
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, November 10, 2022 at 6:00 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

NON-PUBLIC HEARING ITEMS

No items for discussion.

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.

PUBLIC HEARING ITEMS

- 1. Case: PEN20-0174 General Plan Amendment
PEN20-0175 Change of Zone
PEN20-0173 Conditional Use Permit
PEN20-0172 Tentative Tract Map
- Applicant: RC Hobbs Company
- Property Owner: Corp of Pres Bishop Church of Jesus Christ of Latter-Day Saints
- Representative: Roger Hobbs, RC Hobbs Company
- Project Location: North of Cactus Avenue, East of Moreno Beach Drive. (APNs 478-090-018, 478-090-024, 478-090-025)
- Case Planner: Danielle Harper-Scott, Associate Planner
- Council District: 4
- Proposed Project: 1) General Plan Amendment to change the land use designation from Residential 5 (R5) to Residential 10 (R10) with a density of 10 dwelling units per acre; 2) Change of Zone to change to the zoning from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District; 3) Conditional Use Permit for a Single-Family Residential Planned Unit Development; and 4) Tentative Tract Map 37858 to subdivide three contiguous parcels, totaling 4.81 acres, into 37 single-family residential lots and open space lots.

OTHER COMMISSION BUSINESS

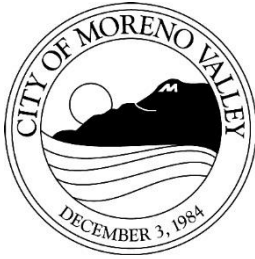
No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting Thursday, November 17 at 6:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: November 10, 2022

GENERAL PLAN AMENDMENT, CHANGE OF ZONE, TENTATIVE TRACT MAP 37858, AND CONDITIONAL USE PERMIT TO SUBDIVIDE A 4.81-ACRE PROJECT SITE IN TO 37 SINGLE-FAMILY LOTS

Case: PEN20-0174 General Plan Amendment
 PEN20-0175 Change of Zone
 PEN20-0173 Conditional Use Permit
 PEN20-0172 Tentative Tract Map

Applicant: RC Hobbs Company

Property Owner: Corp of Pres Bishop Church of Jesus Christ of Latter-Day Saints

Representative: Roger Hobbs, RC Hobbs Company

Project Location: North of Cactus Avenue, East of Moreno Beach Drive.
 (APNs 478-090-018, 478-090-024, 478-090-025)

Case Planner: Danielle Harper-Scott, Associate Planner

Council District: 4

Proposed Project: 1) General Plan Amendment to change the land use designation from Residential 5 (R5) to Residential 10 (R10) with a density of 10 dwelling units per acre; 2) Change of Zone to change to the zoning from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District; 3) Conditional Use Permit for a Single-Family Residential Planned Unit Development; and 4) Tentative Tract Map 37858 to subdivide three contiguous parcels, totaling 4.81 acres, into 37 single-family residential lots and open space lots.

SUMMARY

The RC Hobbs Company (“Applicant”) submitted applications for a General Plan Amendment (GPA), Change of Zone (CZ), Conditional Use Permit (CUP), and a Tentative Tract Map (TTM) to facilitate a 37-lot single-family residential Planned Unit Development (PUD) with 5 lettered lots on a 4.81-acre project site. The purpose of the PUD is to establish flexible standards to encourage innovation in housing types and provide amenities not generally found in suburban subdivisions, such as common open spaces and recreational areas. The GPA, along with the CZ, will allow for the change of the current land use designation from Residential 5 to Residential 10 and the zoning designation from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District, which allows for a maximum density of 10 dwelling units per acre. The GPA, CZ, CUP, and TTM together constitute the (“Proposed Project”).

PROJECT DESCRIPTION

The Proposed Project consists of a General Plan Amendment to change the existing land use designation to Residential (R10) with a Zone Change to change the zoning designation to Residential Single-Family 10 (RS10) District, as well as a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) and a Tentative Tract Map (TTM) for a 4.81-acre site that will be subdivided into 37 single-family residential lots, on the Northside of Cactus Avenue, East of Moreno Beach Drive.

General Plan Amendment

A General Plan Amendment (GPA) application was submitted to change the land use designation of the project site from Residential 5 (R5) to Residential 10 (R10). The R10 land use designation is intended to provide for a variety of residential products and to encourage innovation in housing types with amenities not generally found in suburban subdivisions, such as common open spaces and recreational areas. The R10 land use designation allows for a maximum density of 10.0 dwelling units per acre.

Change of Zone

A Change of Zone (CZ) application was submitted to rezone the project site from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District. Under the Proposed Project’s current Residential (R5) District, a maximum of 5.0 units per gross acre is allowed, but as proposed the Proposed Project would allow for 7.9 units per gross acre. To obtain the desired units per gross acre a CZ is required to rezone the project site to Residential Single-Family 10 (RS10) District, which allows up to 10.0 units per gross acre, thereby allowing the proposed 7.9 units. The Residential Single-Family 10 (RS10) zoning district is intended to provide residential development on small single-family lots with amenities not generally found in suburban subdivisions and allows a maximum density of 10 units per acre.

Planned Unit Development

The Proposed Project includes a Conditional Use Permit (CUP) for a Planned Unit Development (PUD), which allows for the proposed development to establish unique criteria for such things as setbacks, lot width and depth, building separation, and lot size. Flexible development standards are allowed in exchange for a higher level of detail and amenities within the Proposed Project than typically are required for standard residential development. As proposed, the Proposed Project is consistent with the standards of Moreno Valley Municipal Code (MVMC) Section 9.03.060, which outlines PUDs.

PUDs encourage housing that is varied by type, design, form of ownership, and size. The Proposed Project offers three architectural styles (Spanish, French, and Traditional) and floor plans with varying building designs and rooflines. The newly formed residential lots will range in size from 3,040 to 5,016 square feet.

Tentative Tract Map

The proposed Tentative Tract Map (TTM) 37858 has been designed consistent with the PUD standards and will subdivide three contiguous parcels totaling 4.81-acre, into 37 single-family residential lots and 4 lettered lots. As proposed, the lettered lots will be used for bioretention basins (Lots A and B), a 3-foot-wide drainage ditch (Lot C) located on the eastern property line, a landscape easement (Lot D) located along the south perimeter boundary line, and an open space lot (Lot E) located approximately in the middle of the proposed development. The Proposed Project complies with the City's development standards for a TTM.

Site/Surrounding Area

The Project Site is approximately 4.81-acres, located at the northeast corner of the intersection of Bradshaw Circle and Cactus Avenue.

Surrounding land uses to the north of the Proposed Project are developed with a combination of vacant and unimproved or developed with existing single-family residential dwellings within the Residential 5 (R5) District, Residential Single Family 10 (RS10) District, Residential 10 (R10) District, and Specific Plan 193 Medium Low Density Residential designation.

Access/Parking

The Proposed Project's vehicular access will be provided via two driveways on Bradshaw Circle, which then provide access to internal roadways. Access to the dwelling units will be provided by private driveways accessed by internal roads. The Proposed Project provides pedestrian paths for non-vehicular onsite circulation and for connection to existing sidewalks and bike lanes adjacent to the Proposed Project.

The Proposed Project will also provide garages, driveways, and on-street parking. Each residence includes a two-car garage, with a minimum of two driveway parking spaces.

Design/Landscaping

The PUD guidelines will include three different two-story floor plans and three different architecture styles: Spanish, French, or Traditional, with multi-level rooflines, and an earth-tone color scheme. Exterior designs will include stucco finishes, detailed roof elements, awnings, metal railings, and decorative windows and doors.

The PUD includes typical plot plan configurations for the new homes and typical front yard landscaping. The HOA shall perform all common area maintenance to ensure well-maintained appearance of the streetscapes throughout the Project Site. A conceptual landscape plan incorporated in the PUD shows the typical street trees along all public streets, shade trees around the 10,983 square-foot of common/recreation area located near the center of the residential development. The amenities for this recreation area include a basketball court, an outdoor gathering area with barbeque grills and benches, a playground, and enhanced landscape walkways.

Outdoor lighting will consist of wall-mounted lighting as well as pole-mounted lights along the proposed internal roads. And the proposed common/recreation area will have accent/security lighting throughout.

REVIEW PROCESS

All appropriate outside agencies have considered the Proposed Project part of the standard review process. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete.

ENVIRONMENTAL

An Initial Study was prepared by EPD Solutions, Inc. in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study examined the potential impacts of the Proposed Project. The Initial Study/Mitigated Negative Declaration (IS/MND) provides information in support of the finding that a Mitigated Negative Declaration (MND) serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: CalEEMod Emissions Summary, Habitat Assessment and Focused Burrowing Owl Surveys and MSHCP Consistency, Phase I Cultural Resources Investigation and Paleontological Overview, Preliminary Soil Investigation, Infiltration Tests and Liquefaction Evaluation Report, Phase I Environmental Site Assessment, Preliminary Hydrology Report, Preliminary Project Specific Water Quality Management Plan, Noise Impact Analysis, and Trip Generation and VMT Screening Analysis. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents may also be reviewed at City Hall.

Mitigation measures are recommended for the Proposed Project in the following areas: Biological Resources, Cultural Resources, and Tribal Cultural Resources, all of which are incorporated in the Mitigation Monitoring and Reporting Program (MMRP). The measures for cultural resources have been included to address input from the Tribal

governments. The measures are intended to ensure that potential cultural 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 Proposed Project will not cause a significant impact to the environment.

The public comment period for the Notice of Availability of the Initial Study/Mitigated Negative Declaration began on October 13, 2022, and ended on November 2, 2022 (State Clearing House Number 2022100288), which satisfies the required 20-day review period required for the Proposed Project. As of the preparation of this staff report, no comments have been received regarding the environmental documents. Should comments regarding the Proposed Project be received prior to the Planning Commission hearing they will be provided during the public hearing.

NOTIFICATION

Consistent with the City 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. As of the preparation of this staff report, one public comment has been received regarding the proposed project.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- A. That the Planning Commission **ADOPT** Resolution No. 2022-43, and thereby **RECOMMEND** the City Council:
 1. **CERTIFYING** the Initial Study/Mitigated Negative Declaration prepared for Tentative Tract Map 37858 (PEN20-0172), Conditional Use Permit (PEN20-0173) for a Planned Unit Development, General Plan Amendment (PEN20-0174), and Change of Zone (PEN20-0175) 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 Proposed Project, which consists of a Conditional Use Permit (PEN20-0173) for a Planned Unit Development and Tentative Tract Map 37858 (PEN20-0172) pursuant to CEQA and the CEQA Guidelines.

B. That the Planning Commission **ADOPT** Resolution No. 2022-44, and thereby **RECOMMEND** the City Council:

1. **APPROVE** General Plan Amendment (PEN20-0174) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-44 and any necessary and corresponding amendment to the City's Zoning Atlas to reflect the proposed changes in the zoning classification and/or redistricting associated with the General Plan Amendment.

C. That the Planning Commission **ADOPT** Resolution No. 2022-45, and thereby **RECOMMEND** the City Council:

1. **APPROVE** Change of Zone (PEN20-0175) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-45 and any necessary and corresponding amendment to the City's Zoning Atlas to reflect the proposed changes in the zoning classification and/or redistricting associated with the Change of Zone.

D. That the Planning Commission **ADOPT** Resolution No. 2022-46, and thereby **RECOMMEND** the City Council:

1. **APPROVE** Conditional Use Permit (PEN20-0173) and Tentative Tract Map (PEN20-0172) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-46.

Prepared by:
Mindy Davis
Principal 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 No. 2022-43 – Initial Study Mitigated Negative Declaration
2. Exhibit A to Resolution No. 2022-43 Initial Study MND
3. Appendix A - CalEEMod Emission Summary
4. Appendix B - Habitat Assessment including the results of a Focused Burrowing Owl Survey and Overview MSHCP Consistency
5. Appendix C - Phase I Cultural Resources Investigation and Paleontological Overview
6. Appendix D - Preliminary Soil Investigation, Infiltration Tests and Liquefaction Evaluation Report
7. Appendix E - Phase I Environmental Site Assessment Report
8. Appendix F - Preliminary Hydrology Report

9. Appendix G - Preliminary WQMP
10. Appendix H - Noise Impact Analysis
11. Appendix I - Trip Generation and VMT Screening Analysis
12. Exhibit B to Resolution No. 2022-43 - Notice of Intent to Adopt a Mitigated Negative Declaration (MND)
13. Exhibit C to Resolution No. 2022-43 Mitigation Monitoring and Reporting Program (MMRP)
14. Resolution No. 2022-44 – General Plan Amendment
15. Resolution No. 2022-45 – Change of Zone
16. Resolution No. 2022-46 – Conditional Use Permit/Tentative Tract Map
17. Project Plans
18. Public Comment Letter

RESOLUTION NUMBER 2022-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR BRADSHAW COLLECTION PROJECT LOCATED ON THE NORTHEAST SIDE OF CACTUS AVENUE EAST OF MORENO BEACH DRIVE (APN'S 478-090-018, 478-090-024, AND 478-090-025)

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 projects that are subject to requirements of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines²; and

WHEREAS, RC Hobbs Company ("Applicant") has submitted applications for 1) a General Plan Amendment PEN20-0174) (GPA) amending Map LCC-4: General Plan Land Use of the Moreno Valley General Plan to change the land use designation of the Project Site from Residential 5 (R5) to Residential 10 (R10); 2) a Change of Zone (PEN20-0175) amending the City of Moreno Valley Zoning Atlas to rezone the project site from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District; 3) a Tentative Tract Map 37858 (PEN20-0172) to subdivide the Project Site into thirty-seven (37) single family lots; and 4) a Conditional Use Permit (PEN20-0173) for a Planned Unit Development with associated amenities and public improvements ("Proposed Project") located on the north side of Cactus Avenue east of Moreno Beach Drive on approximately 4.81 acres (APN 478-090-018, 478-090-024, and 478-090-025) ("Project Site"); and

WHEREAS, Planning Division Staff completed an Initial Study (environmental assessment) ("IS") for the Proposed Project and based on the environmental assessment, recommends adoption of a Mitigated Negative Declaration ("MND") and a Mitigation Monitoring and Reporting Program ("MMRP") in accordance with Section 6 (ND Procedures) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act 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 beginning October 13, 2022, ending November 2, 2022; and

WHEREAS, in compliance with CEQA, a MMRP, which is a program for monitoring and reporting on the Proposed Project's mitigation measures was prepared for the Proposed Project and circulated with the Mitigated Negative Declaration; and

WHEREAS, on November 10, 2022, a duly noticed public hearing was conducted by the Planning Commission to consider a recommendation to the City Council that the

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

MMD and MMRP and approval of the Proposed Project, at which time the Planning Commission considered the IS, MND and MMRP, together with any comments received during the public review process and the responses prepared; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and MMRP prepared for the Proposed Project has reduced the potential impacts to levels of insignificance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment in a manner that otherwise would require the preparation and certification 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 of the evidence submitted into the administrative record for the MND and MMRP, including, but not limited to, the following:

- (a) Initial Study/ Mitigated Negative Declaration prepared for the Proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, 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;
- (e) Testimony and/or comments from all persons that was provided in written format or correspondence, 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 all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRFP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment that would otherwise require the preparation and certification of an Environmental Impact Report;
- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and

- CEQA Guidelines and are consistent the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the Planning Commission and City as 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, Administrative Record and Findings, the Planning Commission hereby recommends that the City Council hereby adopts the IS/MND attached hereto as Exhibits A and 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 10th day of November, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

- Exhibit A: Initial Study / Mitigated Negative Declaration
- Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration
- Exhibit C: Monitoring Mitigation and Reporting Program

Attachment: Resolution No. 2022-43 – Initial Study Mitigated Negative Declaration [Revision 4] (5985 : Bradshaw Collection)

RESOLUTION NUMBER 2022-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT PEN20-0174 TO AMEND THE GENERAL PLAN LAND USE MAP, CHANGING THE LAND USE DESIGNATION FROM RESIDENTIAL 5 (R5) TO RESIDENTIAL 10 (R10) FOR THE PROPERTY LOCATED ON THE NORTHEAST SIDE OF CACTUS AVENUE EAST OF MORENO BEACH DRIVE (APN'S 478-090-018, 478-090-024, AND 478-090-025)

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

WHEREAS, RC Hobbs Company ("Applicant") has submitted an application for the approval of General Plan Amendment PEN20-0174 ("Proposed Project") requesting an amendment to the Moreno Valley General Plan from Residential 5 (R5) to Residential 10 (R10) for the real property located on the northeast side of Cactus Avenue east of Moreno Beach Drive (APN 478-090-018, 478-090-024, and 478-090-025) ("Project Site"); and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Moreno Valley Municipal Code and Government Code section 65905, a public hearing was scheduled for November 10, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on November 10, 2022, the public hearing to consider the Proposed Project 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, on November 10, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission considered and recommended that the City Council approve Resolution 2022-43.

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.

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

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, in the staff report and conditions of approval (collectively, “Conditions”); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the General Plan Amendment, 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) The Moreno Valley General Plan amendment changing the land use designation from Residential 5 (R5) to Residential 10 (R10) and all other relevant provisions contained therein as shown on Exhibit A;
- (d) Application for the approval of a General Plan Amendment PEN20-0174 and all documents, records and references contained therein;
- (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 recommending City Council approve the Proposed Project:

- (a) The proposed Change of Zone and General Plan amendment are consistent with the existing goals, objectives, policies and programs of the General Plan; and
- (b) The proposed Change of Zone and General Plan amendment will not adversely affect the public health, safety or general welfare.

Section 5. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby recommends that the City Council approve General Plan Amendment PEN20-0174 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 10th day of November, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:
Exhibit A General Plan Land Use Designation

Attachment: Resolution No. 2022-44 – General Plan Amendment [Revision 4] (5985 : Bradshaw Collection)



PEN20-0174 General Plan Amendment



Legend



-  Parcels
-  From R5 to RS10

Image Source: Neamap

Notes:

631.0 0 315.48 631.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 10/21/2022

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: Resolution No. 2022-44 – General Plan Amendment [Revision 4] (5985 : Bradshaw

RESOLUTION NUMBER 2022-45

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE CHANGE OF ZONE (PEN20-0175) TO AMEND THE CITY ZONING ATLAS FROM RESIDENTIAL 5 (R5) DISTRICT TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) DISTRICT FOR THE PROPERTY LOCATED ON THE NORTHEAST SIDE OF CACTUS AVENUE EAST OF MORENO BEACH DRIVE (APN'S 478-090-018, 478- 090-024, AND 478-090-025)

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

WHEREAS, RC Hobbs Company, ("Applicant") has submitted an application for the approval of Change of Zone (PEN20-0175) ("Change of Zone") requesting a Change of Zone amending the City's Zoning Atlas from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District for the property located on the northeast side of Cactus Avenue east of Moreno Beach Drive comprised of approximately 4.81 acres (APN 478-090-018, 478-090-024, and 478-090-025) (the "Project Site"); and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Moreno Valley Municipal Code and Government Code section 65905, a public hearing was scheduled for November 10, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on November 10, 2022, the public hearing to consider the Change of Zone 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, on November 10, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission considered and recommended that the City Council approve Resolution 2022-43.

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

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

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, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the General Plan Amendment, 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) The Change of Zone to amend the City's Zoning Atlas from Residential 5 (R5) District to Residential Single-Family (RS10) District and all other relevant provisions contained therein as shown on Exhibit A;
- (d) Application for the approval of a Change of Zone PEN20-0175 and all documents, records and references contained therein;
- (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 hereby finds as follows:

- (a) The proposed Change of Zone is consistent with the existing goals, objectives, policies and programs of the General Plan;
- (b) The proposed Change of Zone will not adversely affect the public health, safety or general welfare; and
- (c) The proposed Change of Zone is consistent with the purposes and intent of Title 9.

Section 5. Approval

That based on the foregoing Recitals, Evidence in the Administrative Record and Findings, the Planning Commission hereby recommends that the City Council approve Change of Zone PEN20-0175 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 10th day of November, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:
Exhibit A Proposed Zoning Map

Attachment: Resolution No. 2022-45 – Change of Zone [Revision 3] (5985 : Bradshaw Collection)



PEN20-0175 Change of Zone



Legend

- Parcels
- From R5 to RS10

Image Source: Nearmap

Notes:

631.0 0 315.48 631.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 10/20/2022

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: Resolution No. 2022-45 – Change of Zone [Revision 3] (5985 : Bradshaw Collection)

RESOLUTION NUMBER 2022-46

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AND TENTATIVE TRACT MAP NO. 37858 LOCATED ON THE NORTHEAST SIDE OF CACTUS AVENUE EAST OF MORENO BEACH DRIVE (APN'S 478-090-018, 478-090-024, AND 478-090-025).

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

WHEREAS, RC Hobbs Company, ("Applicant") is seeking approval for the development of a thirty-seven (37) lot, single-family residential development on 4.81 acres, including approval of the following entitlements: a Conditional Use Permit (PEN20-0173) for a Planned Unit Development and Tentative Tract Map 37858 (PEN20-0172) with associated amenities and public improvements, and a ("Proposed Project") located on the northeast side of Cactus Avenue east of Moreno Beach Drive (APN 478-090-018, 478-090-024, and 478-090-025), ("Project Site"); and

WHEREAS, the applications for the Proposed Project have been evaluated in accordance with Chapter 9.14 (Land Divisions) and Section 9.02.060 (Conditional Use Permits), respectively, of the Municipal Code with consideration given to the City's General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Chapter 9.14 (Land Division) of the Moreno Valley Municipal Code imposes conditions of approval upon projects for which a Tentative Tract Map is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the Project 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, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of a conditional use permit is 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 the 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, consistent with the requirements of Chapter 9.14 (Land Divisions) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Tentative Tract Map 37858 (PEN20-0172), 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, 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 (PEN20-0173), 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, 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 November 10, 2022, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on November 10, 2022, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and present evidence; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 and 9.14.070 of the Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned by Conditions of Approval; and

WHEREAS, on November 10, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission approved Resolution 2022-43, certifying a Mitigated Negative Declaration and approving the 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.

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all evidence submitted into the Administrative Record for the Proposed Project, 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 Tentative Tract Map 37858 (PEN20-0172) including Resolution No. 2022-46, and all documents, records, and references contained therein;
- (d) Conditions of Approval for Tentative Tract Map 37858 (PEN20-0172), attached as Exhibit A;
- (e) Application for Conditional Use Permit (PEN20-0173) and all documents, records, and references contained therein;
- (f) Conditions of Approval for Conditional Use Permit (PEN20-0173), attached hereto as Exhibit B;
- (g) 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;
- (h) Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- (i) Testimony and/or comments from all persons 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:

- (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;
- (d) The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.
- (e) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- (f) That the Project Site is physically suitable for the type of development;
- (g) That the Project Site of the proposed land division is physically suitable for the proposed density of the development;

- (h) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- (i) That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
- (j) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;
- (k) That the requirements of CEQA have been satisfied;
- (l) That the proposed land division is not subject to the Williamson Act pursuant to the California Land Conservation Act of 1965;
- (m) That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city;
- (n) That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and
- (o) That the effect of the Proposed Project on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

Section 5. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby approves the Proposed Project subject to the Conditions of Approval for Conditional Use Permit (PEN20-0173) and Tentative Tract Map 37858 (PEN20-0172) (Proposed Project), attached hereto and Exhibit A and Exhibit B, respectively.

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 _____ day of _____, 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: Conditional Use Permit (PEN20-0173) and Tentative Tract Map 37858 (PEN20-0172) Conditions of Approval

Attachment: Resolution No. 2022-46 – Conditional Use Permit/Tentative Tract Map [Revision 3] (5985 : Bradshaw Collection)

Exhibit A

Conditional Use Permit (PEN20-0173) and Tentative Tract Map 37858 (PEN20-0172) Conditions of Approval

Attachment: Resolution No. 2022-46 – Conditional Use Permit/Tentative Tract Map [Revision 3] (5985 : Bradshaw Collection)

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Tentative Tract Map (PEN20-0172)

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. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
4. 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)
5. 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.
6. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
7. 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

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

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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.

8. 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)

Special Conditions

9. Prior to recordation of the final subdivision map, the following documents shall be submitted to and approved by the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:
- a. The document to convey title
 - b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use items such as general building maintenance (apartments, condominiums and townhomes) tot lot/public seating areas and other

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

Page 3

recreation facilities or buildings. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

a. The developer and homeowners association shall promote the use of native plants and trees and drought tolerant species.

b. All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Homeowners Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.

c. Maintenance of any and all common facilities.

d. A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas.

e. Oleander plants or trees shall be prohibited on open space lots adjacent to multi-use trails.

10. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
11. Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to and approved by the Planning Division. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)
12. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
13. Prior to the issuance of grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

Page 4

14. Prior to any site disturbance and/or grading plan submittal, and or final map recordation, a mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant/owner. No City permit or approval shall be issued until such fee is paid. (CEQA)
15. 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.)
16. Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and basin landscape plans, shall be approved.
17. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
18. Prior to issuance of grading permits, the project shall comply with all applicable mitigation measures related to cultural resources and Native American requirements.
19. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
20. The site shall be developed in accordance with the approved Conditional Use Permit (Planned Development Unit) and Tentative Tract Map on file in the Community Development Department-Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020). A minimum of three-color palettes/schemes shall be used for each elevation type, showing a variety of exterior building material colors and roofing material colors
21. Prior to grading plan approval, Basin fencing shall include wrought iron fencing with pilasters.
22. Prior to building final, a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity with documentation provided to the Planning Division.
23. A drought tolerant landscape palette shall be utilized throughout the tract in compliance with the City's Landscape Requirements. (MC 9.17.030)
24. All units shall be designed with four sided architecture using the details from the front elevation

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

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Prior to Grading Permit

25. At least thirty days prior to issuance of any grading permit, the developer shall retain a qualified archaeologist, provide a letter identifying the name and qualifications of the archaeologist to the Planning Division for approval, to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources and to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity.

At least thirty days prior to issuance of a grading permit, the applicant shall provide evidence that contact has been established with the appropriate Native American Tribe(s), providing notification of grading, excavation and the proposed monitoring program and to coordinate with the City and Tribe(s) to develop a cultural resources treatment and monitoring agreement. The agreement shall address treatment of known cultural resources, the designation, responsibilities and participation of Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

A report documenting the proposed methodology for grading monitoring shall be submitted to and approved by the Planning Division prior to issuance of any grading permit. The monitoring archaeologist shall be empowered to stop and redirect grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The archaeologist shall consult with affected Tribe(s) to evaluate any archaeological resources discovered on the project site. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have authority to stop and redirect grading activities in consultation with the project archaeologist.

The property owner shall relinquish ownership to the Tribe(s) of all Native American cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project site for proper treatment and disposition. All sacred sites, should they be encountered with the project site, shall be avoided and preserved as the preferred mitigation.

If any inadvertent discoveries of subsurface archaeological or cultural resources occur during grading, the applicant, project archaeologist, and Tribe(s) shall assess the significance of such resources and shall meet and confer regarding mitigation of such resources. Avoidance is the preferred method of preservation of archaeological resources. If the applicant, project archaeologist and Tribe(s) cannot agree on the significance or mitigation for such resources, the issue(s) will be presented to the Planning Official with adequate documentation. The Official

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

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- shall make a determination based on the provisions of CEQA and consideration of the religious beliefs, customs and practices of the Tribe(s).
26. 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.
 27. 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)
 28. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
 29. 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)
 30. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
 31. 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

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

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- 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” 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).
32. 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.
 33. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress/egress locations of the project. [apply to commercial and multi-family project, and major entry driveways for industrial]
 34. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:
 - a. A maximum 6 foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - b. 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.
 - c. 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.
 - d. Proposed screening walls for truck loading areas and required loading docks shall also include decorative block walls with pilasters with a height up to fourteen (14) feet to fully screen trucks (industrial and some situations with commercial uses).
 - e. 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) [select those that apply]
 35. 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

CONDITIONS OF APPROVAL

Conditional Use Permit

(PEN20-0173)

Tentative Tract Map (PEN20-0172)

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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.

36. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.

Building Division

37. 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.
38. Contact the Building Safety Division for permit application submittal requirements.
39. 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.
40. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
41. 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.
42. 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.
43. 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.
44. 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

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Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.

45. The proposed residential project shall comply with the California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS).
46. 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**

47. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
48. 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)
49. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
50. 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)
51. 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)
52. 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)
53. Prior to issuance of building permits, plans specifying the required structural materials for building construction in high fire hazard severity zones shall be

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- submitted to the Fire Prevention Bureau for approval. (CFC, 4905)
54. 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.
 55. 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.
 56. 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)
 57. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 58. 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])
 59. 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])
 60. 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)
 61. 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

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- 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)
62. 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)
 63. 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)
 64. 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)
 65. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
 66. 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)
 67. 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)
 68. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1, MVMC 8.36.060[1])

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69. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") shall be located at each intersection of all residential streets. Hydrants shall be spaced no more than 500 feet apart in any direction so that no point on the street is more than 250 feet from a hydrant. Minimum fire flow shall be 1000 GPM for 1 hour duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3, Appendix B, MVMC 8.36.060).
70. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
71. 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.

PUBLIC WORKS DEPARTMENT**Land Development**

72. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public 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.
73. 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,

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said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]

74. 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.
75. 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.
76. In the event right-of-way or offsite easements are required to construct offsite 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]
77. 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)]
78. The developer shall protect downstream properties from damage caused by

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- 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]
79. 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.
80. 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.
81. The proposed private storm drain system shall connect to Riverside County Flood Control's existing line F-4 in Cactus Ave. 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.
82. For single family residential subdivisions, all lots shall drain to the street at a minimum surface grade of 2.0% and on-site drainage shall be conveyed onto the street with subsurface drains at a minimum grade of 0.5% per current City Standards MVSI-152 and MVSI-153A. No cross-lot or over the sidewalk drainage shall be allowed.
83. 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. Final (Tract) Map (recordation prior to building permit issuance);
 - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - c. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - d. Public improvement plan (e.g., street/storm drain w/ striping, , sewer/water, etc.) (prior to map approval);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. As-Built revision for all plans (prior to Occupancy release);
84. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction

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related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA).

Prior to Grading Plan Approval

85. Resolution of all drainage issues shall be as approved by the City Engineer.
86. 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.
87. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
88. 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 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.
89. 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.
90. 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.

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91. 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.
92. 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 noted on the grading plans.
93. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
- a. The Applicant has proposed to incorporate the use of infiltration basins. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.
- b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP.
- c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
- d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
- e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
- f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.
- g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

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Prior to Grading Permit

94. 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)]
95. 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)]
96. 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]

Prior to Map Approval

97. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
98. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, bylaws and articles of incorporation shall also be included as part of the maintenance agreement for any water quality BMPs.
99. Resolution of all drainage issues shall be as approved by the City Engineer.
100. 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.
101. 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 requirement: Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality BMPs". Any lots which are identified as "Water Quality BMPs" shall be owned in fee by the HOA.
102. 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]

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103. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).
104. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
105. All street dedications shall be free of all 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.

Prior to Improvement Plan Approval

106. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
107. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project. This includes, but is not limited to street lights along the project frontage along Bradshaw Circle and Cactus Ave.
108. 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.
109. 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.
110. 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.
111. 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.
112. 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

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determined by the City Engineer.

113. 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.
114. The developer shall be required to construct Cactus Avenue (minor arterial, MVS1-105A) along the project boundary.
115. The developer shall be required to construct full street improvements with the exception of an easterly sidewalk on Bradshaw Circle (local street, MVS1-107A) along the project boundary.

Prior to Encroachment Permit

116. 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.
117. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

118. 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.
119. For all subdivision projects, the map shall be recorded (excluding model homes). [MC 9.14.190]
120. 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).
121. Prior to Building Permit issuance, an access agreement shall be recorded to allow

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the City access from Cactus Ave. through Bradshaw Circle for access to water quality basins lots A & B as well as the storm drain line on Bradshaw Circle, as required by the City Engineer.

Prior to Occupancy

122. All outstanding fees shall be paid.
123. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
124. 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.
125. For residential subdivisions, punch list work for improvements and capping of streets in that phase shall be completed and approved for acceptance by the City Engineer, prior to issuance of Occupancy.
126. 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.
127. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of

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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.

128. 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 "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.

Special Districts Division

129. NEW STREET LIGHT INSTALLATION FEES. Prior to the issuance of the first building permit for this project, the Developer shall pay New Street Light Installation Fees for all applicable Residential and Arterial Street Lights required for this development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (specialdistricts@moval.org). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee. Questions may be directed to the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.
130. If maintained by City, parkway, open space, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the City of Moreno Valley Public Works Design Guidelines and completed prior to the issuance of 25% (or 10) of the dwelling permits for this tract or 12 months from the issuance of the first dwelling permit, whichever comes first. In cases where a phasing plan is submitted, the actual percentage of dwelling permits issued prior to the completion of the landscaping shall be subject to the review of the construction phasing plan.

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131. For those areas to be maintained by the City and prior to the issuance of the first Building Permit, Planning Division (Community Development Department), Special Districts Division (the Public Works Department) and Transportation Division (the Public Works Department) shall review and approve the final median, parkway, slope, and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval prior to the issuance of the first Building Permit.
132. If maintained by City, the Developer, or the Developer's successors or assignees shall be responsible for all parkway and/or median landscape maintenance for a period of one (1) year commencing from the time all items of work have been completed to the satisfaction of Special Districts staff as per the City of Moreno Valley Public Works Department Landscape Design Guidelines, or until such time as the District accepts maintenance responsibilities.
133. Parkway, median, slope and/or open space landscape areas maintained as part of the City of Moreno Valley Community Facilities District 2014-01 shall be required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining utility systems with existing or future landscape areas not associated with the City of Moreno Valley Community Facilities District (CFD) landscaping will not be permitted.
134. If maintained by City, inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)
135. If maintained by City, plans for parkway, median, slope, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at www.moval.org/sd or from the Special Districts Division (951.413.3480 or specialdistricts@moval.org).
136. If maintained by City, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
137. MAJOR INFRASTRUCTURE FINANCING DISTRICT. This project has been identified to potentially be included in the formation of a special financing district for the construction and maintenance of major infrastructure improvements which may include but are not limited to thoroughfares, bridges, and certain flood control improvements. The property owner(s) shall participate in such district and pay any special tax, assessment, or fee levied upon the project property for such district. At

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the time of the public hearing to consider formation of or annexation into the district, the qualified elector(s) will not protest the formation or annexation, 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 obtains from the improvements to be installed and/or maintained. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution.

138. Street Light Authorization forms for all street lights that are conditioned to be installed as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison. For questions, contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.
139. The Moreno Valley Community Services District Zone A (Parks & Community Services) tax is assessed per parcel or per dwelling unit for parcels with more than one dwelling unit.
140. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
141. If maintained by City, landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated to be maintained by the City shall be placed on compact disk (CD) in pdf format. The CD shall include "As Built" plans, revisions, and changes. The CD will become the property of the City of Moreno Valley and the Moreno Valley Community Services District.
142. This project is conditioned to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options below.
 - a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or

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b. Establish an endowment fund to cover the future maintenance and/or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option prior to City Council action authorizing recordation of the final map for the development. A minimum of 90 days is needed to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution for conducting a special election.

The financial option selected shall be in place prior to the issuance of the first building permit for the project.

143. This project has been identified to be included in the formation of a Community Facilities District for Public Safety services including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify the Special Districts Division at 951.413.3480 or specialdistricts@moval.org of its intent to record the final map for the development 90 days prior to City Council action authorizing recordation of the map. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
144. Residential (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, systems evaluation and enhancements of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated storm water regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to City Council action authorizing recordation of the final map for the development and to participate in a special election process. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

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145. **PARKS 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, and programs.

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

146. This project is conditioned to provide a funding source for the following special financing program(s):

a. Street Lighting Services for capital improvements, energy charges, and maintenance.

b. If maintained by City, Landscape Maintenance Services for parkway, open space, and/or median landscaping.

The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. The Developer shall satisfy this condition with one of the options below.

i. Participate in a special election (mail ballot proceeding) and pay all associated costs of the special election and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or

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ii. Establish a Property Owner's Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option prior to City Council action authorizing recordation of the final map for the development. The option for participating in a special election requires approximately 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution for conducting a special election.

The financial option selected shall be in place prior to the issuance of the first building permit for this project.

Transportation Engineering Division

147. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
148. All project driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard Plans No. MVSI-111A~C-0 for residential driveway approaches.
149. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
150. Cactus Avenue is classified as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-1. Any improvements to the roadway shall be per City standards or as approved by the City Engineer. Improvements to Cactus Avenue shall include transition to the existing pavement east and west of the project limits.
151. Bradshaw Circle is classified as a Local Street (60'RW/40'CC) per City Standard Plan No. MVSI-107A-0, modified. Any improvements to the roadway shall be per City standards or as approved by the City Engineer.
152. Communication conduit along project frontage shall be required per City Standard Plan No. MVSI-186-0.
153. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project entrances conforms to City Standard Plan No. MVSI-164A, B, C-0.

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154. 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.
155. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards and approved plans.
156. Prior to issuance of an encroachment permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

PARKS & COMMUNITY SERVICES DEPARTMENT

157. This project is subject to current Quimby Fees.



MORENO VALLEY UNIFIED SCHOOL DISTRICT

Facilities Planning and
Development
25634 Alessandro Blvd.
Moreno Valley, CA 92553
951-571-7500
www.mvUSD.net

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Vision Statement
*To empower students to
become future ready and
positively impact the world.*

Mission Statement
*To provide an equitable
education for all students to
be prepared for college
and/or a viable career path
for a successful life.*

October 31, 2022

Magda Gonzalez, Contract Planner
Community Development Department
Planning Division
Post Office Box 88005
Moreno Valley, CA 92552-0805

Project: PEN20-0172, 0173, 0174, and 0175 – Planned Residential Development of 4.81 acres

Subject: Notice of Intent, Mitigated Negative Declaration Letter Received 10/21/22
Tentative Tract Map 37858 (PEN20-0172) Zone Change

Dear Ms. Gonzalez,

The Moreno Valley Unified School District appreciates the opportunity to review the information provided for the above Project.

The District's focus continues to be the health and well-being of our students and staff and we are excited at the prospect of a new residential housing project within our boundaries. Should you have questions regarding schools supporting this community, please let us know.

It should be noted that there would be developer impact fees associated with this residential project, payable to the Moreno Valley Unified School District. At this time, those fees are \$4.79 per square foot for residential projects.

Please contact our Facilities and Planning Team members, Amy Esquibel, MPA (aesquibel@mvusd.net) and Jacob Romero (jromero@mvusd.net) for further information about the process for payment of school fees, or for any additional information. Please keep us informed as to the City's progress in this matter, and any notifications relating to this project.

Sincerely,

Samer Alzubaidi

Director, Facilities Planning & Development
MORENO VALLEY UNIFIED SCHOOL DISTRICT
13911 Perris Blvd., Building A, Moreno Valley, CA 92553

**CITY OF MORENO VALLEY
NOTICE OF INTENT
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: General Plan Amendment (PEN20-0174), Change of Zone (PEN20-0175), Conditional Use Permit for a Planned Unit Development (PEN20-0173), Tentative Tract Map 37858 (PEN20-0172)

Applicant: RC Hobbs Company

Owner: Corp of Pres Bishop Church of Jesus Christ of Latter-Day Saints

Representative: Roger Hobbs, RC Hobbs Company

Location: Northside of Cactus Avenue, East of Moreno Beach Drive (478-090-018, 478-090-024, 478-090-025)

Proposal: The applicant proposes to develop a 4.81-acre site with 37-lot single-family residential project. Applications include a General Plan Amendment to change the existing land use designation to Residential 10 (R10) with a Zone Change to change the Zoning designation from Residential 5 (R5) District to the Residential Single-Family 10 (RS10) District, a Conditional Use Permit for a Planned Unit Development for 37 single-family lots, including a park area, sidewalks, and on-site roadway parking.

Council District: 4

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 applicant proposes to develop a 4.81-acre site with 37-lot single-family residential project. Applications include a General Plan Amendment to change the existing land use designation to Residential 10 (R10) with a Zone Change to change the Zoning designation from Residential 5 (R5) District to the Residential Single-Family 10 (RS10) District, a Conditional Use Permit for a Planned Unit Development for 37 single-family lots, including a park area, sidewalks, and on-site roadway parking and a Tentative Tract Map to subdivide the parcel.

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 October 13, 2022, and ends November 2, 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 November 2, 2022. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Magda Gonzalez, Contract Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552
Phone: (951) 413-3206
Email: magdag@moval.org

Press-Enterprise
Newspaper

October 13, 2022
Date of Publication

Sean Kelleher, Planning Official
Community Development Department

Attachment: Public Comment Letter (5985 : Bradshaw Collection)

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MORENO VALLEY USD
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