” above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Moreno Valley. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verify that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.</p>				
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site contains two (2) concrete storm drain outlets at the far north end of the site along Sherman Avenue. The areas below the drains do not exhibit any signs of flow nor contain riparian vegetation, and are isolated and non-functional in their current state (Alden, 2020, pp. 5-6). Non-native grasses, including puncture vine (<i>Tribulus terrestris</i>), cheeseweed (<i>Malva parviflora</i>), and lamb’s quarters (<i>Chenopodium album</i>) are growing around the outlets indicating the presence of some soil moisture; however, none of these plant species are associated with riparian/riverine or vernal pool habitat (ibid.). No other habitat on the Project site is classified as a riparian habitat or as a sensitive natural community in local or regional plans, policies, or regulations, or by the California Department Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS) (ibid.). Accordingly, implementation of the Project would not impact riparian habitat or other sensitive natural community.</p>				
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site does not contain any wetlands (Alden, 2020, p. 5). Therefore, implementation of the Project would not result in any adverse effect on State or federally protected wetlands.</p>				
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Wildlife movement corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbances. The Project site was evaluated for its function as a wildlife corridor that species would use to move between wildlife habitat zones as part of the MSHCP Compliance Analysis. Generally, mountain canyons and/or riparian corridors are used by wildlife as corridors; the Project site does not contain either of these features. Furthermore, the Project site is substantially surrounded by human activity in the form of industrial and residential land uses and roadways. Lastly, the Project site is not identified for conservation or</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>designated as a wildlife movement corridor as part of the MSHCP and the Project would be consistent with the MSHCP and, thus, would not interfere with or affect any MSHCP-designated wildlife movement corridor (Alden, 2020, p. 6). Therefore, no impact to a wildlife corridor would occur from implementation of the Project.</p> <p>Wildlife nurseries are sites where wildlife concentrate for hatching and/or raising young, such as rookeries, spawning areas, and bat colonies. Although no nesting birds or remnant nests were observed on the Project site by Alden, implementation of the Project could potentially result in significant impacts to biological resources (i.e., avian species and their nests) that are protected by State and federal regulations, if active nests are present within or adjacent to the site during construction. Implementation of MM BR-1 would reduce potential impacts to nesting birds to less-than-significant levels by ensuring that pre-construction surveys are conducted to determine the presence or absence of nesting birds on or adjacent to the Project site prior to the commencement of construction activities. If active nests are discovered, this mitigation measure establishes performance criteria that requires avoidance of the nests until it can be determined the nest is no longer active or that the juveniles from the occupied nests are capable of surviving independently of the nest.</p>				
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the Project would result in the removal of trees on the Project site. The removal of trees is regulated by City of Moreno Valley Municipal Code Chapter 9.17.030, which requires development projects to conduct a tree survey prior to construction and, if any mature significant trees are to be removed, to replace each removed tree at defined ratios (as specified in Municipal Code Chapter 9.17.030). Prior to removal of any trees from the Project survey area, the Project Applicant would be required to comply with the provisions of Chapter 9.17.030 of the City of Moreno Valley Municipal Code. Mandatory compliance with the requirements of the Municipal Code would ensure the Project would not conflict with the City of Moreno Valley’s ordinance regulating tree removal.</p> <p>In addition, the City of Moreno Valley Municipal Code contains provisions for the protection of the Stephens’ Kangaroo Rat (refer to Title 8, Chapter 8.60 of the Municipal Code). The Project site does not provide suitable habitat for the Stephens’ Kangaroo Rat and the species was not observed during biological surveys of the Project site (Alden, 2020, p. 5). Accordingly, the Project is exempt from the focused survey requirements for the Stephens’ Kangaroo Rat established by the City’s Municipal Code. The Project Applicant is required by the Municipal Code to contribute a local development impact and mitigation fee, which requires a fee payment to assist the City in implementing the habitat conservation plan for the Stephens’ Kangaroo Rat. With mandatory compliance with standard regulatory requirements (i.e., development impact and mitigation fee payment), the proposed Project would not conflict with any City policies or ordinances related to the protection of the Stephens’ Kangaroo Rat. (The Project’s consistency with applicable provisions of the Stephens’ Kangaroo Rat Habitat Conservation Plan (HCP) are addressed in Response IV(f).)</p> <p>The City of Moreno Valley Municipal Code also contains provisions for the collection of mitigation fees to further the implementation of the Western Riverside County MSHCP (refer to Title 3, Chapter 3.48 of the Municipal Code). The Project Applicant is required by the Municipal Code to contribute a local mitigation fee, which requires a fee payment to assist the City in implementing the Western Riverside County MSHCP reserve system (including the acquisition, management, and long-term maintenance of sensitive habitat areas). With mandatory compliance with standard regulatory requirements (i.e., mitigation fee payment), the proposed Project would not conflict with any City policies or ordinances related to the mitigation fee program associated with Western Riverside County MSHCP. (The Project’s consistency with applicable provisions of the MSHCP are addressed in Response IV(f).)</p> <p>The City of Moreno Valley does not have any additional policies or ordinances in place to protect biological resources that are applicable to the Project. Mandatory compliance with the above referenced Moreno Valley Municipal Code Chapters would ensure that implementation of the Project would result in a less-than-significant impact associated with local policies and ordinances.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is subject to the provisions of the Western Riverside County MSHCP; however, the Project site is not located in a criteria cell or area plan subunit. The following analysis evaluates the Project’s compliance with the Western Riverside County MSHCP requirements pursuant to the following sections of the MSHCP that are applicable to the Project site: Section 6.1.2, <i>Protection of Species Associated with Riparian/Riverine areas and Vernal Pools</i>; Section 6.1.3, <i>Protection of Narrow Endemic Plant Species</i>; Section 6.1.4, <i>Guidelines Pertaining to the Urban/Wildland Interface</i>; and Section 6.3.2, <i>Additional Survey Needs and Procedures</i>.</p> <p><u><i>Section 6.1.2 Species Associated With Riparian/Riverine Habitat and Vernal Pools</i></u> The Project site does not contain wetland/riparian features, or vernal pools on or adjacent to the site regulated by the MSHCP; therefore, the Project would not conflict with Section 6.1.2, <i>Protection of Species Associated with Riparian/Riverine areas and Vernal Pools</i> (Alden, 2020, p. 7).</p> <p><u><i>Section 6.1.3 Protection of Narrow Endemic Plants</i></u> The Project site is not located within the Western Riverside County MSHCP Narrow Endemic Plant Species Survey Area (NEPSSA); therefore, the NEPSSA requirements are not applicable to the Project and the Project is consistent with the Western Riverside County MSHCP narrow endemic plant species policies (Alden, 2020, p. 6).</p> <p><u><i>Section 6.1.4 Urban/Wildlands Interface Guidelines</i></u> The Project site is not located within or adjacent to a Western Riverside County MSHCP Conservation Area; therefore, the Project site is not required to address Section 6.1.4 of the Western Riverside County MSHCP (Alden, 2020, p. 6).</p> <p><u><i>Section 6.3.2 Additional Surveys and Procedures</i></u> The Project site is not located within the Western Riverside County MSHCP Criteria Area Plant Species Survey Area (CAPSSA); therefore, the CAPSSA requirements are not applicable to the Project (Alden, 2020, p. 6). Additionally, the Project site is not located within the Western Riverside County MSHCP additional survey areas for amphibians, survey areas for mammals, or any special linkage areas (ibid.).</p> <p>The Project site is located within the Western Riverside County MSHCP burrowing owl survey area. No evidence of use of the site by burrowing mammals was present and no burrows suitable for use by the owl was observed (Alden, 2020, p. 6). The species is considered absent from the Project site and potential occurrence is low; however, a preconstruction burrowing owl survey in accordance with the Western Riverside County MSHCP Burrowing Owl Survey Requirements is required to ensure compliance with the Plan’s provisions for protecting the burrowing owl (see MM BR-2). With implementation of MM BR-2, implementation of the Project would result in a less-than-significant impact to the burrowing owl.</p> <p>Additionally, the Project site is located within the Stephens’ Kangaroo Rat Habitat Conservation Plan Fee Area, which is administered by the Riverside County Habitat Conservation Agency. The Project Applicant would be required to pay the established Stephens’ Kangaroo Rat mitigation fee (Riverside County, 1996). Payment of the Stephens’ Kangaroo Rat HCP fee is required – as noted in the analysis under Response IV(e) – and would ensure the Project is consistent with the Stephens’ Kangaroo Rat HCP and the Western Riverside County MSHCP.</p> <p><u>Mitigation</u> MM BR-2 Within 30 days prior to grading, a qualified biologist shall conduct a survey of suitable habitat on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted,</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>reviewed, and accepted by the City of Moreno Valley prior to the issuance of a grading permit and subject to the following provisions:</p> <ul style="list-style-type: none"> a) In the event that the pre-construction survey identifies no burrowing owls on the property a grading permit may be issued without restriction. b) In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit. c) In the event that the pre-construction survey identifies the presence of three (3) or more mating pairs of burrowing owl, the requirements of MSCHP Species-Specific Conservation Objectives 5 for the burrowing owl shall be followed. Objective 5 states that if the site (including adjacent areas) supports three (3) or more pairs of burrowing owls and supports greater than 35 acres of suitable habitat, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite until it is demonstrated that Objectives 1-4 have been met. A grading permit shall be issued, either: <ul style="list-style-type: none"> i. Upon approval and implementation of a property-specific Determination of Biologically Superior Preservation (DBESP) report for the burrowing owl by the CDFW; or ii. A determination by the biologist that the site is part of an area supporting less than 35 acres of suitable Habitat, and upon passive or active relocation of the species following accepted CDFW protocols. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit. 				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Alden Environmental, Inc., 2020, General Biological Assessment, <i>Technical Appendix B</i> 2. Moreno Valley Municipal Code Chapter 3.48 – Western Riverside County Multiple Species Habitat Conservation Plan Fee Program 3. Moreno Valley Municipal Code Chapter 8.60 – Threatened and Endangered Species 4. Moreno Valley Municipal Code Section 14.40.040 – Public Tree Care 5. Moreno Valley Municipal Code Section 9.17.030 – Landscape Ordinance 6. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), http://www.wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/ 				

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7. Riverside County Information Technology – Map My County, https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public 8. Regional Conservation Agency – MSHCP Information Map, http://wrcrca.maps.arcgis.com/apps/webappviewer/index.html?id=a73e69d2a64d41c29ebd3acd67467abd 9. Riverside County Ordinance No. 633.10, https://www.rivcocob.org/ords/600/663.10.pdf				
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: A cultural resources survey conducted for the Project site by Brian F. Smith and Associates (BFSA), which included a comprehensive site survey and archival records search, identified no historic resources on the Project site (BFSA, 2021, p. 5.0-1). The potential for buried or masked cultural deposits within the Project site is considered low to moderate based upon the lack of identified resources on the Project site and previous impacts to the property (ibid.). Notwithstanding, because the Project site contained multiple structures as early as 1938, BFSA indicated there was the potential for buried historical deposits to be present on the Project site (ibid.). The potential for Project implementation to directly or indirectly destroy unknown, significant historical resources that may be buried or masked on the Project site is a significant impact and mitigation is required. The Project’s off-site improvement area is developed under existing conditions (i.e., cleared, graded, and/or paved) with no potential to contain historic resources.</p> <p>MM CR-1 through MM CR-9 would ensure the proper identification and subsequent treatment of any significant historical resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project’s potential impacts to significant historical resources would be reduced to less-than-significant.</p>				
<p><u>Mitigation</u></p>				
MM CR-1	<p>Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), including the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in Mitigation Measure CR-3. The Project archaeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>			
MM CR-2	<p>Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days’ advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>			
MM CR-3	<p>The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will</p>			

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<p>occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) Project description and location; b) Project grading and development scheduling; c) Roles and responsibilities of individuals on the Project; d) The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e) The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation; f) The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and g) Contact information of relevant individuals for the Project. <p>MM CR-4 In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ul style="list-style-type: none"> a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ul style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation Measure CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document. <p>MM CR-5 The City shall verify that the following note is included on the Grading Plan:</p> <p>"If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p> <p>MM CR-6 If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery</p>				

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<p>until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p> <p>MM CR-7 If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant”. The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).</p> <p>MM CR-8 It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p> <p>MM CR-9 Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>				
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: BFSA conducted a cultural resources inventory of the Project site, which included a record search with the Eastern Information Center (EIC) at University of California at Riverside (UCR) and an intensive pedestrian survey of the site. Given the relatively gentle slope, valley setting, and lack of exposed bedrock outcrops for the Project, predictive modeling would suggest that if prehistoric archaeological sites are present within the Project area, they will likely be artifact scatters or specialized resource processing loci that would have developed as a result of prehistoric resource extraction practices (BFSa, 2021, p. 5.0-1). According to the pedestrian survey, no prehistoric archaeological resources were observed on the site (ibid.). Furthermore, due to the lack of known prehistoric archaeological resources in the vicinity of the Project site and the extensive nature of past ground disturbances, the likelihood of discovering buried prehistoric archaeological resources on the Project site is considered low to moderate (ibid.). Notwithstanding the preceding analysis, there is a possibility that prehistoric archaeological resources may be present beneath the Project site's subsurface, and may be impacted by ground-disturbing activities associated with Project construction. If any prehistoric</p>				

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<p>archaeological resources are unearthed on the Project site during construction that meet the definition of an archaeological resource cited in CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to prehistoric archaeological resources would be significant. MM CR-1 through MM CR-9 would ensure the proper identification and subsequent treatment of any significant prehistoric archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to significant prehistoric archaeological resources would be reduced to less-than-significant.</p> <p>The Project's off-site improvement area is developed under existing conditions (i.e., cleared, graded, and/or paved) with no potential to contain prehistoric archaeological resources.</p>				
<p>c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. The field survey conducted on the Project site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the site (BFSA, 2021, p. 1.0-1; Moreno Valley, 2021b, p. 4.5-34). Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with the Project's construction. The Project's off-site improvement area is developed under existing conditions (i.e., cleared, graded, and/or paved) with no potential to contain human remains.</p> <p>If human remains are unearthed during construction activities at the Project site, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.</p> <p>With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impact to human remains, including human remains of Native American ancestry, that may result from development of the Project site would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Section 4.5 – Cultural and Tribal Cultural Resources 2. Brian F. Smith and Associates, Phase I Cultural Resources Survey for the Moreno Valley Business Center, <i>Technical Appendix C</i> 3. California Health Code Section 7050.5 – Dead Bodies 4. Public Resources Code Section 5097.94(k) – Powers and Duties 5. Public Resources Code Section 5097.98 – Native American Historical, Cultural, and Sacred Sites 				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The analysis below is based on the <i>Energy Analysis</i> (included as <i>Technical Appendix E</i> to this IS/MND) prepared for the proposed Project by Urban Crossroads and demonstrates that implementation of the Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.</p> <p><u><i>Energy Use During Construction</i></u> The Project's construction process would consume electricity and fuel. Project-related construction activities would represent a "single-event" demand and would not require on-going or permanent commitment of energy resources. Project construction is estimated to consume approximately 179,091 kWh of electricity, approximately 41,124 gallons of diesel fuel from operation of construction equipment, 11,718 gallons of diesel fuel from construction vendor trips, and 18,107 gallons of fuel from construction worker trips (Urban Crossroads, 2021c, p. 37). The amount of energy and fuel use anticipated by the Project's construction activities are typical for the type of scale of construction proposed by the Project and there are no aspects of the Project's proposed construction process that are unusual or energy-intensive. Furthermore, construction equipment would be required to conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. For example, California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary (Urban Crossroads, 2021c, p. 37).</p> <p><u><i>Energy Use Project Operations</i></u> Project-related traffic would consume approximately 168,375 gallons of fuel per year (Urban Crossroads, 2021c, pp. 34-35). The number of daily trips and miles traveled by Project traffic are consistent with other industrial uses of similar scale and configuration in the Inland Empire. That is, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and/or vehicle miles traveled, nor associated excess and wasteful vehicle energy consumption. Enhanced fuel economies realized pursuant to federal and State regulatory actions, and related transition of passenger vehicles to alternative energy sources (e.g., electricity, natural gas, bio fuels, hydrogen cells) would likely decrease future gasoline fuel demands per mile traveled. The location of the Project site proximate to regional and local arterial roadways (for example, I-215) is expected to minimize the Project vehicle miles traveled within the region. Based on the foregoing, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary (Urban Crossroads, 2021c, p. 37).</p> <p>Building operations and site maintenance activities associated with the Project would result in the consumption of natural gas and electricity. Natural gas would be supplied to the Project by Southern California Gas Company; electricity would be supplied to the Project by Southern California Edison (SCE). Energy demands resulting from Project operations are estimated at 2,256,005 kilo-British thermal units (kBtu) per year of natural gas and 1,900,224 Kilowatt-hour (kWh) per year of electricity (Urban Crossroads, 2021c, p. 39). The Project provides conventional industrial buildings uses reflecting contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the Project are not inherently energy intensive, and the Project energy demands in total would be comparable to, or less than, other industrial projects of similar scale and configuration. Additionally, the Project would be required to comply with Title 24 standards, which would ensure that the Project's energy demand would not be considered inefficient, wasteful, or otherwise unnecessary (ibid.).</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response: The following section analyzes the Project’s consistency with the applicable federal and State regulations. As supported by the proceeding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and a less-than-significant impact would occur.

Consistency with Federal Energy Regulations

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Transportation and access to the Project site is provided primarily by the local and regional roadway systems, which includes I-215 and Alessandro Boulevard. Implementation of the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project site (Urban Crossroads, 2021c, p. 39).

The Transportation Act for the 21st Century (TEA-21)

The Project site is located along major transportation corridors with proximate access to the interstate freeway system (i.e., I-215). The site selected for the Project facilitates access, acts to reduce vehicle miles traveled (VMT), takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21 (Urban Crossroads, 2021c, pp. 39-40).

Consistency with State Energy Regulations

Integrated Energy Policy Report (IEPR)

Electricity would be provided to the Project by MVU and natural gas would be provided by SoCalGas. The MVU and SoCal Gas energy supplies comply with and build off existing State programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the IEPR (Urban Crossroads, 2021c, p. 40).

State of California Energy Plan

The Project site is located along Alessandro Boulevard, with proximate access to I-215. The location of the Project site facilitates access, acts to reduce VMT, takes advantage of existing infrastructure systems, and promotes land use compatibilities through the introduction of industrial uses on a light industrial-designated site. Therefore, the Project supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan (Urban Crossroads, 2021c, p. 40).

California Code Title 24, Part 6, Energy Efficiency Standards

The Project would design building shells and building components, such as windows; roof systems: electrical and lighting systems: and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards. The Project also is required by State law to be designed, constructed, and operated to meet or exceed Title 24 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of Title 24 Energy Efficiency Standards

Pavley Fuel Efficiency Standards (AB 1493)

AB 1493 is applicable to the Project because model year 2009-2016 passenger cars and light duty truck vehicles traveling to and from the Project site are required by law to comply with the legislation’s fuel efficiency requirements. On this basis, the Project is determined to be consistent, with, and would not interfere with, nor otherwise obstruct implementation of AB 1493.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>Advanced Clean Cars Program</i> The Advanced Clean Cars Program is applicable to the Project because model year 2017-2025 passenger car vehicles traveling to and from the Project site are required by law to comply with the legislation’s fuel efficiency requirements. On this basis, the Project is determined to be consistent, with, and would not interfere with, nor otherwise obstruct implementation of California’s Advanced Clean Cars Program.</p> <p><i>California Renewable Portfolio Standards (SB 1078)</i> Energy directly or indirectly supplied to the Project site by electric corporations is required by law to comply with SB 1078.</p>				
<p>Sources:</p> <p>1. Urban Crossroads, 2021c, Moreno Valley Business Center Energy Analysis, <i>Technical Appendix E</i></p>				
<p>VII. GEOLOGY AND SOILS – Would the project:</p>				
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:</p>				
<p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to https://www.conservation.ca.gov/cgs/Documents/s/SP_042.pdf</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: There are no Alquist-Priolo Earthquake Fault Zones affecting the Project site (NorCal Engineering, 2021, p. 2). The nearest Earthquake Fault Zone is the San Jacinto Fault, which occurs approximately 6.8 miles northeast of the Project site (NorCal Engineering, 2021, p. 3; Moreno Valley, 2021a, Map S-1; Google Earth Pro, 2020). Because there are no known faults located on the Project site, there is no potential for the Project to expose people or structures to adverse effects related to ground rupture. No impact would occur.</p>				
<p>ii) Strong seismic ground shaking?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the southern California area. As a mandatory condition of Project approval, the Project would be required to construct the proposed building in accordance with the California Building Standards Code (CBSC), also known as California Code of Regulations (CCR), Title 24 (Part 2), and the Moreno Valley Building Code, which is based on the CBSC with local amendments. The CBSC and Moreno Valley Building Code (Moreno Valley Municipal Code, Chapter 8.20) provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures, and have been specifically tailored for California earthquake conditions. In addition, the CBSC (Chapter 18) and the Moreno Valley Building Code (Chapter 8.21) require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. The Project has prepared such a report entitled, <i>Geotechnical Investigation</i> (NorCal Engineering, 2021), which is included as <i>Technical Appendix D</i> to this IS/MND, and the City would condition the Project to comply with the site-specific ground preparation and construction recommendations contained in the report.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Based on laboratory analysis of soil samples taken from the Project site, NorCal Engineering concluded that the Project site is not subject to seismic-related ground failure, including liquefaction (NorCal Engineering, 2021, p. 6). Notwithstanding, the City of Moreno Valley will require that the property be developed in accordance with the latest applicable seismic safety guidelines, including the standard requirements of the CBSC and the City of Moreno Valley Municipal Code Building Code, to minimize potential liquefaction hazards. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.</p>				
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site contains no substantial natural or man-made slopes under existing conditions. The Project Applicant proposes construction of manufactured slopes and a retaining wall on the Project site. As required by Moreno Valley Municipal Code Chapter 8.21, the proposed retaining wall and manufactured slopes would be constructed in accordance with the site-specific recommendations contained within the geotechnical report for the Project site (see <i>Technical Appendix D</i>). Mandatory compliance with the recommendations contained within the Project site's geotechnical report would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site and abutting off-site areas. Accordingly, the Project would not be exposed to substantial landslide risks, and implementation of the Project would not pose a substantial direct or indirect landslide risk to surrounding properties. Impacts would be less than significant.</p>				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The analysis below summarizes the likelihood of the Project to result in substantial soil erosion during temporary construction activities and/or long-term operation.</p> <p><u>Construction-Related Impacts</u></p> <p>Construction of the Project would involve grading, paving, utility installation, building construction, and landscaping installation, which has the potential to temporarily expose on-site soils that would be subject to erosion during rainfall events or high winds. Pursuant to State Water Resources Control Board requirements, the Project Applicant is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities, including proposed grading. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana Regional Water Quality Control Board (RWQCB's) <i>Santa Ana River Basin Water Quality Control Program</i>. Compliance with the NPDES permit and the <i>Santa Ana River Basin Water Quality Control Program</i> involves the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that would be required to be implemented during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. In addition, the Project Applicant would be required to comply with SCAQMD Rule 403, which would reduce the amount of particulate matter in the air and minimize the potential for wind erosion. With mandatory compliance to the requirements noted in the Project's SWPPP, as well as applicable regulatory requirements, the potential for water and/or wind erosion impacts during Project construction would be less than significant and mitigation is not required.</p> <p><u>Long-Term Operational Activities</u></p> <p>Following construction, wind and water erosion on the Project site would be minimized, because the areas disturbed during construction would be landscaped or covered with impervious surfaces and drainage would be controlled through a storm drain system. Implementation of the Project would result in less long-term erosion and loss of topsoil than occurs under the site's existing conditions.</p>				

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<p>The City's Municipal Separate Storm Sewer System (MS4) NPDES Permit requires the Project Applicant to prepare and submit to the City for approval a Water Quality Management Plan (WQMP) (refer to Moreno Valley Municipal Code Section 8.21.170). The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as would the long-term maintenance of erosion and sediment control features. The preliminary WQMP for the Project prepared by Thienes Engineering (attached hereto as <i>Technical Appendix I2</i>) incorporates design features would be effective at removing silt and sediment from storm water runoff. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less-than-significant impacts related to soil erosion.</p>				
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: No substantial natural or man-made slopes are located on or adjacent to the Project site (Google Earth Pro, 2020). As noted in Response VII (a) (iii), the Project includes manufacturing slopes and a retaining wall. The retaining wall and manufacturing slopes would be engineered for long-term stability and constructed in accordance with the site-specific recommendations contained within the geotechnical report for the Project site (included as <i>Technical Appendix D</i> to this IS/MND), as required by the Moreno Valley Municipal Code Section 8.21.050. Accordingly, the Project would result in less-than-significant impacts associated with landslide hazards.</p> <p>The Project's geotechnical report also indicates that the settlement potential on the Project site would be attenuated through the proposed removal of near surface soils down to competent materials and replacement with properly compacted fill, which is included as a recommendation in the Project's geotechnical report. Through standard conditions of approval in accordance with Moreno Valley Municipal Code Section 8.21.050, the proposed Project would be required by the City to incorporate the recommendations contained within the Project geotechnical report into the grading plan for the Project. As such, implementation of the Project would result in less-than-significant impacts associated with soil shrinkage/subsidence and collapse.</p> <p>As discussed in Responses VII (a), (iii) and (iv), development of the property as proposed by the Project would result in a less-than-significant impact involving ground failure, including liquefaction and landslide, and a less-than-significant impact involving landslides.</p>				
<p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: According to subsurface explorations and laboratory testing conducted by NorCal Engineering, the site surficial soils primarily consist of silty sand with a very low expansion potential (NorCal Engineering, 2021, p. 15). As such, implementation of the Project would result in less-than-significant impacts associated with expansive soils and would not create substantial risks to life or property.</p>				
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Response: The Project does not propose the use of septic tanks or alternative waste water disposal systems. Accordingly, no impact would occur.</p>				
<p>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site does not contain any known unique geologic features. The Project site is underlain by older Pleistocene very old alluvial fan deposits that have a high paleontological sensitivity for fossils of large, terrestrial Ice Age vertebrates (BFS, 2020b, p. 6). In the event that Project grading and excavation activities encroach into previously undisturbed Pleistocene-age alluvial deposits, the Project could result in impacts to important paleontological resources that may exist below the ground surface if they are unearthed and not properly protected. Therefore, the Project's potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is determined to be a significant impact and mitigation is required.</p> <p>Implementation of MM GEO-1 through MM GEO-4 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. Therefore, with implementation of MM GEO-1 through MM GEO-4, the Project's potential impacts related to paleontological resources would be reduced to less-than-significant levels.</p> <p>Mitigation</p> <p>MM GEO-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.</p> <p>MM GEO-2 The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at depths five or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified paleontological personnel to have a low potential to contain or yield fossil resources.</p> <p>MM GEO-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Western Science Museum in Hemet, California, is required for significant discoveries.</p> <p>MM GEO-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Moreno Valley prior to building final.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> NorCal Engineering, Geotechnical Investigation Proposed Warehouse Building Development Northeast Corner Alessandro Boulevard and Day Street Moreno Valley, California, <i>Technical Appendix D</i> 				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ol style="list-style-type: none"> 2. Brian F. Smith and Associates, Paleontological Assessment for the Moreno Valley Business Center Project, <i>Technical Appendix H</i> 3. Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Chapter 6 – Safety <ul style="list-style-type: none"> - Map S-1 – Fault Zones 3. Moreno Valley Municipal Code Section 8.20 – Moreno Valley Building Code 4. Moreno Valley Municipal Code Section 9.08.160 – Seismic Hazards 5. Moreno Valley Municipal Code Section 8.21.050 – Grading Permit Requirements 6. Moreno Valley Municipal Code Section 9.08.080 – Grading 7. Google Earth Pro, https://earth.google.com/web/ 				

VIII. GREENHOUSE GAS EMISSIONS – Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response: A *Greenhouse Gas Analysis* (Urban Crossroads, 2021d) and a supplemental air quality and greenhouse gas analysis (Urban Crossroads, 2022a) was prepared for the Project by Urban Crossroads to quantify the greenhouse gas (GHG) emissions that would result from Project-related construction and operational activities. These reports are included as *Technical Appendix A3* and *Technical Appendix F* to this IS/MND and its findings are incorporated into the analysis presented herein.

While estimated Project-related GHG emissions can be calculated, the direct impacts of such emissions on Global Climate Change (GCC) and global warming cannot be determined on the basis of available science because global climate change is a global phenomenon and not limited to a specific locale such as the Project site and its immediate vicinity. Furthermore, there is no evidence that would indicate that the emissions from a project the size of the proposed Project could directly or indirectly affect the global climate. Because global climate change is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the proposed Project would not result in a direct impact to global climate change; rather, Project-related impacts to global climate change only could be potentially significant on a cumulative basis (Urban Crossroads, 2021d, p. 8). Therefore, the analysis below focuses on the Project’s potential to contribute to global climate change in a cumulatively-considerable way.

The City of Moreno Valley has not adopted a numerical threshold for determining the significance of GHG emissions; however, the City has discretion to select an appropriate significance criterion used by other agencies, based on substantial evidence (Urban Crossroads, 2021d, p. 39). Specifically, the City has selected to compare Project-related GHG emissions against the draft 10,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year threshold recommended by SCAQMD staff for industrial projects against where SCAQMD is the lead agency. The industrial threshold utilized by SCAQMD is a widely accepted threshold used by numerous lead agencies in the South Coast Air Basin (SCAB) and was established based on the recommendations from California Air Pollution Control Officers Association (CAPCOA) contained in a report titled “CEQA and Climate Change” (dated January 2008), which serves as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. The CAPCOA report provides three recommendations for evaluating a development project’s GHG emissions. When establishing their significance threshold, SCAQMD selected the CAPCOA non-zero approach which establishes a numerical threshold based on capture of approximately 90 percent of emissions from future development (Approach 2, Threshold 2.5) (CAPCOA, 2008, pp. 46-47). A 90 percent emission capture rate means that 90 percent of total emissions from all new or modified projects would be subject to evaluation under CEQA. Based on SCAQMD’s research of 1,297 major, industrial source point (i.e., stationary) emission sources in the SCAB, SCAQMD found that source point industrial facilities that generate at least 10,000 MTCO_{2e} per year produce approximately 90 percent of the carbon dioxide equivalent emissions in the SCAB per year. As such, SCAQMD established their significance criterion at 10,000 MTCO_{2e} as that threshold would capture 90 percent of total emissions from future industrial development in accordance with CAPCOA recommendations. If Project-related GHG emissions do not exceed the 10,000 MTCO_{2e} per year threshold, then Project-related GHG emissions would clearly have a less-than-significant impact. On the

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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other hand, if Project-related GHG emissions exceed 10,000 MTCO₂e per year, the Project would be considered a substantial source of GHG emissions.

The Project’s annual GHG emissions are summarized in Table 7, *Total Annual Project Greenhouse Gas Emissions*. The methodology used to calculate the Project’s GHG emissions is described in detail in *Technical Appendices A3 and F*.

Table 7: Total Annual Project Greenhouse Gas Emissions

Emission Source	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ e
Annual construction-related emissions amortized over 30 years	21.91	3.45E-03	0.00	22.23
Area Source	8.72E-03	2.00E-05	0.00	9.29E-03
Energy Source	479.64	0.03	0.01	482.22
Mobile Source (Passenger Cars)	317.91	7.07E-03	0.01	320.49
Mobile Source (Trucks)	1,265.26	0.01	0.18	1,319.11
TRUs				40.93
On-Site Equipment	50.79	0.02	0.00	51.20
Waste	31.39	1.85	0.00	77.76
Water Usage	99.91	1.25	0.03	140.07
Total CO₂e (All Sources)	2,454.00			

Source: (Urban Crossroads, 2022a, Table 9)

As shown in Table 7, the Project is estimated to generate approximately 2,454.00 MTCO₂e annually, which is less than the significance threshold of 10,000 MTCO₂e (Urban Crossroads, 2021d, p. 48). Because the Project’s total annual GHG emissions would not exceed 10,000 MTCO₂e, the Project would not generate substantial GHG emissions – either directly or indirectly – that would have a significant impact on the environment. Impacts would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response: The Project would comply with a number of regulations, policies, plans, and policy goals that would reduce GHG emissions, including the Assembly Bill 32 (AB 32), and Senate Bill 32 (SB 32), which are regulations applicable to the Project. For more information on these regulations as well as other state-wide plans, policies, and regulations associated with GHG emissions that are not applicable to the Project, refer to *Technical Appendix F* of this IS/MND.

On October 9, 2012, the Moreno Valley City Council approved an Energy Efficiency and Climate Action Strategy and related GHG analysis. The Energy Efficiency and Climate Action Strategy document identifies potential programs and policies to reduce overall City energy consumption and increase the use of renewable energy. The majority of the policies are directed at municipal operations of the City, but the document also contains recommended policies for the community at large (including private development projects). These recommended policies include but are not limited to: energy efficiency, water use reduction, trip reduction, solid waste diversion, and educational policies. The overall goal of the Energy Efficiency and Climate Action Strategy is to ensure that the City is consistent with and would not otherwise conflict with the provisions of AB 32. As demonstrated by the analysis below, the Project would not conflict with the provisions of SB 32, which as a successor to AB 32 requires more stringent GHG emissions reductions than AB 32, and, therefore, would not obstruct implementation of the components of the City’s Energy Efficiency and Climate Action Strategy that are applicable to the Project.

Additionally, as part of the adoption of General Plan 2040, the City adopted a Climate Action Plan (CAP). The CAP establishes an inventory of the City’s baseline (year 2018) GHG emissions, quantifies the City’s long-term GHG emissions, and establishes the measures the City will implement – including

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<p>requirements for new development projects to be energy efficient – to achieve the year 2030 GHG emissions reduction goals of SB 32 as well as additional GHG emissions through the General Plan’s horizon year (2040). As demonstrated by the analysis below, the Project would not conflict with the provisions of SB 32, and, therefore, would neither conflict with the CAP nor hinder or delay the City’s ability to meet the GHG emissions reductions targets that are outlined in the CAP.</p> <p>In April 2015, Governor Edmund Brown Jr. signed Executive Order B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, Governor Brown signed the Senate Bill (SB) 32. SB 32 formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030. To date, no statutes or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets.</p> <p>CARB identified measures in their 2017 Scoping Plan Update to identify the measures that would achieve the emissions reductions goals of SB 32. As explained in point-by-point detail in Section 3.9 of <i>Technical Appendix F</i> (refer to Table 3-9), the Project would not conflict with applicable measures of the 2017 Scoping Plan Update and would not preclude/obstruct implementation of the Scoping Plan Update (Urban Crossroads, 2021d, Table 3-9).</p> <p>According to research conducted by the Lawrence Berkeley National Laboratory and supported by the CARB, California, under its existing and proposed GHG reduction policies (i.e., CARB Scoping Plan), is on track to meet the year 2030 reduction targets established by SB 32 (Urban Crossroads, 2021d, p. 25). As described above, the Project would not conflict with or obstruct implementation of the CARB Scoping Plan; therefore, the Project would not interfere with the State’s ability to achieve the year 2030 GHG-reduction target established by SB 32.</p> <p>Rendering a significance determination for year 2050 GHG emissions relative to Executive Order (EO) B-30-15 would be speculative because EO B-30-15 establishes a goal more than three decades into the future; no agency with GHG subject matter expertise has adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project-related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2050, available GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project’s emissions in 2050.</p> <p>As described above, the Project would not conflict with the State’s ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Impacts would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Urban Crossroads, 2021d, Moreno Valley Business Center Greenhouse Gas Analysis, <i>Technical Appendix F</i> 				
<p>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</p>				
<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: A Phase I Environmental Site Assessment (ESA) was prepared for the Project site by SCS Engineers (SCS) and is included as <i>Technical Appendix G</i> to this IS/MND. As part of the Phase I ESA efforts, SCS conducted a visual inspection of the Project site, researched regulatory hazardous materials databases, and reviewed historical reference materials (including aerial photographs, topographic maps, and City of Moreno Valley directories); the findings of this research are incorporated into the analysis presented herein.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u>Existing Site Conditions Impacts</u></p> <p>Review of historical aerial photographs, City directories, and topographic maps, SCS determined the Project site was either undeveloped or residential use from at least 1938 through 2008 (SCS, 2019, p. iv). By 2008, all residential buildings and associated structures were removed, leaving behind only the concrete slab foundation (ibid.). There were no underground or aboveground storage tanks, hazardous substances, hazardous wastes, or drums found on the Project site (SCS, 2019, pp. 5-6). Two pad-mounted Southern California Edison (SCE) electrical transformers were noted on the northwest portion of the Project site; however, the observed transformers are not believed to contain high concentrations of polychlorinated biphenyls (PCBs) because SCE exclusively utilizes mineral oils as the insulating/cooling fluid for electrical transformers (SCS, 2019, p. 5). Based on a review of historic regulatory agency hazardous materials databases, historic site aerial photographs, and a reconnaissance of the Project site, SCS determined that the Project site does not contain any recognized environmental conditions (RECs) (SCS, 2019, p. 17). A REC is considered to be the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to release to the environment; 2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.</p> <p>A previous report by LOR Geotechnical Group (prepared in 2018) identified a groundwater monitoring well located on the eastern edge of the Project site, which was associated with contamination from an off-site former gasoline station. LOR reported concentrations of total petroleum hydrocarbons as gasoline (TPH-G), methyl tert-butyl ether (MtBE), and tert-butyl (tBA). The Santa Ana RWQCB closed this case in February 2019 after the completion of required vapor extraction activities. Based on the updated cases status, SCS considers the historical groundwater impacts to be a historical recognized environmental condition (HREC) that have been adequately remediated (SCS, 2019, pp. iv and 12).</p> <p>The Project site is located approximately 1.0-mile northwest of the former March Air Force Base where numerous releases of hazardous materials to the environment including contaminated groundwater and soil had occurred. Based on the regulatory oversight provided by federal and State regulatory agencies, distance from the Project site, and no groundwater plume associated with MAFB at the Project site, MAFB is not anticipated to have a significant environmental impact to the Project site (SCS, 2019, p. 14).</p> <p>Based on the foregoing analysis, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials from the Project site under existing conditions. A less-than-significant impact would occur.</p> <p><u>Construction-Related Impacts</u></p> <p>Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the subject property during construction of the Project. Heavy equipment is typically fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which is considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the Environmental Protection Agency (EPA), California Department of Toxic Substances Control (DTSC), South Coast Air Quality Management District (SCAQMD), and Santa Ana Regional Water Quality Control Board (RWQCB). With mandatory compliance with applicable hazardous materials regulations, the Project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. Impacts would be less than significant.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u>Long-Term Operational Impacts</u></p> <p>The future building occupant(s) for the Project site are not yet identified; however, the Project is designed to house warehouse distribution occupants and it is possible that hazardous materials could be used during the course of a future building user's daily operations. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Any business that occupies a building on the Project site and that handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the Moreno Valley Fire Department Hazardous Materials Division in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the County of Riverside Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business. In addition, any business handling at any one time, greater than 500 pounds of solid, 55 gallons of liquid, or 200 cubic feet of gaseous hazardous material, is required, under Assembly Bill 2185 (AB 2185), to file a Hazardous Materials Business Emergency Plan (HMBEP). A HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material. The intent of the HMBEP is to satisfy federal and State Community Right-To-Know laws and to provide detailed information for use by emergency responders.</p> <p>If businesses that use or store hazardous materials occupy the Project, the business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances (as described above). With mandatory regulatory compliance, the Project is not expected to pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment.</p> <p>With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project are determined to be less than significant and mitigation is not required.</p>				
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Accidents involving hazardous materials that could pose a significant hazard to the public or the environment would be highly unlikely during the construction and long-term operation of the Project and are not reasonably foreseeable. As discussed above under Response IX(a), the transport, use, and handling of hazardous materials on the Project site during construction is a standard risk on all construction sites, and there would be no greater risk for upset and accidents than would occur on any other similar construction site. Upon buildout, the Project site would operate as a warehouse distribution center. Based on the operational characteristics of warehouse distribution centers, it is possible that hazardous materials could be used during the course of a future occupant's daily operations; however, as discussed above under Response IX(a), the Project Applicant would be required to comply with all applicable local, State, and federal regulations related to the transport, handling, and usage of hazardous material. Accordingly, impacts associated with the accidental release of hazardous materials would be less than significant during both construction and long-term operation of the Project and mitigation would not be required.</p>				
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Response: There are no schools located within 0.25-mile of the Project site (Google Earth Pro, 2020). Thus, the Project would not have a significant effect in emitting hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.</p>				
<p>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Phase I ESA (<i>Technical Appendix G</i> to this IS/MND) prepared for the Project site included a search of regulatory databases, including the California EPA's Regulated Site Portal, the Santa Ana RWQCB's Geotracker database, and DTSC's EnviroStor database. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (SCS, 2019, pp. 12-15). Accordingly, no impact would occur.</p>				
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located approximately 1.0-mile northwest of the March Air Reserve Base / Inland Port Airport (MARB/IPA). Pursuant to the March Air Reserve Base Compatible Use Zone Study commissioned by the United States Air Force and as depicted on Map S-7, <i>Airport Compatibility Zones</i>, of the Moreno Valley General Plan, the Project site is not located within a zone subject to hazards related to air crashes (Moreno Valley, 2021a). According to the MARB/IPA Airport Land Use Compatibility Plan (ALUCP), the Project site is located in Compatibility Zone C1 (RCALUC, 2014, Map MA-1). Properties located in Zone C1 are subject to relatively high noise levels associated with aircraft operations, and noise-sensitive land uses such as schools, hospitals, and congregate care facilities are prohibited; however, uses not sensitive to airport-related noise – like the light industrial use proposed by the Project – are allowed within Zone C1 (RCALUC, 2014, Table MA-1). The warehouse building proposed by the Project would be no greater than 44 feet tall and does not include an air travel component (e.g., runway, helipad); therefore, implementation of the Project would not interfere with flight operations at the March Air Reserve Base. Furthermore, the Project was reviewed on April 8, 2021 by the Riverside County Airport Land Use Commission (ALUC), who determined the Project would not conflict with the MARB / Inland Port ALUCP (RCALUC, 2021). The Project would not result in safety hazards for people residing or working in the Project area. Impacts would be less than significant.</p>				
<p>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site does not contain any emergency facilities under existing conditions nor does it serve as an emergency evacuation route, so there is no potential for the Project to adversely affect an existing emergency response or evacuation plan. During construction and at Project buildout, the proposed Project would be required to maintain adequate emergency access for emergency vehicles as required by the City. As part of the City's discretionary review process, the City of Moreno Valley reviewed the Project to ensure that appropriate emergency ingress and egress would be available to-and-from the proposed warehouse building for public safety, and determined that the Project would not substantially impede emergency response times in the local area. Accordingly, implementation of the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur.</p>				
<p>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Response: According to City of Moreno Valley General Plan 2040 FEIR Figure 4.18-2, <i>CAL FIRE Fire Threat Areas</i> the Project site is not located in an area of substantial or high fire risk (Moreno Valley, 2021b). Additionally, the California Department of Forestry and Fire Protection (CalFire) identifies the Project site as located in a Non-Very High Fire Hazard Severity Zone (CalFire, 2009). The Project site is located in an area that has been largely developed. No wildlands are located on or adjacent to the Project site and the Project site is largely disturbed or devoid of vegetation and surrounded on all sides by developed or maintained properties and paved roads. Thus, implementation of the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No impact would occur.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> SCS Engineers, Phase I Environmental Site Assessment LDC Alessandro Business Park, Technical <i>Appendix G</i> Final Environmental Impact Report City of Moreno Valley General Plan 2040 <ul style="list-style-type: none"> Section 4.18 – Wildfire <ul style="list-style-type: none"> Figure 4.18-2 – CAL FIRE Fire Threat Areas Google Earth Pro Moreno Valley General Plan 2040 Riverside County Airport Land Use Commission, March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700 Riverside County Airport Land Use Commission, Airport Land Use Commission Meeting Minutes, April 8, 2021, http://www.rcaluc.org/Portals/13/Minutes%204-8-21.pdf?ver=2021-05-13-160919-950 California Department of Forestry and Fire Protection (CalFire), https://osfm.fire.ca.gov/media/5917/moreno_valley.pdf Riverside County Airport Land Use Commission Development Review, dated May 21, 2020 				
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project Applicant would be required to comply with Section 402 of the Clean Water Act, which authorizes the National Pollution Discharge Elimination System (NPDES) permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one-acre or larger to prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. The Project Applicant also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State of California. The Project site is located within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB).</p> <p><u>Construction-Related Impacts</u></p> <p>Construction of the proposed Project would involve clearing, grading, paving, utility installation, building construction, and landscaping activities. Construction activities would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and solvents, and other chemicals with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Pursuant to the requirements of the Santa Ana RWQCB and the City Moreno Valley (Municipal Code Chapter 8.10 et seq. and Section 8.21.170), the Project Applicant would be required to obtain coverage under the State’s General Construction Storm Water Permit (NPDES Permit). The NPDES permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB’s <i>Santa Ana River Basin Water Quality Control Program</i>. Compliance with the NPDES permit and the <i>Santa Ana River Basin Water Quality Control Program</i> involves the preparation and implementation of a SWPPP for construction-related activities, including grading. The SWPPP will specify the Best Management Practices (BMPs) that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project’s construction does not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.</p> <p><u>Post-Development Water Quality Impacts</u></p> <p>Stormwater pollutants commonly associated with the land use proposed by the Project include bacterial indicators, metals, and toxic organic compounds (Thienes Engineering, 2020, Table E.1).</p> <p>Pursuant to the Moreno Valley Municipal Code (Chapter 8.10 et seq. and Section 8.21.170), the Project Applicant would be required to implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the City’s NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the pollutants of concern of a development project via BMPs, implementation of which ensures the on-going protection of the watershed basin. The Project’s Preliminary WQMP, prepared by Thienes Engineering, is included as <i>Technical Appendix 11</i> appended to this IS/MND. As identified in Project’s Preliminary WQMP, the proposed Project is designed to include on-site, structural source control BMPs (including underground infiltration chambers) as well as operational source controls (including but not limited to: drainage system maintenance, storm drain system stenciling and signage, and implementation of minimal pesticide use) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged from the site. Compliance with the WQMP would be required as a condition of Project approval pursuant to Municipal Code Chapter 8.10 and Municipal Code Section 8.21.170, and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness. Therefore, water quality impacts associated with long-term operational activities would be less than significant.</p> <p>In addition to the WQMP, the NPDES program also requires certain land uses, including industrial land uses as proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted an updated new NPDES permit for stormwater discharge associated with industrial activities (referred to as the “Industrial General Permit”). The new Industrial General Permit, which is more stringent than the existing Industrial General Permit, became effective on July 1, 2015. Under the effective NPDES Industrial General Permit, the Project would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon the operational activities of the buildings, and the Project’s future building occupants and their operations are not known at this time, details of the SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined at this time. However, based on the requirements of the NPDES Industrial General Permit, it is anticipated that the Project’s mandatory compliance with all applicable regulations would further reduce potential water quality impacts during long-term operation.</p>				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements during long-term operation. Impacts would be less than significant.				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project Applicant does not propose the use of any wells or other groundwater extraction activities on the Project site. Therefore, the Project would not directly extract groundwater resources. Accordingly, implementation of the proposed Project has no potential to substantially deplete or decrease groundwater supplies and the Project’s impact to groundwater supplies would be less than significant.</p> <p>Development of the Project would increase impervious surface coverage on the property, which would reduce the amount of water percolating down into the underground aquifer that underlies the Project site and a majority of the City. However, and as noted in the City’s General Plan EIR, the impact of an incremental reduction in groundwater would not be significant as domestic water supplies are not reliant on groundwater as a primary source (Moreno Valley, 2021b, p.4.10-15). Additionally, water captured by the proposed Project’s infiltration chambers and landscaped areas would have the opportunity to percolate into the ground. With buildout of the Project, the local groundwater levels would not be substantially adversely affected. Accordingly, buildout of the Project would not interfere substantially with groundwater recharge.</p> <p>For the reasons stated above, the Project would neither substantially deplete groundwater supplies nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant.</p>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Under existing conditions, the Project site is divided into two drainage zones. Runoff from the northwestern portion of the site sheet flows southwest onto Day Street and the remaining runoff from the southeastern portion of the site sheet flows in a southerly direction onto Alessandro Boulevard (Thienes Engineering, 2021).</p> <p>The Project would mass grade the entire property and construct one light industrial building and associated improvements, which would change the site’s existing ground contours and alter the existing drainage patterns interior to the Project site. Upon buildout of the Project, stormwater flow generated on the Project site would be discharged into a new underground storm drain pipe and would no longer be discharged as surface flow Day Street and Alessandro Boulevard (Thienes Engineering, 2021).</p> <p>Although the Project would alter the subject property’s drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site. Under post-development conditions, a majority of the site would be covered with impervious surfaces and, therefore, the amount of exposed soils on the Project site would be minimal. Also, as discussed under Response X(a), the Project would construct an integrated storm drain system on-site with BMPs to minimize the amount of water-borne pollutants carried from the Project site. The BMPs proposed by the Project, including a truck court and underground infiltration chambers are highly effective at removing sediment from stormwater runoff flows (Thienes Engineering, 2020, p. 18). Therefore, stormwater runoff flows leaving the Project site would not carry substantial amounts of sediment. Once stormwater runoff leaves the Project site, it would be discharged to an underground storm drain system that terminates with a controlled flow discharge device (“bubbler”) within an existing drainage swale. Because stormwater runoff from the Project site would be discharged with a relatively low flow rate within an existing drainage facility, there is no potential for the Project’s stormwater runoff to result in substantial erosion as it leaves the Project site. Accordingly,</p>				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
implementation of the Project would not result in substantial erosion or siltation on- site or off-site, and a less-than-significant impact would occur.				
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Proposed grading and earthwork activities on the Project site would alter the site's existing drainage patterns but would not substantially alter the drainage pattern of the local area, as flows would continue to travel westerly within Alessandro Boulevard with implementation of the Project (although with the Project, flows from the Project site would travel beneath Alessandro Boulevard within a new storm drain while existing flows travel along Alessandro Boulevard as surface sheet flow. Under long-term development conditions, and with on-site detention during peak storm events, runoff flows discharged from the Project site would be equal to existing conditions (for the 2-year storm event) or less than existing conditions (for the 10-year and 100-year storm events, respectively) (Thienes Engineering, 2021, p. 7). Accordingly, implementation of the Project would not substantially increase the rate or amount of surface water runoff discharged from the site in a manner that would result in flooding on- or off-site. Impacts would be less than significant.</p>				
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project's storm drain system would be sized and designed in accordance with the area's master drainage plan to ensure that off-site flows that are conveyed through the Project site and flows originating off-site are discharged from the site at a volume and rate that can be accommodated by existing and planned downstream storm drain facilities (Thienes Engineering, 2021, p. 7).</p> <p>As discussed under Response X(a), the Project Applicant would be required to comply with a future SWPPP and the Project's WQMP (<i>Technical Appendix 11</i>), which identify required BMPs to be incorporated into the Project to ensure that near-term construction activities and long-term post-development activities of the proposed Project would not result in substantial amounts of polluted runoff. Therefore, with mandatory compliance with the Project's SWPPP and WQMP, the proposed Project would not create or contribute substantial additional sources of polluted runoff, and impacts would be less than significant.</p>				
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06065C0745G, the Project site is located within "Zone X (unshaded)", which are areas with a 0.2% chance of annual flood (FEMA, 2008). The Zone X (unshaded) designation is considered to be an area of minimal flood hazard and is not considered a special flood hazard area. Accordingly, the Project site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. No impact would occur.</p>				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Pacific Ocean is located approximately 40 miles southwest of the Project site (Google Earth Pro, 2020); consequently, there is no potential for the Project site to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. The nearest large body of water to the Project site is Lake Perris, which is located approximately 6.0 miles southeast of the Project site and too far from the site to inundate the site in the event of a seiche. According to City of Moreno Valley General Plan FEIR Figure 4.10-3, <i>FEMA Floodplains and Floodways</i>, the Project site is not located in an identified inundation area (Moreno Valley, 2021b); therefore, risk of inundation by dam failure is low. Additionally, there are no levees in the vicinity of the Project site. No impact would occur.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's <i>Santa Ana River Basin Water Quality Control Plan</i> by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and impacts would be less than significant.</p> <p>Additionally, as discussed under Response X(a) above, the Project would not substantially decrease groundwater supplies nor interfere substantially with groundwater recharge and, therefore, is not expected to conflict with or obstruct a sustainable groundwater management plan. Further, BSMWC produces potable groundwater from the San Bernardino – Riverside Groundwater Basin – South, which is an adjudicated basin (DWR, n.d.). Adjudicated basins are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) requirement to develop Groundwater Sustainability Plan because such basins already operate under a court-ordered water management plan to ensure their long-term sustainability. No component of the Project would obstruct with or prevent implementation of the management plan for the San Bernardino – Riverside Groundwater Basin – South. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Thienes Engineering, 2020a, Preliminary Hydrology Calculations, <i>Technical Appendix I1</i> 2. Thienes Engineering, 2020b, Project-Specific Water Quality Management Plan, <i>Technical Appendix I2</i> 3. Federal Emergency Management Agency (FEMA) – Flood Map Service Center: Flood Insurance Rate Map No. 06065C0745G, https://msc.fema.gov/portal/home 4. Final Environmental Impact Report City of Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Section 4.10 – Hydrology/Water Quality <ul style="list-style-type: none"> - Figure 4.10-3 – FEMA Floodplains and Floodway 5. Google Earth Pro 6. Department of Water Resources, Adjudicated Basins Annual Reporting, https://sgma.water.ca.gov/webgis/index.jsp?appid=adjbasin 				
<p>XI. LAND USE AND PLANNING – Would the project:</p>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: Development of the Project would not physically disrupt or divide the arrangement of an established community. Under existing conditions, the Project site is bordered by Sherman Avenue to the north; Day Street to the west; Alessandro Boulevard to the south; and several residential homes to the east. The homes to the east are separated from the site by existing fencing. Accordingly, the Project would not physically divide an established community because the site is already physically separated from abutting properties. Furthermore, the Project site is not needed for access to any surrounding properties and development of the Project would not isolate an existing surrounding use. No impact would occur.</p>				
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project would develop the subject property in accordance with its underlying General Plan land use and zoning designations and would comply with all applicable policies contained in the General Plan as well as all applicable zoning regulations/development standards contained in the Municipal Code. Because the Project would have no conflict with the General Plan and/or zoning regulations, no significant environmental impact would occur from such a conflict. As disclosed throughout this IS/MND, all Project impacts would be reduced to less than significant levels after</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>mitigation; therefore, there is no potential for the Project to cause a significant environmental impact due to a conflict with any goals, objectives, and policies of applicable land use plans, including the SCAQMD's AQMP (there would be no conflict after mitigation, as discussed in Response III(a)), SCAG's <i>Connect SoCal 2020-2045 RTP/SCS</i>, and SCAG's <i>Regional Comprehensive Plan</i>. Impacts would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley Zoning Map, https://www.moval.org/city_hall/general-plan2040/NewZoning.pdf 2. Moreno Valley Adopted Land Use Map, https://www.moval.org/city_hall/general-plan2040/GP-LandUseMap.pdf 3. Google Earth Pro 				
<p>XII. MINERAL RESOURCES – Would the project:</p>				
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources (Moreno Valley, 2021b, p. 4.12-4). Implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. In addition, the City's General Plan EIR does not identify any locally-important mineral resource recovery sites on-site or within proximity to the Project site (Moreno Valley, 2021b, p. 4.12-4). Accordingly, no impact would occur.</p>				
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: Refer to Response XII(a), above. Implementation of the proposed Project would not result in the loss of a locally-important mineral resource recovery site. No impact would occur.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Section 4.12 – Mineral Resources 				
<p>XIII. NOISE – Would the project result in:</p>				
<p>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: A <i>Noise Impact Analysis</i> (Urban Crossroads, 2021e) was prepared for the Project by Urban Crossroads to evaluate Project-related long-term operational and short-term construction noise impacts. Additionally, Urban Crossroads prepared a supplemental noise analysis (Urban Crossroads, 2022c) to evaluate short-term impacts from the construction of the Project's off-site improvements. These reports are included as <i>Technical Appendices J1</i> and <i>J2</i> to this IS/MND and their findings are incorporated into the analysis presented herein.</p>				
<p>The analysis presented below summarizes the Project's potential construction noise levels and operational noise levels. The detailed noise calculations for the analysis presented here are provided in Appendices 7.1 and 8.1 of <i>Technical Appendix J1</i>.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Construction Noise Impact Analysis

Construction activities on the Project site would create temporary periods of noise when heavy construction equipment is in operation and would cause a short-term increase in ambient noise levels. Maximum daytime construction noise levels at representative sensitive receptor locations near the Project site are summarized in Table 8, *Daytime Construction Equipment Noise Level Summary*. Exhibit 8-A of the *Noise Impact Analysis* (included as *Technical Appendix J1* to this IS/MND) illustrate the receptor locations for this analysis.

Table 8: Daytime Construction Equipment Noise Level Summary

Receiver Location ¹	Construction Noise Levels (dBA L _{eq})					
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels ²
R1	63.7	61.9	60.0	59.6	53.6	63.7
R2	65.0	63.2	61.3	60.9	54.9	65.0
R3	67.2	65.4	63.5	63.1	57.1	67.2
R4	62.0	60.2	58.3	57.9	51.9	62.0
at 200'	62.3	60.5	58.6	58.2	52.2	62.3

Source: (Urban Crossroads, 2021e, Table 8-2)

¹ Noise receiver locations are shown on Exhibit 8-A of *Technical Appendix J1*.

² Highest construction noise level calculations based on distance from the construction noise source activity to the nearest receiver locations as shown on Table 9. CadnaA construction noise model inputs are included in Appendix 8.1 of *Technical Appendix J1*.

As shown on Table 8, daytime construction noise levels at the Project Site are expected to range from 62.0 to 67.2 A-weighted decibels (dBA) equivalent sound level (L_{eq}) at nearby receiver locations and 62.3 dBA L_{eq} at 200 feet from the Project site. Pursuant to Moreno Valley Municipal Code Section 11.80.030(C), a significant impact would occur if Project construction activities were to generate daytime noise levels of 65.0 dBA L_{eq} or higher when measured at 200 feet from the Project site boundary. Because Project construction activities would only result in noise levels of 62.3 dBA L_{eq} or less at a distance of 200 feet from the Project site, construction activities on the Project site would not exceed the standard established by the Moreno Valley Municipal Code. Construction of the Project's off-site improvements would result in noise levels of 63.3 dBA L_{eq} or less at a distance of 200 feet from the work area and would not exceed the standard established by the Moreno Valley Municipal Code (Urban Crossroads, 2022c, p. 3). Impacts during daytime construction activities would be less than significant.

There is the potential that specific construction activities (i.e., concrete pouring) could occur on the Project site outside of the construction hours permitted by right in the Municipal Code. Pursuant to Municipal Code Section 11.80.030(D)(7), the City of Moreno Valley would be required to approve any nighttime construction activities. If nighttime construction activities were to occur, noise levels above 60 dBA L_{eq} at a distance of 200 feet from the Project site would exceed the standards established in the City's Municipal Code (Section 11.80.030(C)). The only Project construction activities that have a reasonable potential to occur during nighttime hours are concrete pouring. Noise levels for nighttime concrete pouring are listed in Table 10 below.

As shown in Table 9, nighttime concrete pouring activities would not exceed 63.1 dBA L_{eq} at the nearby sensitive receiver locations or 58.2 dBA L_{eq} at a distance of 200 feet from the Project site. Because potential nighttime concrete pouring activities would not exceed 60 dBA L_{eq} at a distance of 200 feet from the Project site, Project construction would not exceed the standard established by the Moreno Valley Municipal Code. Impacts during nighttime construction activities would be less than significant.

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

Table 9: Nighttime Construction Equipment Noise Level Summary

Receiver Location ¹	Construction Noise Levels (dBA Leq)		
	Paving Construction ²	Nighttime Construction Standard ³	Threshold Exceeded? ⁴
R1	59.6	--	No
R2	60.9	--	No ⁵
R3	63.1	--	No ⁵
R4	57.9	60	No
at 200'	58.2	60	No

Source: (Urban Crossroads, 2021e, Table 8-3)

¹ Noise receiver locations are shown on Exhibit 8-A of *Technical Appendix J*.

² Highest construction noise level calculations based on distance from the construction noise source activity to the nearest receiver locations as shown on Table 8-4 of *Technical Appendix J1*.

³ Per Moreno Valley Municipal Code Section 11.80.030(C), noise standard is applicable at a distance of 200 feet or farther.

⁴ Do the estimated Project construction noise levels exceed the construction noise level threshold?

⁵ Receiver location is less than 200 feet.

Operational Noise Impact Analysis

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-mounted equipment (e.g., heating/ventilation equipment), as well as noise associated with the loading and unloading of dry goods. The daytime and nighttime stationary maximum noise levels associated with Project operation at nearby sensitive receptor locations (the same receptor locations used for the construction analysis, above) and at a distance of 200 feet from the Project site are summarized in Table 10, *Operational Noise Level Compliance*.

Table 10: Operational Noise Level Compliance

Receiver Location ¹	Project Operational Noise Levels (dBA Leq) ²		Noise Level Standards (dBA Leq) ³		Noise Level Standards Exceeded? ⁴	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	48.4	48.1	65	60	No	No
R2	34.7	33.8	65	60	No	No
R3	38.3	36.8	65	60	No	No
R4	59.6	59.6	65	60	No	No
at 200'	57.9	57.9	65	60	No	No

Source: (Urban Crossroads, 2021e, Table 7-5)

¹ See Exhibit 7-A of *Technical Appendix J1* for the receiver locations.

² Proposed Project operational noise levels as shown on Tables 7-3 and 7-4 of *Technical Appendix J1*.

³ Exterior noise level standards for source (commercial) land use per Moreno Valley Municipal Code Section 11.80.030(C)..

⁴ Do the estimated Project operational noise source activities exceed the noise level standards?

"Daytime" = 8:00 a.m. - 10:00 p.m.; "Nighttime" = 10:01 p.m. - 7:59 a.m.

Table 10 shows the operational noise levels associated with proposed Project would comply with the City of Moreno Valley 65 dBA Leq daytime and 60 dBA Leq nighttime exterior noise level standards at a distance of 200 feet from the Project site. The Project's operational noise would contribute up to 0.4 dBA Leq and 1.1 dBA Leq to the existing daytime and nighttime ambient noise environment, respectively, in the Project area which is not considered to be a substantial increase (Urban Crossroads, 2021e, pp. 38-39). Based on the foregoing analysis, operation of the Project would not result in a substantial permanent increase in ambient noise levels in the vicinity of the Project in excess of applicable City of Moreno Valley standards. Impacts would be less than significant.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response: The analysis presented below demonstrates that implementation of the Project would not generate excessive groundborne vibration or groundborne noise levels.

Construction Analysis

Construction activities on the Project site would utilize construction equipment that has the potential to generate vibration. Table 11, *Construction Equipment Vibration Levels*, below, summarizes Project construction vibration levels at the modeled receiver locations. As shown in Table 12, all receiver locations in the vicinity of the Project site would be exposed to vibration levels that fall below the City of Moreno Valley’s significance threshold at all receiver locations. Accordingly, Project construction would not generate temporary, excessive groundborne vibration or noise levels and a less than significant impact would occur.

Table 11: Construction Equipment Vibration Levels

Receiver Location ¹	Distance to Construction Activity (Feet)	Receiver Vibration Levels (VdB) ²					Threshold VdB ³	Threshold Exceeded? ⁴
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Highest Vibration Levels		
R1	168'	33.3	54.2	61.2	62.2	62.2	78	No
R2	122'	37.3	58.3	65.3	66.3	66.3	78	No
R3	105'	39.3	60.3	67.3	68.3	68.3	78	No
R4	232'	29.0	50.0	57.0	58.0	58.0	78	No
at 200'	200'	30.9	51.9	58.9	59.9	59.9	78	No

Source: (Urban Crossroads, 2021e, Table 8-5)

¹ Noise receiver locations are shown on Exhibit 8-A of *Technical Appendix J1*.

² Based on the Vibration Source Levels of Construction Equipment included on Table 8-4 of *Technical Appendix J1*.

³ FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria as shown on Table 4-1 of *Technical Appendix J1*.

⁴ Does the vibration level exceed the maximum acceptable vibration threshold?

Operational Analysis

Under long-term conditions, the proposed Project would not include nor require equipment, facilities, or activities that would result in substantial or perceptible groundborne vibration. Trucks would travel to-and-from the Project site during long-term operation; however, vibration levels for heavy trucks operating at low-to-normal speeds on smooth, paved surfaces – as is expected on the Project site and along surrounding roadways – typically do not exceed 65 VdB. Truck deliveries transiting on-site would travel at very low speeds, so it is expected long-term operations at the Project site would not exceed the City’s allowable levels. Accordingly, long-term operation of the Project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels, and a less-than-significant impact would occur.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response: The Project site is located approximately 1.0-mile northwest of the MARB/IPA. Based on the ALUCP for the MARB/IPA, the Project is located within the Airport’s 60 dBA CNEL noise level contours (RCALUC, 2014, Map MA-4), which represents an area subjected to moderate airport noise. The light industrial land uses proposed by the Project are not sensitive to moderate airport noise and do not conflict with the ALUCP (RCALUC, 2014, Table MA-1 and Table MA-2). Accordingly, the proposed Project would not expose people residing or working the Project area to excessive noise levels from a public airport; therefore, impacts would be less-than-significant.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Chapter 7 – Noise Element <ul style="list-style-type: none"> - Map N-3 – Future Noise Contours 2. Final Environmental Impact Report City of Moreno Valley General Plan 2040 <ul style="list-style-type: none"> • Section 4.13 – Noise <ul style="list-style-type: none"> - Figure 413-3– March Air Reserve Base Noise Contours 3. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations 4. Urban Crossroads, 2021e, Moreno Valley Business Center Noise Impact Analysis, <i>Technical Appendix J1</i> 5. Urban Crossroads, 2022c, Moreno Valley Business Center Off-Site Improvements Noise Assessment, <i>Technical Appendix J2</i> 				
<p>XIV. POPULATION AND HOUSING – Would the project:</p>				
<p>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The proposed Project would result in development of the subject property with industrial land uses that would add employment opportunities to the area. It is anticipated that the employment base for both the construction and operational phases of the Project would come from the existing population in the Inland Empire, which comprises western Riverside County and southwestern San Bernardino County. According to the Bureau of Labor Statistics, the Riverside-San Bernardino-Ontario region’s civilian labor force contains approximately 2,071,914 persons with approximately 1,908,605 people employed and an unemployment rate of approximately 8% (approximately 163,309 persons) (USBLS, 2020). Accordingly, the Project region already contains an ample supply of potential employees under existing conditions and the Project’s labor demand is not expected to draw substantial numbers of new residents to the area. Furthermore, approximately 86% of City of Moreno Valley residents commute outside of the City for work (SCAG, 2019, p. 21); therefore, the Project would provide job opportunities closer to home for existing and future Moreno Valley residents.</p> <p>There are no components of the Project that would reasonably result in indirect or unplanned population growth because the surrounding area is mostly developed under existing conditions or approved for development. The Project would install new/expanded infrastructure; however, this infrastructure would either be master-planned facilities (meaning the facilities would be installed with or without the Project), upgrades to existing facilities that are needed to correct service deficiencies (meaning that the quality of existing service would improve but no additional system capacity would be added), or would be private facilities for the sole use of the Project (meaning they would not be available for general public use). Accordingly, no significant indirect impacts associated with population growth would result from any Project-related improvements because the Project and its required improvements would not induce substantial growth on surrounding properties.</p> <p>Based on the foregoing analysis, neither the Project nor any Project-related component would result in substantial, direct, or indirect population growth that would cause a significant direct or indirect impact to the environment. This impact is less than significant.</p>				
<p>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site does not contain any residential structures and no people live on the site under existing conditions. Accordingly, implementation of the Project would not displace substantial numbers of existing housing or people and would not necessitate the construction of replacement housing elsewhere. No impact would occur.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Sources:</p> <ol style="list-style-type: none"> 1. Google Earth Pro 2. Southern California Association of Governments (SCAG) – Profile of the City of Moreno Valley, https://www.scag.ca.gov/Documents/MorenoValley.pdf 3. United States Bureau of Labor Statistics – Riverside-San Bernardino-Ontario, CA Economy at a Glance on October 2020, https://www.bls.gov/eag/eag.ca_riverside_msa.htm#eag_ca_riverside_msa.f.p 				
<p>XV. PUBLIC SERVICES – Would the project:</p>				
<p>a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p>				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Fire protection services to the Project site are provided by the Moreno Valley Fire Department (MVFD). The Project site is served by the Towngate Fire Station (Station No. 6) located at 22250 Eucalyptus Avenue, approximately 1.4 roadway miles to the north of the Project site. Based on the Project site’s proximity to existing fire protection facilities, the Project is expected to be adequately served by existing fire protection services, and no new or expanded facilities would be required. The Project Applicant is required to comply with the provisions of the City of Moreno Valley’s Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of fire protection facilities. The City will collect DIF from the Project Applicant at the time of building permit issuance (based on building square footage). The Project’s payment of DIF, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services.</p> <p>The Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the MVFD. The proposed warehouse distribution building would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than wood-frame construction. The Project also would install fire hydrants on-site and would provide paved primary and secondary emergency access to the Project site to support the MVFD in the event fire suppression activities are needed on-site. Lastly, the proposed warehouse distribution building would be equipped with fire sprinklers in accordance with the California and Moreno Valley building codes. Based on its size and scale, the proposed building would likely feature Early Suppression, Fast Response (ESFR) ceiling mounted fire sprinklers (or a comparable fire suppression system) that exceed the fire protection of traditional sprinkler systems. ESFR high output, high volume systems are located in ceiling spaces as with conventional fire sprinkler systems, but they incorporate large, high-volume, high-pressure heads to provide the necessary fire protection for industrial buildings that may contain high-piled storage. While most other sprinklers are intended to control the growth of a fire, an ESFR sprinkler system is designed to suppress a fire. To suppress a fire does not necessarily mean it will extinguish the fire but rather it is meant to "knock" the fire back down to its source, making it more manageable for the MVFD to extinguish.</p> <p>Based on the foregoing, the Project incorporates several design features to minimize fire hazards. Additionally, the Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities and the Project Applicant would pay DIF and the Project would generate other revenues (e.g., tax) that would help offset the Project’s demand for fire protection services. Impacts to fire protection facilities would be less than significant.</p>				
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project would introduce a new building structure and employees to the Project site, which would result in an incremental increase in demand for police protection services, but is not anticipated to require or result in the construction of new or physically altered police facilities. Furthermore, prior to the issuance of building permits, the Project Applicant would be required to comply</p>				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>with the provisions of Moreno Valley’s Development Impact Fee (DIF) Ordinance (Ordinance No. 695). This ordinance requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. The City will collect the Project’s DIF share from the Project Applicant at the time of building permit issuance (based on building square footage). The Project’s payment of DIF fees, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for police protection services and other public services. Based on the foregoing, the proposed Project would receive adequate police protection service, and would not result in the need for new or physically altered police protection facilities. Impacts to police protection facilities would therefore be less than significant.</p>				
<p>iii) Schools?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the Project would not create a direct demand for public school services, as the subject property would contain non-residential uses and would not generate any school-aged children requiring public education. The addition of employment-generating uses on the Project site would assist the City in achieving its goal to provide a better jobs/housing balance within the City and the larger western Riverside County region; therefore, the proposed Project is not expected to draw a substantial number of new residents to the region and would therefore not indirectly generate school-aged students requiring public education. Because the proposed Project would not directly generate students and is not expected to indirectly draw students to the area, the proposed Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a demand for additional public school services, the Project Applicant would be required to contribute development impact fees to the Moreno Valley Unified School District in compliance with California Senate Bill 50 (Greene), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of building permits. Impacts to public schools would be less than significant.</p>				
<p>iv) Parks?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: As discussed under Responses XVI(a) and XVI(b) below, the Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. Accordingly, implementation of the Project would not adversely affect any park facility. Thus, no impact would occur.</p>				
<p>v) Other public facilities?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project is not expected to result in a demand for other public facilities/services, including libraries, community recreation centers, post offices, and/or animal shelters. As such, implementation of the Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact would occur.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley Fire Department – Strategic Plan 2012-2022 2. California Legislative Information – Senate Bill 50 (Greene), Approved August 27, 1998, http://www.leginfo.ca.gov/pub/97-98/bill/sen/sb_0001-0050/sb_50_bill_19980827_chaptered.html 3. Google Earth Pro 4. City of Moreno Valley Municipal Code <ul style="list-style-type: none"> • Chapter 3.42 “Commercial and Industrial Development Impact Fees” – Ordinance 695 				
<p>XVI. RECREATION – Would the project:</p>				
<p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response: The Project would develop the subject property with industrial land uses. The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, no impact would occur.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response: The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur.

Sources:
 1. Project Application Materials – Site Plan

XVII. TRANSPORTATION – Would the project:

a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response: Pursuant to the City of Moreno Valley’s policy, as documented in their Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment (June 2020), the City utilizes an accepted screening threshold in the transportation engineering industry (i.e., 100 two-way peak hour trips, both actual and PCE trips) to determine whether a development project has the potential to result in substantial adverse effects on the circulation system (Moreno Valley, 2020, p. 3). When a development project would generate more than 100 peak hour trips, the City considers that project to be a contributor of substantial traffic to local roadways and requires additional analysis to determine whether the traffic generated by that development project would conflict with City plans, ordinances, and/or policies related to the circulation system. However, where there are no unique circumstances that suggest unacceptable traffic conditions – such as an existing safety problem or substandard operations at nearby intersection or street – and a development project contributes less than 100 peak hour trips, the City has determined that such projects would clearly have a less-than-significant impact to plans, ordinances, and policies addressing the circulation system.

The Project is calculated to generate a maximum of 31 trips during the morning peak hour and 33 trips during the evening peak hour (Urban Crossroads, 2021f, Table 4). When weighted for “passenger car equivalent” (PCE), which converts all classifications of vehicles – including heavy trucks with multiple axles – to a single metric, the Project is calculated to generate 38 trips during the morning peak hour and 44 trips during the evening peak hour (ibid.). The City has reviewed the Project’s design proposal and reviewed traffic operations in the surrounding area and determined that: 1) the Project would not introduce any design features that would create an unsafe or adverse traffic condition in the area; 2) there are no existing safety problems in the Project vicinity; and 3) there are no substandard traffic facilities in the Project area.

In addition, the Project would not conflict with applicable objectives from the Moreno Valley General Plan Circulation Element, including Policies C.2-3, C.2-5, C.2-7, C.3-4, C.3-6, and C.4-4. In addition, Project would not conflict with the City’s Bicycle Master Plan nor with the vehicular and non-vehicular goals from SCAG’s 2016-2040 RTP/SCS, including goals to: 1) maximize mobility and accessibility for all people and goods in the region; 2) ensure travel safety and reliability for all people and goods in the region; 3) preserve and ensure a sustainable regional transportation system; 4) protect the environment and health of residents by improving air quality and encouraging active transportation; and 5) encouraging land use and growth patterns that facilitate transit and active transportation.

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Based on the foregoing analysis, the City determines that the Project would not conflict with applicable plans, ordinances, or policies addressing the circulation system and impacts would be less than significant.				
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: SB 743, which approved in 2013, was intended to change the way transportation impacts are determined according to CEQA. Updates to the CEQA Guidelines that were adopted in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which Subdivision “b” establishes criteria for evaluating a project’s transportation impacts based on project type and using automobile VMT as the metric. As a component of OPR’s revisions to the CEQA Guidelines, lead agencies were required to adopt VMT thresholds of significance by July 1, 2020. The City of Moreno Valley adopted its <u>Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment</u> in June 2020, which is used in this analysis to determine the significance of Project-related VMT.</p> <p>The Project’s traffic was evaluated against screening criteria to determine if it could be determined clearly that implementation of the Project would not generate substantial vehicles miles traveled (VMT) – and, therefore, be consistent with CEQA Guidelines Section 15064.3 – or if additional analysis was needed to determine the significance of Project-related VMT. Pursuant to the City’s <u>Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment</u>, development projects that generate less than 400 daily traffic trips (actual trips) – like the proposed Project – would not cause or contribute to a substantial increase in the total citywide and/or regional VMT and are presumed to have a less than significant impact related to VMT (Urban Crossroads, 2021f, p. 3). Accordingly, implementation of the Project would not generate excessive VMT and, therefore, would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3.</p>				
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project’s design would direct Project truck traffic to Alessandro Boulevard and Project passenger vehicle traffic to Alessandro Boulevard, Day Street, and Sherman Avenue; thus, the types of traffic generated during operation of the Project would be compatible with the type of traffic observed along these roadways under existing conditions. In addition, all proposed improvements within the public right-of-way would be installed in conformance with City of Moreno Valley design standards. The City reviewed the Project’s application materials and determined that no hazardous transportation design features would be introduced through implementation of the Project. Accordingly, the Project’s construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. Implementation of the Project would result in a less-than-significant impact.</p>				
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project would result in the construction of one light industrial building on the Project site, which would require the need for emergency access to-and-from the site. During the course of the City of Moreno Valley’s review of the proposed Project, the Project’s design was reviewed to ensure that adequate access to-and-from the site is provided for emergency vehicles. The Project would not construct any improvements within the public right of way that would adversely affect local circulation/access or hinder emergency response. Furthermore, the City of Moreno Valley will review all future Project construction drawings to ensure that adequate emergency access is maintained along abutting public streets during temporary construction activities. With required adherence to City requirements for emergency vehicle access, impacts would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Urban Crossroads, 2021f, Moreno Valley Business Center Project Scoping Form, <i>Technical Appendix K1</i> 				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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2. Urban Crossroads, 2021g, Moreno Valley Business Center Vehicle Miles Traveled Analysis, *Technical Appendix K2*

XVIII. TRIBAL CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or			
ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response: A Phase I Cultural Resources Study (*Technical Appendix C*) was prepared for the Project site by BFSa. The Phase I Cultural Resources Study included a records search with the EIC at University of California Riverside (UCR) in order to assess previous archaeological studies and identify any previously recorded tribal cultural resources within the Project site. Additionally, as part of preparation of the Phase I Cultural Resources Study, BFSa also requested a records search of the Native American Heritage Commission (NAHC) Sacred Lands Files (SLF). According to BFSa's search of EIC records and NAHC SLFs, no tribal cultural resources listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources are present on the Project site or previously recorded on the Project site (BFSa, 2020, pp. 1.0-1, 5.0-1). In addition, the Project site is highly disturbed and no tribal cultural resources were observed on the Project site or in the Project site's immediate vicinity (ibid.).

As part of the AB 52 consultation process required by State law, the City of Moreno Valley sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. In response to the AB 52 consultation invitation, five tribes contacted the City to request formal consultation. The City met with each tribe and concluded tribal consultation on June 16, 2021. During the course of the tribal consultation process, no Native American tribe provided the City with substantial evidence indicating that tribal cultural resources, as defined in Public Resources Code section 21074, are present on the Project site or have been found previously on the Project site. Notwithstanding, due to the Project site's location in an area where multiple Native American tribes are known to have a cultural affiliation, there is the possibility that prehistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities – although this is considered unlikely due to the pervasive, historic and on-going disturbances that have occurred on the Project site. Were a tribal cultural resource, as defined in Public Resources Code Section 21074, to be found on the Project site during construction – and not protected – a significant impact would occur.

Implementation of MMs CR-1 through CR-9, would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Sources:</p> <p>1. Brian F. Smith and Associates, Phase I Cultural Resources Survey for the Moreno Valley Business Center Project, <i>Technical Appendix C</i></p>				
<p>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</p>				
<p>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project would construct an on-site network of water and sewer pipes that would connect to existing water and sewer facilities that abut the Project site, also, would construct off-site improvements that would include a new public water pump and a storm segment that would connect the Project site to existing storm drain facilities beneath Old 215 Frontage Road. The Project also would install connections to existing electricity, natural gas, and communications infrastructure that already exist in the area, and all such connections would be accomplished in conformance with the rules and standards enforced by the applicable service provider. The installation of water and sewer line connections, stormwater drainage facilities, electricity, natural gas, and communications infrastructure as proposed by the Project would result in physical impacts to the environment; however, these impacts are considered to be part of the Project's construction phase and are evaluated throughout this IS/MND accordingly. In instances where significant environmental impacts have been identified for the Project's construction phase, mitigation measures are recommended in each applicable subsection of this IS/MND to reduce impacts to less-than-significant levels. The construction of utility infrastructure necessary to serve the proposed Project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of this IS/MND. Accordingly, additional mitigation measures beyond those identified throughout this IS/MND would not be required.</p>				
<p>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Relying on water usage factors from the Moreno Valley General Plan EIR, the Project would demand approximately 9.75 acre-feet of water per year, which is less than the annual 117-acre-foot demand of the site's planned land use under existing conditions (i.e., multi-family land uses developed at 30 dwelling units per acre) (Moreno Valley, 2006b, Table 5.13-8). The BSMWC is responsible for supplying potable water to the Project site and its region. BSMWC receives approximately 60% of its supply from groundwater and purchases approximately 40% of its supply from the Western Municipal Water District (WMWD) (WMWD, 2016, p. 3-5). The BSMWC is not known to have any issues with its existing or projected future water supply and the WMWD is projected to adequate water supplies are projected to be available to meet WMWD's estimated water demand through 2040 under normal, historic single-dry and historic multiple-dry year conditions – based on population projects that utilize adopted land use regulations contained within the general plans that cover their geographic service areas (WMWD, 2016, Table 7-3, Table 7-5, and Table 7-7). Because local water providers are expected to have sufficient water supplies to meet projected future year demands and because the Project would actually reduce projected future year demands, local water providers would have sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. The Project's impact would be less than significant.</p>				
<p>c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Response: Wastewater generated by the Project would be conveyed by the ECSD, which is under contract with the City of Riverside and transmits sewage to the City of Riverside’s Regional Water Quality Control Plant (RWQCP). Based upon ECSD’s wastewater generation rate of 2,000 gallons per day (gpd) per acre for industrial light land uses, the proposed Project would generate approximately 16,120 gallons of wastewater per day (2,000 gpd per acre × 7.8 Project acres (net) = 15,500 gpd). Under existing conditions, the City of Riverside’s RWQCP has an excess treatment capacity of approximately 18.6 million gallons per day (mgpd) (46 mgpd treatment capacity – 27.4 mgpd influent flows = 18.6 million gallons excess treatment capacity) (City of Riverside, 2019, Vol. 4, pp. 1-1 & 1-2). Implementation of the Project would utilize approximately 0.09% of the City of Riverside’s RWQCP daily excess treatment capacity. Accordingly, the City of Riverside’s RWQCP has sufficient capacity to treat wastewater generated by the Project in addition to existing commitments. The Project would not create the need for any new or expanded wastewater facility. Because there is adequate capacity at existing treatment facilities to serve the Project’s projected sewer demand, impacts would be less than significant.</p>				
<p>d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the Project would generate an incremental increase in solid waste volumes requiring off-site disposal during short-term construction and long-term operational activities. Solid waste generated by the Project would be disposed at the El Sobrante Landfill and/or the Badlands Sanitary Landfill.</p> <p>The El Sobrante Landfill is permitted to receive 16,054 tons of refuse per day and has a total capacity of 209,910,000 cubic yards. According the CalRecycle, the El Sobrante Landfill has a total remaining capacity of 143,977,170 cubic yards. The El Sobrante Landfill is estimated to reach capacity, at the earliest time, in the year 2051 (CalRecycle, 2019a). In October 2020 (the most recent period for which disposal volumes are available), the average daily disposal at the El Sobrante Landfill was approximately 10,513.12 tons, which correlates to an excess daily disposal capacity of approximately 5,540.88 tons (CalRecycle, 2020a).</p> <p>The Badlands Sanitary landfill is permitted to accept a maximum of 4,800 tons of solid waste per day. In October 2020, the most recent time period for which disposal data was publicly available, the Badlands Sanitary Landfill was receiving an average of 2,896.83 tons of waste per day, which correlates to an excess daily disposal capacity of approximately 1,903.17 tons (CalRecycle, 2020b). The Badlands Sanitary Landfill has available capacity until at least the year 2021; however, future landfill expansion opportunities may exist at this site. (CalRecycle, 2019b)</p> <p>The analysis below summarizes the Project’s potential to generate solid waste during construction and/or operation that would exceed the disposal capacity of local landfill facilities. As demonstrated in the analysis below, the Project would generate less-than-significant volumes of solid waste.</p> <p><u>Construction Impact Analysis</u></p> <p>Based on the United States Environmental Protection Agency’s (U.S. EPA) construction waste generation factor of 4.34 pounds of solid waste generated for the construction of every 1 s.f. for non-residential uses, Project construction is estimated to generate approximately 357 tons of solid waste. ([164,187 s.f. × 4.34 pounds per s.f.] ÷ 2,000 pounds per ton = 357 tons) (EPA, 2009, Table A-2). CalGreen requires a minimum of 65% of all construction waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies); therefore, the Project is estimated to generate approximately 125 tons of construction waste requiring landfill disposal (357 tons × 0.35 = 125 tons). The Project’s construction phase is estimated to last for up to 280 work days; therefore, the Project is estimated to generate approximately 0.45 tons of solid waste per work day (125 tons ÷ 280 days = 0.45 tons per day) requiring landfill during construction.</p> <p>Non-recyclable construction waste generated by the Project would be disposed at the El Sobrante Landfill or Badlands Sanitary Landfill. As described above, these landfills receive well below their</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>maximum permitted daily disposal volume; thus, the relatively minimal construction waste generated by the Project is not anticipated to cause the landfills to exceed their maximum permitted daily disposal volume. (Project construction waste would represent less than 0.01% of the excess disposal capacity at the El Sobrante Landfill and approximately 0.02% of the excess disposal capacity at the Badlands Sanitary Landfill.) Furthermore, the El Sobrante Landfill and Badlands Sanitary Landfill are not expected to reach its total maximum permitted disposal capacities during the Project's construction period. The El Sobrante Landfill and Badlands Sanitary Landfill have sufficient daily capacity to accept solid waste generated by the Project's construction phase; therefore, impacts to landfill capacity associated with the Project's near-term construction activities would be less than significant.</p> <p><u>Operational Impact Analysis</u> Based on a daily waste generation factor of 1.42 pounds of waste per 100 square feet of industrial building area obtained from CalRecycle, long-term, on-going operation of the Project would generate approximately 1.17 tons of solid waste per day ($[(1.42 \text{ pounds} \div 100 \text{ s.f.}) \times 164,187 \text{ s.f.}] \div 2,000 \text{ pounds} = 1.17 \text{ tons per day}$) (CalRecycle, 2019c). Pursuant to AB 939, at least 50 percent of the Project's solid waste is required to be diverted from landfills; therefore, the Project would generate approximately 0.59 tons of solid waste per day requiring landfilling ($1.17 \text{ tons per day} \times 50\% = 0.59 \text{ tons per day}$).</p> <p>Non-recyclable solid waste generated during long-term operation of the Project would be disposed at the El Sobrante Landfill and the Badlands Sanitary Landfill. As described above, these landfills receive well below their maximum permitted daily disposal volume; thus, waste generated by the Project's operation is not anticipated to cause the landfills to exceed their maximum permitted daily disposal volume. (Project operational rate would represent approximately 0.01% of the daily excess disposal capacity at the El Sobrante Landfill and approximately 0.03% of the daily excess disposal capacity at the Badlands Sanitary Landfill.) Because the Project would generate a relatively small amount of solid waste per day as compared to the permitted daily capacities at the receiving landfills, impacts to the El Sobrante Landfill and Badlands Sanitary Landfill facilities during the Project's long-term operational activities would be less than significant.</p>				
<p>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50 percent waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the Riverside County Board of Supervisors adopted the County of Riverside Countywide Integrated Waste Management Plan (CIWMP), which outlines the goals, policies, and programs the County and its cities implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. (RCDWR, 2020)</p> <p>In order to assist the City of Moreno Valley and the County of Riverside in achieving the mandated goals of the Integrated Waste Management Act, the Project's building user(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. (CA Legislative Information, 2005) Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week (CA Legislative Information, 2011). The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable</p>				

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solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant.				
<p>Sources:</p> <ol style="list-style-type: none"> California Legislative Information – Assembly Bill 341 Solid Waste: Diversion, Approved October 5, 2011, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB341 California Legislative Information – Public Resources Code § 42911 – California Solid Waste Reuse and Recycling Access Act of 1991, Effective January 1, 2005, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=42911. City of Riverside, 2019. Update Of The Integrated Master Plan For The Wastewater Collection And Treatment Facilities, Volume 4. Available at: https://riversideca.gov/publicworks/sewer/master-plan/2019%20Sewer%20Master%20Plan%20Volume%204.pdf. Accessed: March 8, 2021. Riverside County Department of Waste Resources – Countywide Integrated Waste Management Plan, 2020, https://www.rcwaste.org/business/planning/ciwmp CalRecycle – SWIS Site/Facility Details: El Sobrante Landfill. Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402. Accessed October 19, 2020. (CalRecycle, 2019a) CalRecycle – Daily Landfilled Tonnage & Total Traffic By Site: El Sobrante, October 2020. (CalRecycle, 2020a) CalRecycle – SWIS Site/Facility Details: Badlands Sanitary Landfill. Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367. Accessed October 19, 2020 (CalRecycle, 2019b) CalRecycle – Daily Landfilled Tonnage & Total Traffic By Site: Badlands, October 2020. (CalRecycle, 2020b) CalRecycle – Estimated Solid Waste Generation Rates. Available at: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates. Accessed: December 15, 2020. 				
<p>XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site is not located in or near state responsibility areas (SRA) or lands within a very high fire hazard severity zone (CalFire, 2007); therefore, the Project would not exacerbate wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. As such, no impact would occur.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Sources:

1. California Department of Forestry and Fire Protection – Western Riverside County Fire Hazard Severity Zones in SRA, Adopted on November 7, 2007, https://osfm.fire.ca.gov/media/6752/fhszs_map60.pdf

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response: All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this IS/MND. Throughout this IS/MND, where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less-than-significant levels. Accordingly, with incorporation of the mitigation measures imposed throughout this IS/MND, the Project would not substantially degrade the quality of the environment and impacts would be less than significant.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response: As discussed throughout this IS/MND, implementation of the proposed Project has the potential to result in effects to the environment that are individually limited, but cumulatively-considerable. In all instances where the Project has the potential to contribute to a cumulatively-considerable impact to the environment, mitigation measures have been imposed to reduce potential effects to less-than-significant levels.

Aesthetics

New development on the Project site and in the surrounding area would change the existing character of the Project’s viewshed; however, all development in the immediate vicinity of the Project would be required to comply with the development regulations and design standards contained in the City’s Development Code, which would ensure that minimum standards related to visual character and quality are met to preclude adverse aesthetic effects (e.g., size, scale, building materials, lighting). Accordingly, the Project’s aesthetic impacts would not be cumulatively-considerable.

Agriculture and Forestry Resources

The Project would have no impact on agricultural resources. Therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic.

Air Quality

Based on SCAQMD guidance, any direct exceedance of a regional or localized threshold also is considered to be a cumulatively considerable effect, while air pollutant emissions below applicable regional and/or localized thresholds are not considered cumulatively considerable. As discussed in Responses III(a) and (c), Project- related construction emissions would exceed the SCAQMD localized

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<p>emissions threshold for particulate matter and, therefore, the Project's air quality impacts would be cumulatively-considerable. MM AQ-1 would reduce particulate matter emissions during Project construction to less-than- significant levels by ensuring construction equipment meet stringent tailpipe emissions standards.</p>				
<p><u>Biological Resources</u> The Project site does not support any sensitive plant or wildlife species, riparian, or sensitive natural habitat, or federally-protected wetlands; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under these resources. Although the Project site is highly disturbed and fragmented from other open space areas under existing conditions, the site does contain habitat for nesting birds and contains habitat that could be used by the burrowing owl. Therefore, there is the potential that nesting birds and/or the burrowing owl could be present on the Project site prior to construction and there also is the potential that other development projects in the Riverside area could support bird nests and/or the burrowing owl. The Project's potential impacts to nesting birds and the burrowing owl would be cumulatively considerable. MMs BR-1 and BR-2 would reduce the Project's cumulative effects to less-than-significant levels by ensuring that no direct take of nesting birds occurs during construction.</p> <p><u>Cultural Resources</u> Implementation of the Project has the potential to impact masked/buried historic and/or prehistoric archaeological resources on the Project site and, therefore, would result in a significant cumulative impact in the event any of such resources were found on-site during construction. MMs CR-1 through CR-9 would require the Project Applicant to implement monitoring and recovery programs in conformance with accepted protocols for historic and prehistoric archaeological resources in the event these resources are found during Project construction. With implementation of MMs CR-1 through CR-9, potential cumulative impacts would be reduced to less-than-significant levels.</p> <p><u>Energy</u> The Project's construction and operation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and would not obstruct a state or local plan for renewable energy or energy efficiency. In addition, all cumulative projects would also be required to comply with the California Building Standards Code, which establishes standards for energy efficiency and "green" construction. Therefore, implementation of the Project would result in a less-than-significant cumulative impact to energy.</p> <p><u>Geology and Soils</u> Potential effects related to geology and soils are inherently site-specific; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic. Furthermore, all development proposals would be required to comply with applicable federal, State, and local regulations that are in place to preclude adverse geology and soils effects, including effects related to strong seismic ground shaking, fault rupture, soil erosion, and hazardous soil conditions (e.g., liquefaction, expansive soils, landslides).</p> <p>Notwithstanding, there is remote potential that paleontological resources are buried beneath the surface of the Project site and could be impacted during construction. Other projects within region would similarly have the potential to impact unknown, subsurface paleontological resources during ground-disturbing activities. Therefore, the potential for development on the Project site to impact subsurface paleontological resource deposits is a cumulatively-considerable impact. Application of MMs GEO-1 through GEO-4 would reduce the Project's cumulative impacts to less-than-significant levels.</p> <p><u>Greenhouse Gas Emissions</u> As described in the preceding analysis, global climate change (GCC) occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines also emphasize that the effects of GHG emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines § 15130[f]).</p>				

Attachment: Exhibit A to 2022-33 Moreno Valley Business Center IS MND [Revision 1] (5878 : PEN20-0162 Moreno Valley Business Center)

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<p>Accordingly, the preceding analysis reflects a cumulative impact analysis of the GHG emissions related to the Project. As concluded under Response VIII(a) and (b), the Project would not result in a cumulatively-considerable impact related to GHG emissions.</p>				
<p><u>Hazards and Hazardous Materials</u> Potential effects related to hazards and hazardous materials are inherently site-specific; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic.</p>				
<p><u>Hydrology and Water Quality</u> Construction and operation of the Project and other projects in the Santa Ana River watershed would have the potential to result in a cumulative water quality impact, including erosion and sedimentation. However, in accordance with applicable federal, State, and local regulations, all development projects would be required to implement plans during construction and operation (e.g., SWPPP and WQMP) to minimize adverse effects to water quality, which would avoid a cumulatively-considerable impact.</p> <p>The Project and other projects in the Santa Ana River Basin would be required to comply with federal, State, and local regulations in order to preclude flood hazards both on- and off-site. Compliance with federal, State, and local regulations would require on-site areas to be protected, at a minimum, from flooding during peak storm events (i.e., 100-year storm) and that proposed development would not expose downstream properties to increased flooding risks during peak storm events. Accordingly, a cumulatively-considerable effect related to flooding would not occur.</p>				
<p><u>Land Use and Planning</u> The Project would not physically divide an established community, or conflict with applicable land use/planning documents; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact related to land use and planning.</p>				
<p><u>Mineral Resources</u> The Project would have no impact on mineral resources. Therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic.</p>				
<p><u>Noise</u> Noise levels diminish rapidly with distance; therefore, for a development project to contribute to a noise-related cumulative impact it must be located in close proximity to another development project or source of substantial noise. There are no construction projects in the immediate vicinity of the Project site that are expected to have periods of substantial construction noise (e.g., operation of heavy, off-road diesel equipment) that would overlap with substantial periods of Project-related construction noise. Accordingly, cumulatively-considerable impacts related to periodic construction noise and construction-related vibration would not occur. Under long-term operating conditions the Project would comply with the City of Moreno Valley noise ordinance and would not produce noticeable levels of vibration; therefore, cumulatively considerable impacts related to these issue areas would not occur. The analysis provided under Response XIII(a) demonstrates that the Project would not result in a cumulatively-considerable impact related to transportation noise under long-term conditions.</p>				
<p><u>Population and Housing</u> The Project would not implement land uses that generate new residents and would not require the construction of replacement housing. Accordingly, the City has anticipated – and planned for – the growth that would occur on the Project site and there is no potential for the Project to result in an adverse, cumulatively-considerable environmental effect related to population and housing.</p>				
<p><u>Public Services</u> All development projects in the City of Moreno Valley, including the Project, would be required to pay development impact fees, a portion of which would be used by the City for the provision of public services, to offset the incremental increase in demand for fire protection and police protection services. Furthermore, future development would generate an on-going stream of property tax revenue and sales tax revenue, which would provide funds that could be used by the City of Moreno Valley for the provision</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>of fire and police protection services. The Project would not directly result in the introduction of new residents to the City and, therefore, would have no potential to result in cumulatively-considerable impacts to resident-serving public facilities such as schools, parks, libraries, and other public facilities or services.</p> <p><u>Recreation</u> The Project would have no impact to recreation facilities. Therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic.</p> <p><u>Transportation</u> The Project would not conflict with any City policies addressing the circulation network and would not generate substantial VMT. Therefore, the Project would not contribute to any cumulatively-considerable adverse transportation effects.</p> <p><u>Tribal Cultural Resource</u> Development activities on the Project site would not impact any known tribal cultural resources. However, there is the remote potential that such resources are buried beneath the surface of the Project site and could be impacted during construction. Other projects within region would similarly have the potential to impact unknown, subsurface tribal cultural resources during ground-disturbing activities. Therefore, the potential for development on the Project site to impact subsurface tribal cultural resource deposits is a cumulatively considerable impact. Application of MMs CR-1 through CR-9 would reduce the Project's cumulative impacts to less-than-significant levels.</p> <p><u>Utilities and Service Systems</u> The Project would require water and wastewater infrastructure, as well as solid waste disposal for building operation. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the Project and other developments. The Project and other planned projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because of the utility planning and coordination activities described above, cumulatively-considerable impacts to utilities and service systems would not occur.</p> <p><u>Wildfire</u> The Project site is not located in a SRA or very high fire hazard area. Therefore, implementation of the Project would result in no adverse impacts associated with wildfire.</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this IS/MND. As demonstrated by this analysis, construction and operation of the Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.</p>				

Mitigation Monitoring and Report Program (MMRP)

Moreno Valley Business Center Project

Moreno Valley, California

Lead Agency

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Applicant

LDC Industrial Realty, LLC
555 N. El Camino, Suite A456
San Clemente, CA 92672

CEQA Consultant

T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Lead Agency Discretionary Permits

General Plan Amendment (PEN20-0160)
Change of Zone (PEN20-0161)
Plot Plan (PEN20-0162)

June 2022

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
Biological Resources					
<p>Threshold a & d: There is potential for the Project to impact protected nesting birds and migratory birds.</p>	<p>MM BR-1: Vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (January 31 through September 1), unless a migratory bird nesting survey is completed in accordance with the following requirements:</p> <p>a) A nesting bird survey shall be conducted on the Project site and within suitable habitat located within a 250-foot radius of the Project site by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance.</p> <p>b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.</p> <p>c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for</p>	Project Biologist	City of Moreno Valley Planning Division	Within three (3) days prior to initiating vegetation clearing or ground disturbance	Less than significant with mitigation incorporated

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Moreno Valley. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verify that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.</p>				
<p>Threshold f: There is a low potential for the burrowing owl to occur on the Project site; however, the Project Applicant is required to ensure compliance with the MSHCP's provisions for protecting the burrowing owl.</p>	<p>MM BR-2: Within 30 days prior to grading, a qualified biologist shall conduct a survey of suitable habitat on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Moreno Valley prior to the issuance of a grading permit and subject to the following provisions:</p> <p>a) In the event that the pre-construction survey identifies no</p>	<p>Project Applicant, Project Biologist</p>	<p>City of Moreno Valley Planning Division</p>	<p>Within 30 days prior to grading</p>	<p>Less than significant with mitigation incorporated</p>

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>burrowing owls on the property a grading permit may be issued without restriction.</p> <p>b) In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.</p> <p>c) In the event that the pre-construction survey identifies the presence of three (3) or more mating</p>				

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>pairs of burrowing owl, the requirements of MSCHP Species-Specific Conservation Objectives 5 for the burrowing owl shall be followed. Objective 5 states that if the site (including adjacent areas) supports three (3) or more pairs of burrowing owls and supports greater than 35 acres of suitable habitat, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite until it is demonstrated that Objectives 1-4 have been met. A grading permit shall be issued, either:</p> <p>i. Upon approval and implementation of a property-specific Determination of Biologically Superior Preservation (DBESP) report for the burrowing owl by the CDFW; or</p> <p>ii. A determination by the biologist that the site is part of an area supporting less than 35 acres of suitable Habitat, and upon passive or active relocation of the species following accepted CDFW protocols. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive</p>				

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.				
Cultural Resources					
<p>Threshold a: There is potential for buried historical deposits to be present on the Project site.</p> <p>Threshold b: There is potential for significant archaeological resources to be unearthed during ground-disturbing activities associated with Project construction.</p>	<p>MM CR-1: Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), including the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in Mitigation Measure CR-3. The Project archaeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those</p>	Project Developer; Project Archaeologist	City of Moreno Valley Planning Division	Prior the issuance of a grading permit	Less than significant with mitigation incorporated

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p> <p>MM CR-2: Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p> <p>MM CR-3: The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation</p>	<p>Project Developer; Project Construction Contractor; Project Archaeologist</p> <p>Project Archaeologist</p>	<p>City of Moreno Valley Planning Division and Land Development Division</p> <p>City of Moreno Valley Planning Division</p>	<p>Prior the issuance of a grading permit</p> <p>Prior the issuance of a grading permit</p>	

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) Project description and location; b) Project grading and development scheduling; c) Roles and responsibilities of individuals on the Project; d) The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e) The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation; f) The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and g) Contact information of relevant individuals for the Project. 				

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>MM CR-4: In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <p>a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in</p>	<p>Project Developer; Project Archaeologist</p>	<p>City of Moreno Valley Planning Division</p>	<p>In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries)</p>	

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>(36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval</p>				

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>California Government Code 6254(r).</p> <p>MM CR-9: Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>Project Developer; Project Archeologist</p>	<p>City of Moreno Valley Planning Division and Land Development Division</p>	<p>Prior to final inspection</p>	
Geology and Soils					
<p>Threshold f: There is potential for Project-related grading activities</p>	<p>MM GEO-1: Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a</p>	<p>Project Applicant; Project Construction</p>	<p>City of Moreno Valley Planning Division</p>	<p>Prior to the issuance of a grading permit</p>	<p>Less than significant with mitigation incorporated</p>

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
<p>to uncover and impact paleontological resources.</p>	<p>qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.</p> <p>MM GEO-2: The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at depths five or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified paleontological personnel to have a low potential to contain or yield fossil resources.</p>	<p>Contractor; Project Paleontologist</p> <p>Project Applicant; Project Construction Contractor; Project Paleontologist</p>	<p>City of Moreno Valley Planning Division</p>	<p>Concurrent with grading activities</p>	

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>MM GEO-3: Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Western Science Museum in Hemet, California, is required for significant discoveries.</p> <p>MM GEO-4: A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Moreno Valley prior to building final.</p>	<p>Project Applicant; Project Construction Contractor; Project Paleontologist</p> <p>Project Applicant; Project Construction Contractor; Project Paleontologist</p>	<p>City of Moreno Valley Planning Division</p> <p>City of Moreno Valley Planning Division</p>	<p>Prior to grading permit final inspection</p> <p>Prior to building final</p>	

**CITY OF MORENO VALLEY
NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that the City of Moreno Valley is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of the CEQA guidelines. A copy of the **MITIGATED NEGATIVE DECLARATION** and the **ENVIRONMENTAL CHECKLIST**, which supports the proposed findings, are on file at the City of Moreno Valley.

Project: Plot Plan PEN21-0079 (PEN20-0162, PEN20-0163)
 Applicant: LDC Industrial Realty, LLC
 Owner: City of Moreno Valley
 Representative: HPA, Inc.
 Location: Northeast corner of the intersection of Alessandro Boulevard and Day Street (APNs: 291-191-007 through -013, and -025 through -029)
 Proposal: A request to develop an approximately 8.2 gross-acre (7.8 net-acre) property with a 164,187 square foot light industrial building.
 Council District: 1

This Notice of Intent (NOI) has been prepared to notify agencies and interested parties that the City of Moreno Valley as the Lead Agency has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the requirements of the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with construction and operation of the project as described below.

Project Description: The Project consists of a proposal for a Plot Plan (PEN20-0162) that provides for the development of one 164,187 square foot light industrial building. The proposed Project design includes a loading area, auto parking areas, landscaping, signage, lighting, and off-site improvements. The Project also includes the construction of an off-site public storm drain segment and an upgraded water pump for the Box Springs Municipal Water Company.

The Project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Document Availability: The Initial Study/Mitigated Negative Declaration, and all documents incorporated and/or referenced therein, can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed on the City's website at <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>

Potential Environmental Impacts: The City of Moreno Valley has prepared an Initial Study to determine the environmental effects associated with the above actions and finds the issuance of a Mitigated Negative Declaration is the appropriate level of environmental review. The Initial Study/Mitigated Negative Declaration concludes that all potentially significant impacts of the Project would be mitigated to a less than significant level.

Comment Deadline: Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 20-day public review period for the Initial Study/Mitigated Negative Declaration which begins June 16, 2022, and ends July 6, 2022. Written comments on the Initial

Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department by no later than the conclusion of the 20-day review period, 5:30 p.m. on July 6, 2022. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Julia Descoteaux, Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552 Phone: (951) 413-3206
Email: juliad@moval.org

	Press-Enterprise	June 16, 2022
<hr/>		
Sean Kelleher Planning Official Community Development Department	Newspaper	Date of Publication

Attachment: Exhibit B to 2022-33 Notice of Intent 06162022-Newspaper Notice07012022 (5878 : PEN20-0162 Moreno Valley Business Center)

CITY OF MORENO VALLEY
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING AND
ENVIRONMENTAL NOTICE TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the date and time set forth below:

Project: Plot Plan PEN20-0162 (PEN21-0079)
Applicant: LDC Industrial Realty, LLC
Property Owner: Housing Authority
APN: 291-191-007-013 and 025-029
Location: NEC of Alessandro Boulevard and Day Street.
Proposal: A request to develop an approximately 8.2 gross-acre (7.8 net-acre) property with a 164,187 square foot light industrial building.

Environmental Determination: The project has been evaluated against the criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines and staff has determined that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project.

The Draft Initial Study/Mitigated Negative Declaration was circulated for public review by responsible and trustee agencies and other interested parties for a review period commencing June 16, 2022, through July 6, 2022. The documents can be obtained in electronic format via email by request. The final document may be inspected by appointment at the Community Development Department at 14177 Frederick Street, Moreno Valley, California by calling (951) 413-3206 during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday, 7:30 a.m. to 4:30 p.m. Friday).

PUBLIC TESTIMONY: All interested parties will be provided an opportunity to submit oral testimony during the Public Hearing and/or provide written testimony during or prior to the Public Hearing. The application file and related environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California by calling (951) 413-3206 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).

PLEASE NOTE: The Planning Commission may consider and approve changes to the proposed items under consideration during the Public Hearing.

GOVERNMENT CODE § 65009 NOTICE: If you challenge any of the proposed actions taken by the Planning Commission in court, you may be limited to raising only those issues you or someone else raised during the Public Hearing described in this notice, or in written correspondence delivered to the Planning Division of the City of Moreno Valley during or prior to the Public Hearing.

ACCESSIBILITY: Upon request and 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 James Verdugo, ADA Coordinator, at (951) 413-3350 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Date and Time: July 14, 2022 at 7:00 p.m.
Location: City Hall Council Chamber
14177 Frederick Street, Moreno Valley, CA 92553
Planner: Julia Descoteaux Senior Planner
Contact: (951) 413-3206 or juliad@moval.org

	Press-Enterprise	July 1, 2022
Sean P. Kelleher	Newspaper	Date of Publication
Planning Official, Community Development Department		

Attachment: Exhibit B to 2022-33 Notice of Intent 06162022-Newspaper Notice07012022 (5878 : PEN20-0162 Moreno Valley Business Center)

Mitigation Monitoring and Report Program (MMRP)

Moreno Valley Business Center Project

Moreno Valley, California

Lead Agency

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Applicant

LDC Industrial Realty, LLC
555 N. El Camino, Suite A456
San Clemente, CA 92672

CEQA Consultant

T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Lead Agency Discretionary Permits

General Plan Amendment (PEN20-0160)
Change of Zone (PEN20-0161)
Plot Plan (PEN20-0162)

June 2022

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
Biological Resources					
<p>Threshold a & d: There is potential for the Project to impact protected nesting birds and migratory birds.</p>	<p>MM BR-1: Vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (January 31 through September 1), unless a migratory bird nesting survey is completed in accordance with the following requirements:</p> <p>a) A nesting bird survey shall be conducted on the Project site and within suitable habitat located within a 250-foot radius of the Project site by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance.</p> <p>b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.</p> <p>c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for</p>	Project Biologist	City of Moreno Valley Planning Division	Within three (3) days prior to initiating vegetation clearing or ground disturbance	Less than significant with mitigation incorporated

Attachment: Exhibit C to 2022-33 MMRP (5878 : PEN20-0162 Moreno Valley Business Center)

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Moreno Valley. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verify that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.</p>				
<p>Threshold f: There is a low potential for the burrowing owl to occur on the Project site; however, the Project Applicant is required to ensure compliance with the MSHCP's provisions for protecting the burrowing owl.</p>	<p>MM BR-2: Within 30 days prior to grading, a qualified biologist shall conduct a survey of suitable habitat on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Moreno Valley prior to the issuance of a grading permit and subject to the following provisions:</p> <p>a) In the event that the pre-construction survey identifies no</p>	<p>Project Applicant, Project Biologist</p>	<p>City of Moreno Valley Planning Division</p>	<p>Within 30 days prior to grading</p>	<p>Less than significant with mitigation incorporated</p>

Attachment: Exhibit C to 2022-33 MMRP (5878 : PEN20-0162 Moreno Valley Business Center)

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>burrowing owls on the property a grading permit may be issued without restriction.</p> <p>b) In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.</p> <p>c) In the event that the pre-construction survey identifies the presence of three (3) or more mating</p>				

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	<p>pairs of burrowing owl, the requirements of MSCHP Species-Specific Conservation Objectives 5 for the burrowing owl shall be followed. Objective 5 states that if the site (including adjacent areas) supports three (3) or more pairs of burrowing owls and supports greater than 35 acres of suitable habitat, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite until it is demonstrated that Objectives 1-4 have been met. A grading permit shall be issued, either:</p> <p>i. Upon approval and implementation of a property-specific Determination of Biologically Superior Preservation (DBESP) report for the burrowing owl by the CDFW; or</p> <p>ii. A determination by the biologist that the site is part of an area supporting less than 35 acres of suitable Habitat, and upon passive or active relocation of the species following accepted CDFW protocols. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive</p>				

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Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.				
Cultural Resources					
<p>Threshold a: There is potential for buried historical deposits to be present on the Project site.</p> <p>Threshold b: There is potential for significant archaeological resources to be unearthed during ground-disturbing activities associated with Project construction.</p>	<p>MM CR-1: Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), including the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in Mitigation Measure CR-3. The Project archaeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those</p>	Project Developer; Project Archaeologist	City of Moreno Valley Planning Division	Prior the issuance of a grading permit	Less than significant with mitigation incorporated

Attachment: Exhibit C to 2022-33 MMRP (5878 : PEN20-0162 Moreno Valley Business Center)

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p> <p>MM CR-2: Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p> <p>MM CR-3: The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation</p>	<p>Project Developer; Project Construction Contractor; Project Archaeologist</p> <p>Project Archaeologist</p>	<p>City of Moreno Valley Planning Division and Land Development Division</p> <p>City of Moreno Valley Planning Division</p>	<p>Prior the issuance of a grading permit</p> <p>Prior the issuance of a grading permit</p>	

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Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) Project description and location; b) Project grading and development scheduling; c) Roles and responsibilities of individuals on the Project; d) The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e) The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation; f) The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and g) Contact information of relevant individuals for the Project. 				

Attachment: Exhibit C to 2022-33 MMRP (5878 : PEN20-0162 Moreno Valley Business Center)

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>MM CR-4: In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <p>a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in</p>	<p>Project Developer; Project Archaeologist</p>	<p>City of Moreno Valley Planning Division</p>	<p>In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries)</p>	

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Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>(36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval</p>				

Attachment: Exhibit C to 2022-33 MMRP (5878 : PEN20-0162 Moreno Valley Business Center)

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>California Government Code 6254(r).</p> <p>MM CR-9: Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>Project Developer; Project Archeologist</p>	<p>City of Moreno Valley Planning Division and Land Development Division</p>	<p>Prior to final inspection</p>	
Geology and Soils					
<p>Threshold f: There is potential for Project-related grading activities</p>	<p>MM GEO-1: Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a</p>	<p>Project Applicant; Project Construction</p>	<p>City of Moreno Valley Planning Division</p>	<p>Prior to the issuance of a grading permit</p>	<p>Less than significant with mitigation incorporated</p>

Attachment: Exhibit C to 2022-33 MMRP (5878 : PEN20-0162 Moreno Valley Business Center)

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
<p>to uncover and impact paleontological resources.</p>	<p>qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.</p> <p>MM GEO-2: The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at depths five or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified paleontological personnel to have a low potential to contain or yield fossil resources.</p>	<p>Contractor; Project Paleontologist</p> <p>Project Applicant; Project Construction Contractor; Project Paleontologist</p>	<p>City of Moreno Valley Planning Division</p>	<p>Concurrent with grading activities</p>	

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	<p>MM GEO-3: Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Western Science Museum in Hemet, California, is required for significant discoveries.</p> <p>MM GEO-4: A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Moreno Valley prior to building final.</p>	<p>Project Applicant; Project Construction Contractor; Project Paleontologist</p> <p>Project Applicant; Project Construction Contractor; Project Paleontologist</p>	<p>City of Moreno Valley Planning Division</p> <p>City of Moreno Valley Planning Division</p>	<p>Prior to grading permit final inspection</p> <p>Prior to building final</p>	

RESOLUTION NUMBER 2022-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PLOT PLAN FOR THE MORENO VALLEY BUSINESS CENTER FOR THE CONSTRUCTION OF A 164,187 SQUARE FOOT CONCRETE TILT-UP LIGHT INDUSTRIAL BUILDING LOCATED AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (APN'S 291-191-007 THROUGH -013 AND -025 THROUGH -029)

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

WHEREAS, LDC Industrial Realty LLC., ("Applicant") is seeking approval of a Plot Plan (PEN20-0162)("Application"), which includes a 164,187 light industrial building with associated public improvements ("Proposed Project"), located north side of Alessandro Boulevard at Day Street ("Project Site"); and

WHEREAS, Section 9.02.070 (Plot Plan) of the Moreno Valley Municipal Code acknowledges that the purpose of plot plans is to provide a mechanism by which all new construction of industrial, commercial or multiple-family residential can be reviewed when not subject to other discretionary review processes which have review authority over the Proposed Project's design; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.070 (Plot Plan) of the Municipal Code with consideration given to the City's General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.070 of the Municipal Code imposes conditions of approval upon projects for which a Plot Plan is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 ("Planning and Zoning") of the Municipal Code; and

WHEREAS, Staff has presented for the Planning Commission's consideration Conditions of Approval to be imposed upon the Plot Plan which conditions have been deemed necessary to protect the public health, safety and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code section 65905, a public hearing was scheduled for July 14, 2022 and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on July 14, 2022 the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Plot Plan PEN20-0162 (PEN21-0079) for the Plot Plan, which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.070 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by Conditions of Approval; and

WHEREAS, on July 14, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines,² the Planning Commission considered and approved Resolution 2022-33 certifying a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed Project.

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

Section 1. Recitals and Exhibits

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

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed Project is subject to certain fees, dedications, reservations and other exactions as provided herein.

Section 3. Evidence

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

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of Plot Plan PEN20-0162 (PEN21-0079) and all documents, records and references contained therein;
- (d) Conditions of Approval for Plot Plan PEN20-0162 (PEN21-0079), attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (g) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving the Proposed Project (Plot Plan PEN20-0162 (PEN21-0079)):

- (a) The Proposed Project is consistent with the goals, objectives, policies and programs of the general plan;
- (b) The Proposed Project complies with all applicable zoning and other regulations;
- (c) The Proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings set forth above, the Planning Commission hereby approves the Proposed Project (Plot Plan PEN20-0162) subject to the Conditions of Approval for Plot Plan PEN20-0162 attached hereto as Exhibit A.

Section 6. Repeal of Conflicting Provisions

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

Section 7. Severability

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

Section 8. Effective Date

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

Section 9. Certification

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

PASSED AND ADOPTED THIS 14th day of July 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean Kelleher, Planning Manager

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: 5_2022-35 Resolution Plot Plan_Final (5878 : PEN20-0162 Moreno Valley Business Center)

Exhibit A
CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

Plot Plan (PEN20-0162

PEN21-0079) Page 1

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL

Plot Plan (PEN20-0162

PEN21-0079)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
2. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.
3. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
4. The required parking for this use shall comply with the Parking Analysis on file and all applicable requirements of the City of Moreno Valley Municipal Code (MC

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0079)

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- 9.11.040).
5. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
 6. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
 7. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.
 8. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
 9. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

Special Conditions

10. The site has been approved for an approximately 164,187 square foot light industrial building with associated on-site and off-site improvements per the approved plans and as conditioned. A change or modification shall require separate approval.
11. The property owner and/or applicant shall grant the City of Moreno Valley voting rights for their water shares in the Box Springs Mutual Water District.
12. Prior to issuance of grading permits, the developer or successor in interest shall file a lot merger/lot line adjustment to consolidate the subject site to be developed, into one contiguous parcel. The lot line adjustment/lot merger shall be recorded prior to issuance of building permits.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0079)

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13. The project shall be designed and constructed to meet LEED Silver Equivalent with evidence provided to the City.

Prior to Grading Permit

14. Prior to issuance of any grading permit, all Conditions of Approval, Mitigation Measures and Airport Land Use Commission Conditions of Approval shall be printed on the grading plans.
15. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
16. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
17. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
18. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered during grading and other construction excavation, no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 5-days of the published finding to be given a reasonable opportunity to identify the "most likely descendant." The "most likely descendant"

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0079)

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- shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).
19. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
 20. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for Planning Division review and approval as follows:
 - a. 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
 - c. Proposed screening walls for truck loading areas and required loading docks shall also include decorative walls with pilasters or reveals with a height up to fourteen (14) feet to fully screen trucks as approved by the Community Development Director/Planning Official.
 - d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
 21. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
 - a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
 22. Prior to issuance of any Building permit, all Conditions of Approval, Mitigation Measures and Airport Land Use Commission Conditions of Approval shall be printed on the building plans.
 23. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0079)

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- a. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - c. Drought tolerant landscape shall be used. No sod shall be installed)
 - d. Street trees shall be provided every 40 feet on center in the right of way.
 - e. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - f. Enhanced landscaping shall be provided at all driveway entries and street corner locations The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
 - g. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site.
24. Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)
 25. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
 26. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
 27. Prior to or at building plan check submittal, the elevation plans shall include decorative lighting sconces on all sides of the buildings of the complex facing a parking lot, courtyard or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans, approved by the Planning Division prior to building permit issuance.
 28. Detailed, on-site, computer generated, point-by-point comparison lighting plan,

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0079)

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including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

29. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building.

Prior to Building Final or Occupancy

30. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
31. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
32. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

33. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
34. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
35. Contact the Building Safety Division for permit application submittal requirements.
36. The proposed project will be subject to approval by the Box Springs Mutual Water Company and all applicable fees and charges shall be paid for water services prior to permit issuance. Contact the water company at 951.653.6419 for application

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requirements and specific details.

37. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
38. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
39. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
40. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
41. The proposed non-residential project shall comply with California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
42. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
43. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)
44. The proposed project is subject to approval by the Edgemont Community Services District and all applicable fees and charges shall be paid for sewer services prior to permit issuance. Contact the Edgemont Community at (951)784-2632 for application requirements and specific details.
45. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in the California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.

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ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

46. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
47. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.
48. New Moreno Valley businesses are encouraged to hire local residents.
49. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
50. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

51. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
52. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
53. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of

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- the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
54. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
 55. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
 56. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
 57. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[1])
 58. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
 59. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
 60. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
 61. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)

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62. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
63. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
64. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
65. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
66. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
67. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
68. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
69. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
70. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)

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71. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
72. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
73. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
74. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
75. Fire Flow Letter meeting the required values of 4000 gpm for a 4 hour duration at 20 psi residual pressure shall be provided at Building Architectural Review and before the release of project's building permits from local water purveyor.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**Moreno Valley Utility**

76. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
77. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with

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the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system”, to and through the development, along with any appurtenant real property easements, as determined by the City Engineer necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

The City, or the City’s designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

78. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer’s expense, for any and all costs associated with the relocation of any of Moreno Valley Utility’s underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.
79. This project is subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. Payment shall be required prior to issuance of building permits.

PUBLIC WORKS DEPARTMENT**Land Development**

80. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public

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Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

81. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
82. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
83. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
 - (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
84. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
85. In the event right-of-way or offsite easements are required to construct offsite

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improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]

86. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
87. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
88. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
89. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
90. The proposed private storm drain system shall connect to the project's proposed public storm drain in Sherman Avenue, Day Street, and Alessandro Boulevard. A storm drain manhole shall be placed at the right of way line to mark the beginning of the publicly maintained portion of this storm drain.
91. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Parcel Map (recordation prior to building permit issuance);
 - b. Rough grading with erosion control plan (prior to grading permit issuance);

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- c. Precise grading with erosion control plan (prior to grading permit issuance);
- d. Street/storm drain with striping, RCFC & WCD storm drain, and sewer/water plans (prior to map approval);
- e. Final drainage study (prior to grading plan approval);
- f. Final WQMP (prior to grading plan approval);
- g. Easements, dedications, vacations, etc. (prior to building permit issuance);
- h. As-Built revision for all plans (prior to occupancy release).

Prior to Grading Plan Approval

92. Resolution of all drainage issues shall be as approved by the City Engineer.
93. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
94. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
95. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
 - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
96. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage

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area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.

d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.

97. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
98. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
99. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
100. The developer shall pay all remaining plan check fees.
101. Landscape & Irrigation plans (prepared by a registered/licensed landscape architect) for water quality BMPs shall be submitted for review and approved by the City Engineer per the current submittal requirements, if applicable.
102. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
103. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
104. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be

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noted on the grading plans.

Prior to Grading Permit

105. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
106. For non-subdivision projects, a copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.
107. Prior to the payment of the Development Impact Fee (DIF), the developer may enter into a DIF Improvement Credit Agreement to secure credit for the construction of applicable improvements. If the developer fails to complete this agreement prior to the timing specified above, credits may not be given. The developer shall pay current DIF fees adopted by the City Council. [Ord. 695 § 1.1 (part), 2005] [MC 3.38.030, 040, 050]
108. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
109. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
110. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
111. The developer shall pay all applicable inspection fees.
112. Prior to the payment of the Transportation Uniform Mitigation Fee (TUMF), the developer may enter into a TUMF Improvement Credit Agreement to secure credit for the construction of applicable improvements. If the developer fails to complete this agreement by the timing specified above, credits may not be given. The developer shall pay current TUMF fees adopted by the City Council. [Ord. 835 § 2.1, 2012] [MC 3.44.060]

Prior to Map Approval

113. The developer shall enter into a Cooperative Agreement with the City and Riverside

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County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.

114. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
115. Maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
116. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
117. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).
118. The developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.

Prior to Improvement Plan Approval

119. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
120. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
121. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
122. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
123. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
124. The hydrology study shall be designed to accept and properly convey all off-site

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drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]

125. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
126. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
127. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
128. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
129. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

130. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
131. All applicable inspection fees shall be paid.

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132. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

133. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
134. For non-subdivision projects, the developer shall guarantee the completion of all related public improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
135. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
136. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
137. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
138. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

139. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.

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141. For commercial, industrial and multi-family projects, in compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project is subject to the following requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
142. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right of way" and a

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"Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.

144. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
 - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
145. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.
146. All outstanding fees shall be paid.

Special Conditions

147. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.
148. Prior to occupancy, a 24" reinforced concrete pipe (RCP) public storm drain shall

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be constructed in Sherman Avenue and Day Street. The proposed 24" RCP shall transition to a 30" RCP in Day Street, then to a 42" RCP in Alessandro Boulevard, after which it will terminate near the Old 215 Frontage Road, north of Alessandro Boulevard. Final design, sizing, and RCP termination point shall be coordinated with the City and Riverside County Flood Control and Water Conservation District (RCFC & WCD), and shall be as approved by the City Engineer.

149. Prior to occupancy, the following improvements shall be completed:
Alessandro Boulevard (134' R/W / 110' CC: 6-Lane Divided Arterial, City Standard No. MVSI-101A-0) shall be constructed to achieve a half-width of 55', full-width median, plus an additional 18' of pavement, along the entire project's south frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-101A-0. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
150. Prior to occupancy, the following improvements shall be completed:
Day Street (88' R/W / 64' CC: Arterial, City Standard No. MVSI-105A-1) shall be constructed to achieve a half-width of 34' plus 2 inch grind and overlay to the westerly gutter edge, along the entire project's west frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
151. Prior to occupancy, the following improvements shall be completed:
Sherman Avenue (60' R/W / 40' CC: Modified Local Street, City Standard No. MVSI-107A-0) shall be constructed to achieve a half-width of 20' plus 2 inch grind and overlay to the northerly edge of pavement, along the entire project's north frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-107A-0. Any missing or deficient improvements along the project's north frontage shall be constructed prior

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to issuance of a certificate of occupancy.

152. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
- (a) The necessary street right of way dedication on the north side of Alessandro Boulevard (134' R/W / 110' CC: 6-Lane Divided Arterial, City Standard No. MVSI-101A-0) along project frontage.
 - (b) The necessary street right of way dedication on the east side of Day Street (88' R/W / 64' CC: Arterial, City Standard No. MVSI-105A-1) along project frontage.
 - (c) The necessary street right of way dedication on the south side of Sherman Avenue (60' R/W / 40' CC: Modified Local Street, City Standard No. MVSI-107A-0) along project frontage.
 - (d) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0 on Alessandro Boulevard, Day Street, and Sherman Avenue.
 - (e) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on the northeast corner of Alessandro Boulevard and Day Street and on the southeast corner of Day Street and Sherman Avenue, as directed by the City Engineer.

Special Districts Division

153. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Landscape Maintenance Services for public parkway, traffic circle, open space, and/or median landscaping on Alessandro Blvd median.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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Alternatively, the condition can be satisfied by the Developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

154. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.
155. NPDES Funding. Prior to applying for the 1st Building Permit and if the Land Development Division requires this project to provide a funding source for the City's National Pollutant Discharge Elimination System (NPDES) program, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the balloting/annexation fee or fund an endowment) to provide an ongoing funding source for the NPDES program. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful special election process into the NPDES program, or other special

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financing district, and payment of all costs associated with the special election process. Participation in the NPDES program requires an annual payment of the annual special tax, assessment, rate or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the City Council action to consider the ballot/annexation into or formation of the district, the qualified elector(s) will not protest the ballot/annexation or formation, but will retain the right to object to any eventual tax/assessment/rate/fee that is not equitable should the financial burden of the tax/assessment/rate/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. (MC 3.50.050). Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

156. Park Maintenance Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must

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contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

157. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

158. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special

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financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

159. ECSD Street Light Acknowledgement. Prior to the 1st Certificate of Occupancy, the Developer must submit an acknowledgement from Edgemont Community Services District confirming it has accepted all street lights required to be installed by this project into its system for ongoing maintenance. Said acknowledgement must be emailed to SDAdmin@moval.org. ECSD can be reached at 951.784.2411, P.O. Box 5436, Riverside, CA 92514.
160. Current Standards. The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.
161. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
162. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
163. Damage. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.

Transportation Engineering Division

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

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165. All project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for Commercial Driveway Approaches. Access at the driveways shall be as follows:
- Alessandro Boulevard driveway: Right-in, right-out access for passenger vehicles only. No truck access.
 - Day Street driveway (46-feet wide): Full access for passenger vehicles only. Right-in, left-out for trucks. A raised median at this driveway shall be constructed to prohibit trucks using Day street, north of the project.
 - Sherman Avenue driveway: Full access for passenger vehicles only. No truck access.
- NOTE: Truck directional signage per the approved signing and striping plan shall be installed.
166. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
167. Alessandro Boulevard is classified as a Divided Major Arterial (134'RW/110'CC) per City Standard Plan No. MVSI-101A-0. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Additional road improvements for the north side of Alessandro Boulevard, east of the project limit, shall be needed for a 10:1 transition pavement from ultimate street width along the project frontage to the existing edge of pavement east of the project site. A Class II bicycle lane shall be provided along the project frontage.
168. Day Street is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. A Class III bike lane is required along the project frontage per the City's Bicycle Plan.
169. Sherman Avenue is classified as a modified Local (60'RW/40'CC) per City Standard Plan No. MVSI-107A-0. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.
170. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
171. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets along the project's frontage.
172. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval by the City Engineer.

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173. Prior to issuance of a Certificate of Occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
174. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.
175. Communication conduit along project frontages on Alessandro Boulevard and Day Street shall be required per City Standard Plan No. MVS1-186-0.

PARKS & COMMUNITY SERVICES DEPARTMENT

176. This project is subject to current Development Impact Fees.