



AGENDA

**CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
MORENO VALLEY PUBLIC FINANCING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

December 20, 2022

REGULAR MEETING – 6:00 PM

City Council Study Sessions

Second Tuesday of each month – 6:00 p.m.

City Council Meetings

Special Presentations – 5:30 P.M.

First & Third Tuesday of each month – 6:00 p.m.

City Council Closed Sessions

Will be scheduled as needed at 4:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

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.

Ulises Cabrera, Mayor

Edward A. Delgado, Mayor Pro Tem

David Marquez, Council Member

Cheylynda Barnard, Council Member

Elena Baca-Santa Cruz, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
December 20, 2022

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS - NONE

**AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
MORENO VALLEY PUBLIC FINANCING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING – 6:00 PM
DECEMBER 20, 2022**

CALL TO ORDER

Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item.

PLEDGE OF ALLEGIANCE

ROLL CALL

INVOCATION

Dr. Cooper Hagans III, from Unity of the Faith Christian Outreach Ministries

INTRODUCTIONS

**PUBLIC COMMENTS ON ANY SUBJECT ON OR NOT ON THE AGENDA UNDER
THE JURISDICTION OF THE CITY COUNCIL**

JOINT CONSENT CALENDARS (SECTIONS A-E)

All items listed under the Consent Calendars, Sections A, B, C, D, and E are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. MINUTES - CITY COUNCIL - REGULAR MEETING - December 6, 2022.

Recommendation:

1. Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - CLOSED SESSION - December 6, 2022.

Recommendation:

1. Approve as submitted.

- A.4. SPECIAL EVENTS CALENDAR 2023 (Report of: Parks & Community Services)

Recommendation:

Receive and file the Special Events Calendar 2023.

- A.5. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

- A.6. APPROVAL OF FIRST AMENDMENTS TO AGREEMENTS WITH ADVANCED APPLIED ENGINEERING, INC., DBA INFRASTRUCTURE ENGINEERS, AND 4LEAF, INC., FOR PLANNING CONSULTANT SERVICES ON AN AS NEEDED BASIS (AGMTS NO. 2022-30-01 AND 2022-31-01) (Report of: Community Development)

Recommendations:

1. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, subject to the approval of the City Attorney and available budget as previously approved by Council; and

2. Authorize an increase of \$150,000.00 to the amount of the Agreement with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, to \$200,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-505 to Advanced Applied Engineering, Inc., DBA Infrastructure Engineers; and
 3. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with 4Leaf, Inc., and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, subject to the approval of the City Attorney and available budget as previously approved by Council; and
 4. Authorize an increase of \$150,000.00 to the amount of the Agreement with 4Leaf, Inc., to \$200,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-504 to 4Leaf, Inc.; and
 5. Authorize the Chief Financial Officer, or his designee, to make the appropriate budget adjustments as set forth in the Fiscal Impact section of this report.
- A.7. AUTHORIZE THE FIRST AMENDMENT TO THE AGREEMENT WITH M. BREY ELECTRIC, INC. FOR GENERAL CONTRACTOR SERVICES AT CITY FACILITIES, TRAILS, AND PARKS. (Report of: Public Works)

Recommendations:

1. Approve the First Amendment to the Agreement for General Contractor Services with M. Brey Electric, Inc., to increase the contract value funded through Facilities Maintenance (Fund 7310), General Fund (Fund 1010), and PCS Capital Project Fund (Fund 3015), which will increase responsiveness to on-call needs throughout the contract term.
2. Authorize the City Manager, or his designee, to execute the First Amendment to the Agreement for General Contractor Services with M. Brey Electric, Inc., to increase the contract amount by \$2,000,000 for a total not-to-exceed amount of the five-year Agreement of \$3,760,000.
3. Authorize the City Manager, or his designee, to execute the First Amendment to the Agreement, any subsequent future amendments, and Purchase Orders subject to the approval of the City Attorney, in accordance with approved terms of the agreement and within available budget previously approved by Council.

- A.8. PAYMENT REGISTER – OCTOBER 2022 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES – READING BY TITLE ONLY – THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES – CITY COUNCIL – REGULAR MEETING – DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - CLOSED SESSION - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - CLOSED SESSION - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - CLOSED SESSION - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

- E.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.2)

Recommendation:

1. Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022. (SEE A.3)

Recommendation:

1. Approve as submitted.

F. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Sergeant-at-Arms.

F.1. APPEAL OF PLANNING COMMISSION DENIAL OF GENERAL PLAN AMENDMENT, CHANGE OF ZONE, CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, AND A TENTATIVE TRACT MAP 37858 TO SUBDIVIDE A 4.81-ACRE PROJECT SITE IN TO 37 SINGLE-FAMILY LOTS (Report of: Community Development)

That the City Council consider the Appeal filed by RC Hobbs Company, (the "Appellant") appealing the Planning Commission's denial of the Appellant's application for a General Plan Amendment (GPA), Change of Zone, Conditional Use Permit, and Tentative Tract Map to facilitate a 37-lot single-family residential Planned Unit Development (PUD), located North of Cactus Avenue, East of Moreno Beach Drive, and take any action the City Council deems appropriate.

Recommendations: That the City Council:

1. **ADOPT** Resolution No. 2022-XX, attached hereto, **DENYING** Appeal PAA22-0004.

OR

1. **ADOPT** Resolution No. 2022-XX, attached hereto:
 1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment (PEN20-0174), Change of Zone (PEN20-0175); Tentative Tract Map 37858 (PEN20-0172), and Conditional Use Permit (PEN20-0173) for a Planned Unit Development, 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 and City 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. **ADOPTING** 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.

2. **ADOPT** Resolution No. 2022-XX, attached hereto, **APPROVING** Appeal PAA22-0004:
 1. **APPROVING** General Plan Amendment (PEN20-0174) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX 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.
 2. **APPROVING** 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-XX.
 3. **INTRODUCE** Ordinance No. [next in order] approving Change of Zone (PEN20-0175) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.
- F.2. GENERAL PLAN AMENDMENT, CHANGE OF ZONE, CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, AND A TENTATIVE TRACT MAP 38237 TO SUBDIVIDE AN 8.77-ACRE PROJECT SITE IN TO 67 SINGLE-FAMILY LOTS (Report of: Community Development)

Recommendations: That the City Council:

1. **ADOPT** Resolution No. 2022-XX, attached hereto:
 - 1) **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) 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 and City 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) **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Proposed Project, which consists of a General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Conditional Use Permit (PEN20-0173) for a Planned Unit Development and Tentative Tract Map 37858 (PEN20-0172) pursuant to CEQA and the CEQA Guidelines.

2. **ADOPT** Resolution No. 2022-XX, attached hereto:

1. **APPROVING** General Plan Amendment (PEN21-0203) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX 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.
2. **APPROVING** Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX.
3. **INTRODUCE** Ordinance No. [next in order] approving Change of Zone (PEN21-0204) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.

F.3. MUNICIPAL CODE AMENDMENTS AMENDING VARIOUS SECTIONS WITHIN TITLE 9 PLANNING AND ZONING, INCLUDING CHAPTER 9.02 PERMITS AND APPROVALS, CHAPTER 9.09 SPECIFIC USE DEVELOPMENT STANDARDS, CHAPTER 9.13 SPECIFIC PLANS, CHAPTER 9.14 LAND DIVISIONS, AND CHAPTER 9.16 DESIGN GUIDELINES; TITLE 3 REVENUE AND FINANCE CHAPTER 3.32 FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM; AND TITLE 8 BUILDINGS AND CONSTRUCTION, CHAPTER 8.12 (FLOOD DAMAGE PREVENTION AND IMPLEMENTATION OF NATIONAL FLOOD INSURANCE PROGRAM (NFIP)). (Report of: Community Development)

Recommendations:

1. Introduce and conduct the first reading of Ordinance No. XXX amending Tables 9.02.020-1 and Sections 9.02.040, 9.02.150, 9.07.010(B), 9.08.070, 9.09.080, 9.11.040, 9.14.065, and 9.14.090 of Title 9 of the City of Moreno Valley Municipal Code to provide updates that comply with State requirements related to compliance with new State Law and Housing and Community Development (HCD) requirements, streamline Code requirements to provide flexibility and clarity regarding existing requirements, and to streamline certain processes, and provide for other minor clarifications and clean-up items; and,
2. Introduce and conduct the first reading of Ordinance No. XXX deleting Section 3.32.050 (Statutory Public Meeting) of Title 3 (Revenue and Finance), and amending Section 8.12.170 (Standards of Construction) of Title 8 (Building and Construction) to provide updates that comply

3. with State requirements; and
Schedule the second reading and adoption of Ordinance Nos. XXX, and XXX for the next regular Council meeting.

G. GENERAL BUSINESS

G.1. CENSURE RESOLUTION (Report of: City Attorney)

Recommendation:

1. That the City Council take whatever action it deems necessary under the circumstances.

G.2. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEM (Report of: City Clerk)

Recommendation:

1. Conduct the reorganization of the City Council by selecting one Council Member to serve a one-year term as Mayor Pro Tem.

H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

I. REPORTS

I.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Riverside County Habitat Conservation Agency (RCHCA)

Riverside County Transportation Commission (RCTC)

Riverside Transit Agency (RTA)

Western Riverside Council of Governments (WRCOG)

Western Riverside County Regional Conservation Authority (RCA)

School District/City Joint Task Force

I.2. EMPLOYEE ASSOCIATION REPORTS

I.3. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND THE BOARD OF LIBRARY TRUSTEES.

ADJOURNMENT

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

CERTIFICATION

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC
City Clerk

Date Posted: 12/15/2022

**MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
December 6, 2022**

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS -NONE

Minutes Acceptance: Minutes of Dec 6, 2022 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
MORENO VALLEY PUBLIC FINANCING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:00 PM
December 6, 2022**

CALL TO ORDER

The Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority, Moreno Valley Public Financing Authority and the Board of Library Trustees was called to order at 6:00 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

Mayor Gutierrez announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Baca-Santa Cruz.

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Edward A. Delgado	Mayor Pro Tem
	Elena Baca-Santa Cruz	Council Member
	Ulises Cabrera	Council Member
	David Marquez	Council Member

Roll Call

INTRODUCTIONS

Staff: Jane Halstead Manager of the Office of the Mayor and City

Minutes Acceptance: Minutes of Dec 6, 2022 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Jasmin Rivera	Council/City Clerk
Steven Quintanilla	Management Assistant
Mike Lee	Interim City Attorney
Brian Mohan	City Manager
	Assistant City Manager, Chief Financial Officer, City Treasurer
Michael Lloyd	Assistant City Manager
Manuel Mancha	Community Development Director
Melissa Walker	Acting Public Works Director/City Engineer
Jeremy Bubnick	Parks and Community Services Director
Scott Burns	Lieutenant, Police Department
Jesse Park	Fire Chief

PUBLIC COMMENTS ON ANY SUBJECT ON OR NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Seth Cox

1. Displeased with City

James Williamson

1. Pedrorena Park

Matt Seeley

1. Juan Bautista Multi Use Trail bid

Ghazi Mubarak

1. Juan Bautista Multi Use Trail bid

Rosa Bravo

1. Homelessness

Sammie Luna

1. Homelessness

Daryl Terrell

1. 2022 Election

Bob Palomarez

1. Senior Center Expansion

Fred Banuelos

- 1. Thanked City Staff
- 2. Moreno Valley Trade Center
- 3. Cannabis Permits

Bill Redden

- 1. 37 lot development project

Roy Bleckert

- 1. City Council meeting procedure
- 2. Warehouse jobs

Louise Palomarez

- 1. 2022 Election
- 2. Critical of Council Member Marquez

Eddie Bautista

- 1. 2022 Election

SPECIAL ORDER OF BUSINESS:

CONTINUANCE OF MORENO VALLEY TRADE CENTER/PARK PROJECT PUBLIC HEARING TO A DATE UNCERTAIN (Report of: City Attorney)

Recommendation:

That the City Council continue this item to a date uncertain and direct staff to re-notice the continued public hearing date once it is set.

RESULT: APPROVED [UNANIMOUS]
MOVER: David Marquez, Council Member
SECONDER: Elena Baca-Santa Cruz, Council Member
AYES: Delgado, Baca-Santa Cruz, Gutierrez, Marquez, Cabrera

JOINT CONSENT CALENDARS (SECTIONS A-E)

All items listed under the Consent Calendars, Sections A, B, C, D, and E are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the City Council, Community Services District, City as Successor Agency for

the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

RESULT: APPROVED [UNANIMOUS]
MOVER: Ulises Cabrera, Council Member
SECONDER: David Marquez, Council Member
AYES: Delgado, Baca-Santa Cruz, Gutierrez, Marquez, Cabrera

A. CONSENT CALENDAR-CITY COUNCIL

A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

A.2. City Council - Regular Meeting - Nov 1, 2022 6:00 PM

Recommendation: Approve as submitted.

A.3. City Council - Closed Session - Nov 1, 2022 4:30 PM

Recommendation: Approve as submitted.

A.4. City Council - Regular Meeting - Nov 15, 2022 6:00 PM

Recommendation: Approve as submitted.

A.5. MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS (Report of: City Clerk)

Recommendation:

- 1. Receive and confirm the slate of Mayoral appointments as follows:

EMERGING LEADERS COUNCIL

<u>Name</u>	<u>Position</u>	<u>Term</u>
Gabriel Canonoy*	Member	Ending 05/31/2023
Sophia Navarro*	Member	Ending 05/31/2023
Aneth Martinez – Pasos*	Member	Ending 05/31/2023
Enrique Flores*	Member	Ending 05/31/2023

Minutes Acceptance: Minutes of Dec 6, 2022 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

LIBRARY COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Jenn Carson*	Member	Ending 06/30/23

PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
Christopher Murphy*	Member	Ending 06/30/23

SENIOR ADVISORY BOARD

<u>Name</u>	<u>Position</u>	<u>Term</u>
Deborah Elkins*	Member	Ending 06/30/25
Pauline Saldana*	Member	Ending 06/30/25
Robert Moya*	Member	Ending 06/30/25

UTILITIES COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Reginald Allen	Member	Ending 06/30/25

* Pending successful completion of a background check

A.6. PAYMENT REGISTER - SEPTEMBER 2022 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

A.7. 6007: LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

A.8. ACCEPT THE U.S. DEPARTMENT OF THE TREASURY EMERGENCY RENTAL ASSISTANCE PROGRAM PART 2 (ERAP2) REALLOCATION OF FUNDS (Report of: Financial & Management Services)

Recommendations:

1. Accept the U.S. Treasury Emergency Rental Assistance Program Part 2 ("ERAP2") Reallocation funds in the amount of \$186,233.

Minutes Acceptance: Minutes of Dec 6, 2022 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

2. Designate and authorize the Chief Financial Officer as authorized signatory to execute required Emergency Rental Assistance Program Part 2 (“ERAP2”) Reallocation documents.
3. Authorize a budget amendment as set forth in the fiscal impact section.
4. Authorize the City Manager to execute program management contracts with United Way of Inland Valleys to provide Financial Assistance and Housing Stability Services.
5. Authorize the City Manager to accept any additional redirected Emergency Rental Assistance Program funding from the U.S. Treasury and to amend said agreements necessary as additional funds are made available.

A.9. RECOMMENDED ANIMAL SHELTER EXPANSION AND REFURBISHMENT PROGRAM PLAN (Report of: Public Works)

Recommendation:

1. Approve the recommended Animal Shelter Expansion and Refurbishment Program Plan which will be funded by the Development Impact Fee - Animal Shelter Maintenance Fund (Up to \$500,000) for Phase 1 at this time; and
2. Authorize the City Manager to execute any subsequent related agreements, extensions, or amendments subject to the procurement policy and approval of the City Attorney up to the total cost of the project and available Council approved budget in the Development Impact Fee – Animal Shelter Maintenance Fund; and
3. Amend the Capital Improvement Plan to include this project (Animal Shelter Expansion and Refurbishment 803 0058).

A.10. ADOPTION OF A RESOLUTION REDUCING THE NUMBER OF COMMERCIAL CANNABIS REGULATORY PERMITS ALLOWED IN EACH CATEGORY (Report of: Financial & Management Services)

Recommendation: That the City Council:

1. Adopt Resolution No. 2022-74, a Resolution reducing the maximum number of Commercial Cannabis Regulatory Permits and Conditional Use Permits allowed in each category pursuant to the Moreno Valley Municipal Code.

- A.11. SECOND READING AND ADOPTION OF THE WORKFORCE DEVELOPMENT FACILITIES DEVELOPMENT IMPACT FEE AND PUBLIC ART IMPACT FEE (ORDINANCE NO. XX) (Report of: Public Works)

Recommendation:

1. That the City Council conduct second reading by title only and adopt Ordinance No. 992.

- A.12. ADOPT A RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ANNUAL ADJUSTMENT TO QUIMBY IN-LIEU FEES PURSUANT TO CHAPTER 3.40.110 OF THE MORENO VALLEY MUNICIPAL CODE (Report of: Parks & Community Services)

Recommendation:

1. Adopt Resolution No. 2022-75, authorizing an adjustment to Quimby In-Lieu fees effective January 1, 2023.

- A.13. APPROVE ADDITIONAL FUNDING FOR ENERGY ASSISTANCE AND ENERGY EFFICIENCY PROGRAMS, AND APPROVE CONTINUATION OF SUSPENSION OF LATE FEES AND DISCONNECTS (Report of: Public Works)

Recommendations:

1. Approve an additional budget allocation of \$300,000 for Utility Assistance Programs;
2. Authorize the City Manager to execute an amendment to the Agreement with Synergy Companies expanding the Energy Audit and Direct Installation program by \$500,000 annually; and authorize the City Manager to approve and execute any subsequent amendments subject to the approval by the City Attorney;
3. Approve suspension of late fees and disconnects for non-payment to comply with requirements of the California Arrearage Payment Program (CAPP); and
4. Approve Resolution 2022-76. A Resolution of the City Council of the City of Moreno Valley, California, to confirm the Electric Rates and Rules for Moreno Valley Utility.

- A.14. APPROVE THE SECOND AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL CONSULTANT DESIGN SERVICES WITH WSP USA INC. FOR THE MORENO MDP LINE F-18 AND F-19, PROJECT NO. 804 0017 (Report of: Public Works)

Recommendations:

1. Approve the Second Amendment to Agreement for Professional Consultant Services to WSP USA Inc (WSP USA) to provide design related services for the Moreno Master Drainage Plan (MDP) Line F-18 and F-19 project, funded with Measure A funds (Fund 2001) and Public Works Capital Projects funds (Fund 3002);
 2. Authorize the City Manager to execute the Second Amendment to Agreement for Professional Consultant Services with WSP USA, subject to the approval of the City Attorney;
 3. Authorize an amendment to the existing Purchase Order with WSP USA in the amount of up to but not to exceed \$326,256.00;
 4. Authorize an amendment to the Agreement termination date, extending the termination date from December 31, 2022 to December 31, 2025; and
 5. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with WSP USA, not to exceed the Purchase Order amount, subject to the approval by the City Attorney.
- A.15. AUTHORIZE THE AWARD OF PROFESSIONAL SERVICES AGREEMENT TO HUNTER CONSULTING INC., DBA HCI ENVIRONMENTAL & ENGINEERING FOR HAZARDOUS WASTE CLEAN-UP, REMOVAL, AND DISPOSAL SERVICES (Report of: Public Works)
1. Award a five-year contract to Hunter Consulting Inc., dba HCI Environmental & Engineering for a total not-to-exceed amount of \$300,000 for Hazardous Waste Clean-up, Removal, and Disposal Services on a routine and on-call basis; and authorize the City Manager to execute contracts in conformance with the attached Agreement funded through State Gasoline Tax (Fund 2000), Facilities Maintenance (Fund 7310), and Fleet Operations (Fund 7410);
 2. Authorize the issuance of annual purchase orders for Hunter Consulting Inc., dba HCI Environmental & Engineering on a routine and as needed basis each year of the Agreement term subject to funds available in the City Council approved Operating Budget; and
 3. Authorize the City Manager, or his designee, to execute the agreement and any subsequent amendments, subject to the approval of the City Attorney, in accordance with approved terms of the agreement.

- A.16. APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF MORENO VALLEY IS ELIGIBLE (Report of: Financial & Management Services)

Recommendation:

1. Adopt Resolution No. 2022-77 - A Resolution of the City Council of the City of Moreno Valley, California, approving the submittal of applications for all CalRecycle grants for which the City of Moreno Valley is eligible. CalRecycle requires an updated Resolution every five (5) years.

- A.17. AUTHORIZATION TO AWARD AGREEMENTS TO ANSER ADVISORY MANAGEMENT, LLC AND WILLDAN ENGINEERING FOR CONSTRUCTION INSPECTION CONSULTANT SERVICES (Report of: Public Works)

Recommendations:

1. Approve each Agreement for Professional Consultant Services with Anser Advisory Management, LLC (Anser), and Willdan Engineering (Willdan) to provide construction inspection consultant services for the Land Development Division.
2. Authorize the City Manager to execute each Agreement for Professional Consultant Services with Anser and Willdan for \$125,000.00 each, for six months in Fiscal Year 2022/2023 and \$250,000.00 for each, annually thereafter; and authorize the City Manager, or his designee, to execute any subsequent amendments, subject to the approval of the City Attorney, in accordance with approved terms of the agreement. Agreements funded by inspection fees collected from developers and utility companies.
3. Authorize the issuance of purchase orders to Anser and Willdan in the amount of \$125,000.00 each, for six months in Fiscal Year 2022/2023 and authorize the Chief Financial Officer to approve subsequent related purchase orders for annual extensions up to a maximum of four annual extensions with Anser and Willdan not-to-exceed \$250,000.00 each, annually, in accordance with the approved terms of the Agreement.
4. Authorize the Chief Financial Officer to make any necessary budget adjustment appropriations related to expenditures and offsetting revenues.

- A.18. AUTHORIZATION OF CITY MANAGER TO AMEND THE AGREEMENTS FOR VENDORS CONTRACTED ON THE STATE ROUTE 60/ MORENO

BEACH INTERCHANGE PHASE 2 IMPROVEMENTS PROJECT, PROJECT NO. 801 0021. (Report of: Public Works)

Recommendations:

1. Authorize the City Manager to amend the agreements for vendors contracted on the State Route 60/ Moreno Beach Interchange Phase 2 Improvements Project, Project No. 801 0021, subject to the approval by the City Attorney; and
2. Authorize Chief Financial Officer to make any budget adjustments necessary based on amended agreements as long as the budget adjustments are reflected in the following quarterly budget review to Council.

- A.19. RESOLUTION OF THE CITY OF MORENO VALLEY SERVING AS THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024 (ROPS 23-24) (RESO. NO. SA 2022-07) (Report of: Financial & Management Services)

Recommendations: That the City Council as Successor Agency:

1. Adopt Resolution No. SA 2022-07. A Resolution of the City Council of the City of Moreno Valley, California, serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley Approving the Recognized Obligation Payment Schedule and Administrative Budget for the Period of July 1, 2023 through June 30, 2024 (ROPS 23-24), and Authorizing the City Manager acting for the Successor Agency or his/her Designee to Make Modifications Thereto.
2. Authorize the City Manager acting for the Successor Agency or his Designee to make modifications to the Schedule.
3. Authorize the transmittal of the ROPS 23-24, for the period of July 1, 2023 through June 30, 2024 ("Exhibit A"), including Administrative Budget ("Exhibit B") for the said period, to the Countywide Oversight Board for County of Riverside for review and approval.

- A.20. APPROVE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES FOR CITYWIDE GENERAL NUISANCE ABATEMENT SERVICES (AGMT NO. 2019-119) (Report of: Financial & Management Services)

Recommendations:

1. Approve the First Amendment to the Agreement for professional services with Inland Empire Property Service, Inc;
2. Authorize the City Manager to execute the First Amendment to the Agreement for professional services with Inland Empire Property Service for citywide general nuisance and hazard abatement services;
3. Authorize an increase in the Purchase Order for Inland Empire Property Services, Inc. in the amount of \$275,000 for a total not-to-exceed of \$775,000 once the First Amendment has been signed by all parties; and
4. Authorize the City Manager to execute any subsequent related extensions or Amendments to the Agreement, including the authority to authorize associated purchase orders in accordance with the terms of the Agreement, subject to approval of the City Attorney and the approved budget by City Council.

A.21. AUTHORIZE AN AGREEMENT WITH MIRACLE RECREATION EQUIPMENT COMPANY FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR PARQUE AMISTAD AND HIDDEN SPRINGS PARK (PROJECT NO. 807 0004 50 57-3016). (Report of: Parks & Community Services)

Recommendations:

1. Authorize an agreement with Miracle Recreation Equipment Company for the purchase and installation of Miracle Playground Equipment for Parque Amistad and Hidden Springs Park.
2. Authorize the issuance of a purchase order to Miracle Recreation Equipment Company for an amount up to \$422,787.85 (bid amount plus a 10% contingency) upon full execution of the agreement.
3. Authorize the Executive Director to execute the Agreement with Miracle Recreation Equipment and any subsequent related Extensions or Amendments to the Agreement and change orders to the contract, subject to the approval of the City Attorney.

A.22. ADOPTION OF RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE ANNUAL ADJUSTMENT TO THE CITY USER FEE SCHEDULE – PARKS & COMMUNITY SERVICES FEE FOR 2023 (Report of: Parks & Community Services)

Recommendation:

1. That the City Council adopt Resolution 2022-78 approving a CPI adjustment to the Parks and Community Services User Fees.
- A.23. PEN19-0244 (TR 33436) – APPROVE COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY, AND KB HOME COASTAL, INC., FOR THE SUNNYMEAD MDP LINE Q-3, STAGE 4, LOCATED ON IRONWOOD AVENUE WEST OF LASSELLE STREET AND LASSELLE STREET FROM IRONWOOD AVENUE TO KALMIA AVENUE DEVELOPER: KB HOME COASTAL, INC. (Report of: Public Works)

Recommendations:

1. Approve the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District (the District), the City of Moreno Valley (the City), and KB Home Coastal, Inc. (the Developer), for the Sunnymead MDP Line Q-3, Stage 4;
 2. Authorize the City Manager, or designee, to execute the Cooperative Agreement and any subsequent amendments, subject to the approval of the City Attorney; and
 3. Direct the City Clerk to forward the signed Cooperative Agreement to the District.
- A.24. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO PUB CONSTRUCTION INC. FOR THE JUAN BAUTISTA DE ANZA MULTI-USE TRAIL ATP-4, FROM THE MORENO VALLEY MALL TO IRIS AVE, PROJECT NO. 801 0086 (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2022-79, rejecting apparent low bidder as non-responsive and awarding a construction contract to lowest responsive and responsible bidder PUB Construction Inc. for the Juan Bautista de Anza Multi-Use Trail ATP-4 from the Moreno Valley Mall to Iris Avenue, Project No. 801 0086 and authorize the City Manager to execute a contract in substantial conformance with the attached contract in the amount of \$5,949,539.00, and authorize the City Manager to approve and execute any subsequent amendments subject to the approval of the City Attorney;
2. Award an agreement for Professional Consultant Service to TKE Engineering, Inc. to provide construction management and inspection services for the Juan Bautista de Anza Multi-Use Trail ATP-4, from

the Moreno Valley Mall to Iris Avenue, Project No. 801 0086 project and authorize the City Manager to execute the agreement and any subsequent amendments with TKE Engineering, Inc. in the amount of \$325,645.00;

3. Award an agreement for Professional Consultant Service to RMA Group to provide material testing and geotechnical services for the Juan Bautista de Anza Multi-Use Trail ATP-4, from the Moreno Valley Mall to Iris Avenue, Project No. 801 0086 project and authorize the City Manager to execute the agreement and any subsequent amendments with RMA Group in the amount of \$93,800.00;
4. Approve the First Amendment to KOA Corporation to provide Landscape Design and Design Support Services during construction for the Juan Bautista de Anza Multi-Use Trail from Moreno Valley Mall to Iris Avenue; authorize the First Amendment to extend the termination date from December 31, 2022 to June 30, 2023; and authorize the City Manager to execute the First Amendment to Agreement and any subsequent amendments with KOA Corporation in the amount of \$22,247.50;
5. Approve the Fourth Amendment to the On-Call Agreement for Professional Civil Engineer/Project Manager services with CAV Consulting for various CIP projects including this project and authorize the City Manager to execute the Fourth Amendment to Agreement and any subsequent amendments with CAV Consulting;
6. Authorize the issuance of a Purchase Order to PUB Construction Inc. in the amount of \$6,544,492.90 (bid amount plus a 10% contingency), a Purchase Order to TKE Engineering, Inc. in the amount of \$325,645.00, and a Purchase Order to RMA Group in the amount of \$93,800.00, necessary for completing the construction of this project, funded by Capital Projects Grants Fund (Fund 2301);
7. Approve the change order to the existing Purchase Order for KOA Corporation in the amount \$22,247.50, funded by Capital Projects Grants Fund (Fund 2301) for a not-to-exceed Purchase Order total amount of \$505,071.50 once the Amendment has been signed by all parties;
8. Approve the change order to the existing Purchase Order for CAV Consulting in the amount \$100,000, funded by Gas Tax Fund (Fund 2000), for a not-to-exceed Purchase Order total amount of \$574,500.00 once the Amendment has been signed by all parties; and
9. Authorize the Public Works Director/City Engineer to execute any

subsequent change orders to PUB Construction Inc. contract not exceeding the contingency of \$594,953.90, subject to the approval of the City Attorney.

- A.25. APPROVE THE SECOND AMENDMENT TO THE AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES FOR ENVIRONMENTAL ASSESSMENT WITH CASC ENGINEERING AND CONSULTING, INC. FOR THE SEVEN LOT AFFORDABLE HOUSING PROJECT, APN 481-270-058 (Report of: Public Works)

Recommendations:

1. Approve the Second Amendment to the Agreement for On-Call Professional Consultant Services for Environmental Assessment with CASC Engineering and Consulting, Inc. (CASC, Inc.), to perform Final Design and Environmental Clearance, for the Seven Lot Affordable Housing project, APN 481-270-058, funded with Housing Authority funds (Fund 8884);
2. Authorize the City Manager to execute the Second Amendment to Agreement and any subsequent amendments for On-Site and/or Professional Services (Design Professional Services) with CASC, Inc., subject to the approval by the City Attorney;
3. Authorize an amendment to the existing Purchase Order with CASC, Inc. in the amount of up to but not to exceed \$164,870.00 (\$50,000.00 for the original Agreement, \$0 for the First Amendment, plus \$114,870.00 for the Second Amendment to agreement) once the Agreement has been signed by all parties; and
4. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 1, 2022 6:00 PM (SEE A.2).

Recommendation: Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - CLOSED SESSION - NOV 1, 2022 4:30 PM (SEE A.3).

Recommendation: Approve as submitted.

- B.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

Recommendation: Approve as submitted.

- B.5. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) - AMENDMENT NOS. 50-55, 57, 61 (RESO. NOS. CSD 2022-71 to CSD 2022-78) (Report of: Financial & Management Services)

Recommendation:

1. Adopt Resolution No. 2022-71, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 50) (Amelia Ramirez Mendoza, located at 15330 Theresa Ave.).
2. Adopt Resolution No. 2022-72, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 51) (Trinidad Juarez, located at 24707 Carolyn Ave.).
3. Adopt Resolution No. 2022-73, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 52) (Raul and Maria Mendoza, located at 14138 Blue Ribbon Ln.).
4. Adopt Resolution No. 2022-74, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 53) (Moreno Valley M.O.B., located north of Eucalyptus Ave. between Day St. and Memorial Way).
5. Adopt Resolution No. 2022-75, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno

Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 54) (Mercedes Lazaro Catalan Ma and David Flores Lazaro, located at 25702 Dandelion Ct.).

6. Adopt Resolution No. 2022-76, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 55) (Wagih Sewiha and Nagwa Mikhaeil, located at 24708 Patrician Ct.).
7. Adopt Resolution No. 2022-77, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 57) (Nayeli Velasco, located at 24576 Qualton Ct.).
8. Adopt Resolution No. 2022-78, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 61) (Ruben Pelayo, located at 13622 Persimmon Rd.).

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 6:00 PM (SEE A.2).

Recommendation: Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - CLOSED SESSION - NOV 1, 2022 4:30 PM (SEE A.3).

Recommendation: Approve as submitted.

- C.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 6:00 PM (SEE A.2).

Recommendation: Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - CLOSED SESSION - NOV 1, 2022 4:30 PM (SEE A.3).

Recommendation: Approve as submitted.

- D.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

Recommendation: Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

- E.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 6:00 PM (SEE A.2).

Recommendation: Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - NOV 1, 2022 4:30 PM (SEE A.3).

Recommendation: Approve as submitted.

- E.4. MINUTES - CITY COUNCIL - REGULAR MEETING -NOV 15, 2022 6:00 PM (SEE A.4).

Recommendation: Approve as submitted.

F. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Sergeant-at-Arms.

F.1. PEN20-0162 Moreno Business Center (Report of: Community Development)

Recommendations: That the City Council:

- 1. **ADOPT** Resolution No. 2022-80, attached hereto, **DENYING** Appeals PAA22-0002 and PAA22-0003,
AND:

- 1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN20-0162 (PEN21-0079) 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 and City 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. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Plot Plan PEN20-0162 (PEN21-0079) pursuant to CEQA and the CEQA Guidelines.

- 2. **ADOPT** Resolution No. 2022-80 attached hereto,
AND:

- 1. **APPROVING** Plot Plan PEN20-0162 (PEN21-0079) based on the Recital, Evidence contained in the Administrative Records, and Findings as set forth in Resolution No. 2022-81.

RESULT:	APPROVED [3 TO 2]
MOVER:	Elena Baca-Santa Cruz, Council Member
SECONDER:	Ed Delgado, Mayor Pro Tem
AYES:	Ed Delgado, Elena Baca-Santa Cruz, Dr. Yxstian A. Gutierrez
NAYS:	David Marquez, Ulises Cabrera

Charles L. Smith

- 1. Supported

Jeff Sims

Minutes Acceptance: Minutes of Dec 6, 2022 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

- 2. Opposed
- Efrain Lopez
- 1. Supported
- David Zeitz
- 1. Opposed
- Bianca Blua
- 1. Opposed
- Elizabeth Sena
- 1. Opposed
- Bob Palomarez
- 1. Supported
- Gabriela Mendez
- 1. Opposed
- Jovanny Aguilera
- 1. Opposed
- Amparo Munoz
- 1. Opposed
- George Hague
- 1. Opposed
- Angel Ramirez
- 1. Opposed
- Louise Palomarez
- 1. Supported
- Roy Bleckert
- 1. Supported
- JoAnn Stephan

1. Supported

*Mayor Gutierrez left the meeting.

F.2. PUBLIC HEARING TO ADOPT SUBSTANTIAL AMENDMENT NO. 3 TO THE 2019-2020 ANNUAL ACTION PLAN CARES (Report of: Financial & Management Services)

Recommendations: That the City Council:

- 1. Conduct a Public Hearing to allow public comment on the proposed Substantial Amendment No. 3 to the 2019-2020 Annual Action Plan CARES Act Amendment.
- 2. Review and adopt the proposed Substantial Amendment No. 3 to the 2019-2020 Annual Action Plan CARES Act Amendment.
- 3. Authorize a budget amendment as set forth in the fiscal impact section and authorize the Chief Financial Officer to reduce/de-obligate grant funds from previously awarded HUD funds.

RESULT: APPROVED [4 TO 0]
MOVER: Elena Baca-Santa Cruz, Council Member
SECONDER: Ed Delgado, Mayor Pro Tem
AYES: Ed Delgado, Elena Baca-Santa Cruz, David Marquez, Ulises Cabrera
AWAY: Dr. Yxstian A. Gutierrez

F.3. PUBLIC HEARING FOR THE FIVE-YEAR CONSOLIDATED PLAN FOR PROGRAM YEARS 2023-2028 AND THE ANNUAL ACTION (Report of: Financial & Management Services)

Recommendations: That the City Council:

- 1. Conduct a Public Hearing to allow for the public to comment on the needs of low-and-moderate income residents in Moreno Valley.
- 2. Approve the proposed CDBG, HOME, and ESG Grant Objectives and Policies for the 2023-2024 Program Year.

RESULT: APPROVED [4 TO 0]
MOVER: Ulises Cabrera, Council Member
SECONDER: David Marquez, Council Member
AYES: Ed Delgado, Elena Baca-Santa Cruz, David Marquez, Ulises Cabrera
AWAY: Dr. Yxstian A. Gutierrez

Minutes Acceptance: Minutes of Dec 6, 2022 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

G. GENERAL BUSINESS

None.

H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

None.

I. REPORTS**I.1. CITY COUNCIL REPORTS**

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Mayor Pro Tem Delgado reported the following:

The Commission authorized the Executive Director to sign the grant deed for the 17th Option Parcel related to the West March DDA.

The Commission also heard an update from the executive director of the Air and Marines Operations Center.

Riverside County Habitat Conservation Agency (RCHCA)

None.

Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Delgado reported the following:

At the November 9th Riverside County Transportation Commission meeting the Commission heard a presentation regarding the Interstate 15 Smart Freeway Improvements Project and then awarded an agreement to Anser Advisory Management, LLC for construction management services, materials testing, and construction surveying.

The Commission also heard the state and federal legislative updates from David Knudsen of the Budget and Implementation Committee.

At the November 28th meeting, the Commission discussed the comprehensive on-call consultant services related to various environmental and archaeological services. The Committee heard a presentation regarding the procurement process and recommended the Commission to award the agreements to four (4) companies.

Riverside Transit Agency (RTA)

Council Member Marquez reported the following:

At the November 2nd Committee meeting the Committee heard a report regarding Low Carbon Transit Operations Program (LCTOP) and approved the transfer of FY19 LCTOP funds and FY20 LCTOP funds to the FY22 LCTOP Implementation of Fare Promotions Project. The Committee also approved the implementation of the \$5 monthly pass promotion in the December 2022 and January 2023 or longer depending on program usage and funding availability.

At the November 2nd Committee meeting the Committee heard a presentation regarding Fiscal Year 2022 (FY22) independent financial audit and accepted the RTA FY22 Basic Financial Statements.

The Board also decided to hold its monthly meeting virtually in December 2022.

Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Delgado reported the following:

At the November 7, 2022 WRCOG Executive Committee meeting, the committee approved the revised 2022 TUMF Central Zone 5-Year Transportation

Improvement Program. The Central Zone includes the Cities of Menifee, Moreno Valley, Perris, and the County of Riverside (District 5).

The items covered at the December 5, 2022 meeting included updates on a number of continuing business items; however, there are no major items to report on.

Western Riverside County Regional Conservation Authority (RCA)

Council Member Marquez reported the following:

The items covered at the RCA Board of Directors meeting on December 5, 2022 includes the September 2022 MSHCP fee collections which identifies that Moreno Valley's MSHCP fee collections for August 2022 were pending at the time the report was prepared.

The Items covered at the RCA Board of Directors meeting on November 7, 2022 include:

The August 2022 MSHCP fee collections report stated the following, per month:

- June 2022 totaled \$61,795
- July 2022 totaled \$152,958

I.2. EMPLOYEE ASSOCIATION REPORTS

None.

I.3. CITY MANAGER'S REPORT

None.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND THE BOARD OF LIBRARY TRUSTEES.

Council Member Marquez

1. City Tree Lighting and Snow Day
2. Moreno Valley Animal Shelter
3. 2022 Election
4. Citywide pavement project
5. MVUSD Ribbon Cutting

Council Member Cabrera

1. City Tree Lighting and Snow Day
2. Bloomberg Philanthropies Program
3. 2022 Election
4. Special Meeting
5. Thanked City residents

Council Member Baca-Santa Cruz

1. City Tree Lighting and Snow Day
2. DIF fees
3. Moreno Valley Animal Shelter
4. 2022 Election
5. December 20th City Council Meeting

Mayor Pro Tem Delgado

1. 2022 Election
2. Thanked District 2 residents
3. Thanked City staff
4. Shared motivation for being on the City Council

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro Tem Delgado adjourned the meeting at 8:44 p.m.

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Submitted by:

Jane Halstead, CMC
 City Clerk
 Secretary, Moreno Valley Community Services District
 Secretary, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Secretary, Moreno Valley Housing Authority
 Secretary, Board of Library Trustees
 Secretary, Public Financing Authority

Approved by:

Dr. Yxstian A. Gutierrez
 Mayor
 City of Moreno Valley
 President, Moreno Valley Community Services District
 Chairperson, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Chairperson, Moreno Valley Housing Authority
 Chairperson, Board of Library Trustees
 Chairperson, Public Financing Authority

**MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY PUBLIC FINANCING AUTHORITY
MORENO VALLEY HOUSING AUTHORITY**

**CLOSED SESSION – 4:30 PM
December 6, 2022**

CALL TO ORDER

The Closed Session of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority, and the Moreno Valley Public Financing Authority was called to order at 4:30 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

Mayor Gutierrez announced that the City Council receives a separate stipend for CSD meetings.

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Edward A. Delgado	Mayor Pro Tem
	Elena Baca-Santa Cruz	Council Member
	David Marquez	Council Member
	Ulises Cabrera	Council Member

PUBLIC COMMENTS ON MATTERS ON THE AGENDA ONLY

Mayor Gutierrez opened the public comments portion of the meeting for items listed on the agenda only. There being no members of the public to come forward to speak, he closed the public comments.

Minutes Acceptance: Minutes of Dec 6, 2022 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)

CLOSED SESSION

Interim City Attorney Quintanilla announced that the City Council would recess to Closed Session to discuss the item as listed on the agenda and that he did not anticipate any reportable action.

A CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant Government Code Section 54956.9
 Case Name: Sierra Club et al. v. City of Moreno Valley
 Case No.: Riverside County Superior Court Case No. CVR12103300

B CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9
 Case Name Unspecified since disclosure would jeopardize settlement negotiations

Mayor Gutierrez recessed the City Council to the City Manager's Conference Room, second floor, City Hall, for their Closed Session at 4:35 p.m.

Mayor Gutierrez reconvened the City Council in the Council Chamber from their Closed Session at 5:30 p.m.

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

Interim City Attorney Quintanilla announced that there was no reportable action taken in Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 5:27 p.m.

Submitted by:

Jane Halstead, CMC
 City Clerk
 Secretary, Moreno Valley Community Services District
 Secretary, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Secretary, Moreno Valley Housing Authority
 Secretary, Board of Library Trustees
 Secretary, Public Financing Authority

Approved by:

Dr. Yxstian A. Gutierrez
 Mayor
 City of Moreno Valley
 President, Moreno Valley Community Services District
 Chairperson, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Chairperson, Moreno Valley Housing Authority
 Chairperson, Board of Library Trustees
 Chairperson, Public Financing Authority



Report to City Council

TO: Mayor and City Council
 Mayor and City Council Acting in its Capacity as
 President and Members of the Board of Directors of the
 Moreno Valley Community Services District (CSD)

FROM: Jeremy Bubnick, Parks & Community Services Director

AGENDA DATE: December 20, 2022

TITLE: SPECIAL EVENTS CALENDAR 2023

RECOMMENDED ACTION

Recommendation:

Receive and file the Special Events Calendar 2023.

SUMMARY

Staff recommends that the City Council receive and file the Special Events Calendar 2023. This was published on the Parks and Community Services Subcommittee agenda last month.

DISCUSSION

To keep Council best informed of citywide events, staff has prepared a Special Events calendar and will begin the planning stages for year 2023. This was published on the Parks and Community Services Subcommittee agenda last month.

ALTERNATIVES

1. Receive and file as presented in this staff report.
2. Do not receive and file as presented and provide direction to staff.

FISCAL IMPACT

There is no direct impact to the General Fund.

NOTIFICATION

Posting of the agenda

PREPARATION OF STAFF REPORT

Prepared By:
Jeremy Bubnick
Parks and Community Services Director

Department Head Approval:
Jeremy Bubnick
Parks and Community Services Director

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 5.5: Promote a healthy community and lifestyle.

Objective 6.2: Improve health, wellness and fitness for Moreno Valley youth through recreation and sports programs.

ATTACHMENTS

To view large attachments, please click your “bookmarks”



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

- 1. Calendar of Events 2023

APPROVALS

Budget Officer Approval	<u> ✓ Approved </u>
City Attorney Approval	<u> ✓ Approved </u>

12/13/22 5:46 PM

City Manager Approval

✓ Approved

12/14/22 9:01 AM

2023 Special Event Calendar

**** NEW EVENTS FOR 2023**

March Events	Day	Date	Time	Location
** ART AND FOOD TRUCK FESTIVAL	Saturday	March 11, 2023	11am-5pm	Civic Center Amphitheater
April Events	Day	Date	Time	Location
SPRINGTASTIC	Saturday	April 1, 2023	9am-11:30am	Sunnymead Park
** ADULT FLASHLIGHT EGG SCRAMBLE (HUNT)	Saturday	April 1, 2023	8pm (Gates Open at 6:30pm)	Lasselle Sports Park
** EARTH DAY	Saturday	April 22, 2023	9am-1pm	Civic Center Amphitheater
May Events	Day	Date	Time	Location
PUBLIC SAFETY EXPO	Saturday	May 20, 2023	10am-2pm	Calle San Juan Los Lagos
June Events	Day	Date	Time	Location
JUNETEENTH	Saturday	June 17, 2023	1pm-5pm	Civic Center Amphitheater
MOVAL ROCKS-SUMMER CONCERT	Thursday	June 29, 2023	7pm-9pm	Civic Center Amphitheater
MOVAL MOVIES-SUMMER MOVIE SERIES	Friday	June 30, 2023	7pm -10pm	Civic Center Amphitheater
July Events	Day	Date	Time	Location
4th OF JULY PARADE	Tuesday	July 4, 2023	9:30am	N Frederick St. beginning at Alessandro Blvd.
4th OF JULY FUNFEST	Tuesday	July 4, 2023	2pm-9:30pm	Civic Center Amphitheater
MOVAL ROCKS-SUMMER CONCERT	Thursday	July 13, 2023	7pm-9pm	Civic Center Amphitheater
MOVAL MOVIES-SUMMER MOVIE SERIES	Friday	July 14, 2023	7pm -10pm	Civic Center Amphitheater
MOVAL ROCKS-SUMMER CONCERT	Thursday	July 20, 2023	7pm-9pm	Civic Center Amphitheater
MOVAL MOVIES-SUMMER MOVIE SERIES	Friday	July 21, 2023	7pm -10pm	Civic Center Amphitheater
MOVAL ROCKS-SUMMER CONCERT	Thursday	July 27, 2023	7pm-9pm	Civic Center Amphitheater
MOVAL MOVIES-SUMMER MOVIE SERIES	Friday	July 28, 2023	7pm -10pm	Civic Center Amphitheater
August Events	Day	Date	Time	Location
NATIONAL NIGHT OUT	Tuesday	August 1, 2023	4pm-8pm	Celebration Park
MOVAL ROCKS-SUMMER CONCERT	Thursday	August 3, 2023	7pm-9pm	Civic Center Amphitheater
MOVAL MOVIES-SUMMER MOVIE SERIES	Friday	August 4, 2023	7pm-10pm	Civic Center Amphitheater
September Events	Day	Date	Time	Location
EL GRITO	Friday	September 15, 2023	6pm-10pm	Civic Center Amphitheater
October Events	Day	Date	Time	Location
DAY OF THE DEAD	Friday	October 27, 2023	6pm-10pm	Civic Center Amphitheater
November Events	Day	Date	Time	Location
** COLOR FUN RUN	Saturday	November 4, 2023	8am-12pm	TBD
December Events	Day	Date	Time	Location
SNOW DAY	Saturday	December 2, 2023	9am-4:45pm	Civic Center Amphitheater
HOLIDAY TREE LIGHTING	Saturday	December 2, 2023	5:30pm	City Hall

Attachment: Calendar of Events 2023 (6046 : SPECIAL EVENTS CALENDAR 2023)



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: December 20, 2022

TITLE: LIST OF PERSONNEL CHANGES

RECOMMENDED ACTION

Recommendation:

1. Ratify the list of personnel changes as described.

DISCUSSION

The attached list of personnel changes scheduled since the last City Council meeting is presented for City Council ratification.

Staffing of City positions ensures assignment of highly qualified and trained personnel to achieve Momentum MoVal priorities, objectives and initiatives.

FISCAL IMPACT

All position changes are consistent with appropriations previously approved by the City Council.

PREPARATION OF STAFF REPORT

Prepared By:
Serina Astorga
Executive Assistant

Department Head Approval:
Brian Mohan
Assistant City Manager
Chief Financial Officer/City Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

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

- 1. Personnel Changes_12.20.22

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/09/22 9:46 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/13/22 12:55 PM

City of Moreno Valley
Personnel Changes- 11/1/22- 11/30/22
December 20, 2022

New Hires

Melinda Barragan, Animal Services Assistant, Animal Services, Community Development Department

Alexander Guardado, Maintenance Worker I, Maintenance & Operations, Public Works

Promotions

Dan Monto

From: Landscape Services Supervisor, Parks Maintenance, Parks & Community Services Department

To: Parks & Landscape Services Division Manager, Parks Maintenance, Parks & Community Services Department

Claudia Torres

From: Community Services Supervisor, Community Services, Parks & Community Services Department

To: Special Events & Facilities Division Manager, Community Services, Parks & Community Services Department

Transfers

NONE

Separations

Joseph Baker, Community Services Coordinator, Community Services, Parks and Community Services Department

Kathryn Bray, Human Resources Technician, Human Resources, Financial and Management Services department

Daniel Bustamante, Payroll Supervisor, Payroll, Financial and Management Services Department

Mindy Davis, Principal Planner, Planning, Community Development Department

Audie Estrada, Maintenance Worker II, Maintenance and Operations, Public Works

Gail Smerkol, Management Assistant, Capital Projects, Public Works Department

Socorro Huerta, Community Services Superintendent, Community Services, Parks & Community Services Department

Tammy Brooks, Senior Administrative Assistant, Animal Services, Community Development Department



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: December 20, 2022

TITLE: APPROVAL OF FIRST AMENDMENTS TO AGREEMENTS WITH ADVANCED APPLIED ENGINEERING, INC., DBA INFRASTRUCTURE ENGINEERS, AND 4LEAF, INC., FOR PLANNING CONSULTANT SERVICES ON AN AS NEEDED BASIS (AGMTS NO. 2022-30-01 AND 2022-31-01)

RECOMMENDED ACTION

Recommendations:

1. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, subject to the approval of the City Attorney and available budget as previously approved by Council; and
2. Authorize an increase of \$150,000.00 to the amount of the Agreement with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, to \$200,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-505 to Advanced Applied Engineering, Inc., DBA Infrastructure Engineers; and
3. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with 4Leaf, Inc., and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, subject to the approval of the City Attorney and available budget as previously approved by Council; and
4. Authorize an increase of \$150,000.00 to the amount of the Agreement with 4Leaf, Inc., to \$200,000.00, funded by fees paid by project applicants. Authorize

the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-504 to 4Leaf, Inc.; and

5. Authorize the Chief Financial Officer, or his designee, to make the appropriate budget adjustments as set forth in the Fiscal Impact section of this report.

SUMMARY

This report recommends approval of the First Amendments to the Agreements for Planning Consultant Services on an As Needed Basis with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, and 4Leaf, Inc. Additional consultant costs will be fully offset by fees collected on applications.

The Amendments will increase the amounts of the City's Agreement by \$150,000.00 up to \$200,000.00 for Advanced Applied Engineering, Inc., DBA Infrastructure Engineers, and by \$150,000.00 up to \$200,000.00 for 4Leaf, Inc., and allow for continued use of consultant services through the end of FY23/24.

The new amounts of these Agreements will increase the existing Purchase Orders, as needed, to cover the external planning entitlement and plan check service consultant costs.

DISCUSSION

The Planning Division initially entered into \$50,000.00 contracts with Advanced Applied Engineering, Inc., DBA Infrastructure Engineers and 4Leaf, Inc., for assistance with entitlement activities as the Division is seeing the largest number of new applications being submitted in well over a decade. External planning entitlement and plan check services are necessary as the continued, high demand for application processing plan check services is expected to continue over the term of the Agreements.

Consultant services in the Planning Division are used to augment internal staffing resources, particularly during heavy workload periods, to ensure timely entitlement application processing, environmental review, and overall customer service.

The requested \$300,000 increase and budget adjustment is to cover increased entitlement and plan check services, and will allow the Division to meet current and projected expenditure and revenue levels through FY23/24. Funds allocated are recovered from fees paid by project applicants.

ALTERNATIVES

1. Approve the recommended actions as presented in this staff report. *This alternate is recommended by staff as it continues the existing level of professional and timely development services to deliver high-quality development projects.*

- 2. Do not approve the recommended actions as presented in this staff report. *This alternative is not recommended by staff and would cause delays at all levels of the entitlement process for development projects.*

FISCAL IMPACT

There is no additional impact projected for the General Fund. Additional consultant costs will be fully offset by fees collected on applications.

The following sets forth the recommended revenue and expenditure budget adjustments:

Description	Fund	GL Account Project Number	Type	FY22/23 Amended Budget	FY22/23 Proposed Adjustment	FY22/23 Revised Budget
Planning Fees	General Fund	1010-20-27-20211-525000	REV	\$1,800,000	\$ 300,000	\$2,100,000
Contractual Svcs - Other	General Fund	1010-20-27-20211-625099	EXP	\$565,000	\$ 300,000	\$ 865,000

NOTIFICATION

Publication of the Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Sean Kelleher
Planning Official

Department Head Approval:
Manuel A. Mancha
Community Development Director

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

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

- 1. First Amendment to Agreement - 4Leaf
- 2. First Amendment to Agreement - Adv Appl Eng

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/13/22 5:58 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/14/22 8:56 AM

**FIRST AMENDMENT TO AGREEMENT
FOR ON-SITE AND/OR PROFESSIONAL SERVICES (DESIGN PROFESSIONAL SERVICES)**

The First Amendment to Agreement is by and between the **CITY OF MORENO VALLEY**, a municipal corporation, hereinafter referred to as “City,” and **4LEAF, INC.**, hereinafter referred to as “Consultant.” This First Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled “**AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES (DESIGN PROFESSIONAL SERVICES)**” hereinafter referred to as “Agreement,” dated **April 1, 2022**.

Whereas, the Consultant is providing **Planning consultant services on an as-needed basis**.

Whereas, it is desirable to amend the Agreement to **extend the term of the Agreement and increase the Consultant’s “not-exceed” fee** as is more particularly described in Section 1 of this First Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 30, 2023** is extended by this Amendment to **June 30, 2024**.

1.2 The total “Not-to-Exceed” fee for this contract is **\$200,000.00 (\$50,000.00 for the original Agreement plus \$150,000 for this First Amendment)** pursuant to Exhibit “C” of the original agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SECTION 3

3.1 In the event any action, suit or proceeding is brought for the enforcement of, or the declaration of any right or obligation pursuant to this Amendment or as a result of any alleged breach of any provision of this Amendment, the prevailing party in such suit or proceeding shall

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES
(DESIGN PROFESSIONAL SERVICES)

be entitled to recover its costs and expenses, including reasonable attorney's fees, and any judgment or decree rendered in such a proceeding shall include an award thereof.

SECTION 4

4.1 This Amendment may be executed in several counterparts, each of which shall be deemed to be an original and shall constitute one and the same instrument and shall become binding upon the Parties when at least a copy hereof shall have been signed by the Parties hereto. All electronic signatures shall be deemed to be one and the same as original signatures.

SECTION 5

5.1 In the event there exists any conflicts between the terms of this Amendment and the Agreement, the terms of this Amendment shall be superseding.

SIGNATURE PAGE TO FOLLOW

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES
(DESIGN PROFESSIONAL SERVICES)

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

4LEAF, Inc.

By: _____

By: _____

Mike Lee, City Manager

Title: _____

(President of Vice President)

Date: _____

Date: _____

<u>INTERNAL USE ONLY</u>
APPROVED AS TO FORM:
_____ City Attorney
_____ Date
RECOMMENDED FOR APPROVAL:
_____ Department Head
_____ Date

By: _____

Title: _____

(Corporate Secretary)

Date: _____

Attachment: First Amendment to Agreement - 4Leaf (6044 : APPROVAL OF FIRST AMENDMENTS TO AGREEMENTS WITH ADVANCED

**FIRST AMENDMENT TO AGREEMENT
FOR ON-SITE AND/OR PROFESSIONAL SERVICES (DESIGN PROFESSIONAL SERVICES)**

The First Amendment to Agreement is by and between the **CITY OF MORENO VALLEY**, a municipal corporation, hereinafter referred to as “City,” and **ADVANCED APPLIED ENGINEERING, INC, DBA INFRASTRUCTURE ENGINEERS**, hereinafter referred to as “Consultant.” This First Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled “**AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES (DESIGN PROFESSIONAL SERVICES)**” hereinafter referred to as “Agreement,” dated **March 31, 2022**.

Whereas, the Consultant is providing **Planning consultant services on an as-needed basis**.

Whereas, it is desirable to amend the Agreement to **extend the term of the Agreement and increase the Consultant’s “not-exceed” fee** as is more particularly described in Section 1 of this First Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 30, 2023** is extended by this Amendment to **June 30, 2024**.

1.2 The total “Not-to-Exceed” fee for this contract is **\$200,000.00 (\$50,000.00 for the original Agreement plus \$150,000 for this Second Amendment)** pursuant to Exhibit “C” of the original agreement.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SECTION 3

3.1 In the event any action, suit or proceeding is brought for the enforcement of, or the declaration of any right or obligation pursuant to this Amendment or as a result of any alleged

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES
(DESIGN PROFESSIONAL SERVICES)

breach of any provision of this Amendment, the prevailing party in such suit or proceeding shall be entitled to recover its costs and expenses, including reasonable attorney's fees, and any judgment or decree rendered in such a proceeding shall include an award thereof.

SECTION 4

4.1 This Amendment may be executed in several counterparts, each of which shall be deemed to be an original and shall constitute one and the same instrument and shall become binding upon the Parties when at least a copy hereof shall have been signed by the Parties hereto. All electronic signatures shall be deemed to be one and the same as original signatures.

SECTION 5

5.1 In the event there exists any conflicts between the terms of this Amendment and the Agreement, the terms of this Amendment shall be superseding.

SIGNATURE PAGE TO FOLLOW

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES
(DESIGN PROFESSIONAL SERVICES)

IN WITNESS HEREOF, the parties have each caused their authorized
representative to execute this Agreement.

City of Moreno Valley

Advanced Applied Engineering, Inc.,
DBA Infrastructure Engineers

By: _____

By: _____

Mike Lee, City Manager

Title: _____

(President of Vice President)

Date: _____

Date: _____

<u>INTERNAL USE ONLY</u>	
APPROVED AS TO FORM:	

City Attorney	

Date	
RECOMMENDED FOR APPROVAL:	

Department Head	

Date	

By: _____

Title: _____

(Corporate Secretary)

Date: _____

Attachment: First Amendment to Agreement - Adv Appl Eng (6044 : APPROVAL OF FIRST AMENDMENTS TO AGREEMENTS WITH ADVANCED



Report to City Council

TO: Mayor and City Council

FROM: Melissa Walker, Acting Public Work Director/City Engineer

AGENDA DATE: December 20, 2022

TITLE: AUTHORIZE THE FIRST AMENDMENT TO THE AGREEMENT WITH M. BREY ELECTRIC, INC. FOR GENERAL CONTRACTOR SERVICES AT CITY FACILITIES, TRAILS, AND PARKS.

RECOMMENDED ACTION

Recommendations:

1. Approve the First Amendment to the Agreement for General Contractor Services with M. Brey Electric, Inc., to increase the contract value funded through Facilities Maintenance (Fund 7310), General Fund (Fund 1010), and PCS Capital Project Fund (Fund 3015), which will increase responsiveness to on-call needs throughout the contract term.
2. Authorize the City Manager, or his designee, to execute the First Amendment to the Agreement for General Contractor Services with M. Brey Electric, Inc., to increase the contract amount by \$2,000,000 for a total not-to-exceed amount of the five-year Agreement of \$3,760,000.
3. Authorize the City Manager, or his designee, to execute the First Amendment to the Agreement, any subsequent future amendments, and Purchase Orders subject to the approval of the City Attorney, in accordance with approved terms of the agreement and within available budget previously approved by Council.

SUMMARY

This report recommends approval of the First Amendment to the Agreement with M. Brey Electric, Inc. to increase the previously approved Agreement amount by \$2,000,000 to continue to provide general contractor services at all City Facilities, Trails, and Parks.

DISCUSSION

The City is responsible for ensuring that public facilities are safe and properly operational for the general public and employees, including fire stations, the Public Safety Building, and the Emergency Operations Center. Properly functioning and maintained facilities are an essential part of the City's operations. Required General Contractor services range from routine maintenance items to emergency responses as several of the City's buildings are operational 24-hours per day. As such, the need for licensed on-call general contractor service providers, with the ability to perform a wide variety of scheduled maintenance and on-call emergency repair services, is critical.

Requests for Proposal to provide general contractor services to include all labor, equipment, materials, and performance of operation in connection with construction, repair, and maintenance services for City Facilities on an on-call basis went out for bid on August 30, 2021. Formal bidding procedures were followed in conformance with the Public Contract Code. Bids were received via the electronic bid management system, PlanetBids, by September 29, 2021, and two bids were received.

In a continued effort to ensure all public facilities are safely maintained and kept properly operational, staff is recommending increasing the agreement with M. Brey Electric, Inc. by \$2,000,000 for a new not to exceed agreement of \$3,760,000. The above amount is an estimate based on previous service and future needs, which may need to be increased in the future.

Approval of the recommended actions would support Objective 4 of the Momentum MoVal Strategic Plan: "Manage and maximize Moreno Valley's public Infrastructure to ensure an excellent quality of life, develop and implement innovative, cost-effective infrastructure maintenance programs, public facilities management strategies, and capital improvement programming and project delivery."

ALTERNATIVES

1. Approve and authorize the First Amendment to the Agreement with M. Brey Electric, Inc. for General Contractor Services. *This alternative will provide for the timely construction, repair, and maintenance services and is recommended by staff.*
2. Do not approve and authorize the recommended actions as presented in this Staff Report. *This alternative will delay necessary construction, repair, and maintenance services and is not recommended by staff.*

FISCAL IMPACT

Funding is available in the approved Operating Budget for Fiscal Year 2022/23. The amended not-to-exceed \$3,760,000 contract will be expensed over the five-year term, based on services needed, subject to the City Council approval of future Operating Budget.

NOTIFICATION

N/A

PREPARATION OF STAFF REPORT

Prepared By:
Tyler Smith
Management Analyst

Department Head Approval:
Melissa Walker, P.E.
Acting Public Works Director / City Engineer

Concurred By:
Joseph Mattox
Maintenance & Operations Division Manager

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS



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

1. M. Brey Electric, Inc. First Amendment

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/13/22 6:06 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/14/22 9:00 AM

FIRST AMENDMENT TO AGREEMENT

The First Amendment to Agreement is by and between the CITY OF MORENO VALLEY, a municipal corporation, hereinafter referred to as “City,” and M. BREY ELECTRIC, INC., hereinafter referred to as “Contractor.” This First Amendment to Agreement is made and entered into effective on December 1, 2022.

RECITALS:

Whereas, the City and Contractor entered into an Agreement entitled “AGREEMENT for On-Site and/or Professional Services,” hereinafter referred to as “Agreement,” dated November 16, 2021;

Whereas, the Contractor provides professional general contractor services to include all labor, equipment, materials, and performance of operation in connection with construction, repair and maintenance services;

Whereas, it is desirable to amend the Agreement to increase the Contractor’s compensation by \$2,000,000 and expand the Scope of Services as more specifically described in Section 1 of this amendment.

SECTION 1 FIRST AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement “Not-to-Exceed” amount is increased from \$1,760,000 to \$3,760,000.

1.2 The Scope of Services is expanded to include all City of Moreno Valley Parks and Community Services sites, parks, and trails.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND OR PROFESSIONAL SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

M.BREY ELECTRIC

By: _____

By: _____

Mike Lee
City Manager

Matt Brey
President

Date: _____

Date: _____

INTERNAL USE ONLY

APPROVED AS TO FORM:

City Attorney

Date

RECOMMENDED FOR APPROVAL:

Melissa Walker, P.E.
Acting Public Works Director/City Engineer

Date

Jeremy Bubnick
Parks and Community Services Director

Date

Attachment: M. Brey Electric, Inc. First Amendment (6033 : AUTHORIZE THE FIRST AMENDMENT TO AGREEMENT WITH M. BREY ELECTRIC,



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: December 20, 2022

TITLE: PAYMENT REGISTER - OCTOBER 2022

RECOMMENDED ACTION

Recommendation:

1. Receive and file the Payment Register.

SUMMARY

The Payment Register is an important report providing transparency of financial transactions and payments for City activity for review by the City Council and the residents and businesses in Moreno Valley. The report is posted to the City's website as soon as it is available. The report is included in the City Council agenda as an additional means of distributing the report.

The payment register lists in alphabetical order all checks and wires in the amount of \$25,000 or greater, followed by a listing in alphabetical order of all checks and wires less than \$25,000. The payment register also includes the fiscal year-to-date (FYTD) amount paid to each vendor.

PREPARATION OF STAFF REPORT

Prepared By:
Annabelle Wang
Financial Operations Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager
Chief Financial Officer
Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

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

- 1. 2022_OctoberPaymentRegister

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/09/22 8:33 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/13/22 12:55 PM



City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
ACCO ENGINEERED SYSTEMS, INC	34705	10/05/2022	20310427	RTU EMERGENCY COMPRESSOR REPLACEMENT-PUBLIC SAFETY BLDG.	\$25,956.00
Remit to: PASADENA, CA					FYTD: \$72,744.00
ALL AMERICAN ASPHALT, INC.	244329	10/19/2022	34571_01	CITYWIDE PVT REHAB PROG (FY 21-26)	\$123,652.00
	244359	10/26/2022	33507_7.2	JUAN BAUTISTA TRAIL ATP 2	\$69,325.72
Remit to: CORONA, CA					FYTD: \$572,071.53
CALPINE CORPORATION DBA CALPINE ENERGY SERVICES	34869	10/19/2022	92959	RESOURCE ADEQUACY-SEPTEMBER 2022/MV UTILITY	\$105,400.00
Remit to: HOUSTON, TX					FYTD: \$421,600.00
CHARLES ABBOTT ASSOCIATES, INC	34872	10/19/2022	64756	PLAN CHECK SVCS-HIGHLAND FAIRVIEW/WLC-AUGUST 2022	\$55,256.75
		10/19/2022	64753	ENGINEERING SVCS-AUGUST 2022	
		10/19/2022	64755	PLAN CHECK SVCS-PEN19-0204-0205-AUGUST 2022	
		10/19/2022	64757	PLAN CHECK SVCS-NPDES/SWMP-AUGUST 2022	
		10/19/2022	64758	PLAN CHECK SVCS-WQMP REVIEW-AUGUST 2022	
		10/19/2022	64754	PLAN CHECK SVCS-TR37909 PEN20-0063-AUGUST 2022	
Remit to: MISSION VIEJO, CA					FYTD: \$165,075.00
CHRIS ALAN VOGT DBA CAV CONSULTING	34934	10/26/2022	21038	PROJECT MANAGER CONSULTING SERVICES (CPD)	\$31,683.75
Remit to: RIVERSIDE, CA					FYTD: \$156,650.75
CHRISP COMPANY	34935	10/26/2022	21848	IRONWOOD AVE & KITCHING ST	\$47,659.84
Remit to: FREMONT, CA					FYTD: \$47,659.84

Attachment: 2022_OctoberPaymentRegister (6026 : OCTOBER PAYMENT REGISTER 2022)



**City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022**

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
COMPULINK MANAGEMENT CENTER, INC. - DBA LASERFICHE	34716	10/05/2022	5291	LASERFICHE CLOUD ANNUAL SUBSCRIPTION-10/01/22 TO 09/20/23	\$106,251.55
Remit to: LONG BEACH, CA					FYTD: \$106,251.55
COUNTY OF RIVERSIDE SHERIFF	34938	10/26/2022	SH0000041690	CONTRACT LAW ENFORCEMENT BILLING #1 (7/1/22-7/27/22)	\$3,334,267.42
Remit to: RIVERSIDE, CA					FYTD: \$15,348,820.23
DATA TICKET, INC.	34877	10/19/2022	143616	ADMIN CITATION PROCESSING-CODE-SEPTEMBER 2022	\$31,488.93
		10/19/2022	143683HH	PARKING HANDHELD DEVICES LEASE-AIR TIME-CODE-SEPTEMBER 2022	
		10/19/2022	143616TPC	ADMIN CITATION PROCESSING-3RD PARTY COLLECTIONS-CODE-SEPT 2022	
		10/19/2022	143683	PARKING CITATION PROCESSING-CODE-SEPTEMBER 2022	
		10/19/2022	143614	ADMIN CITATION PROCESSING-ANIMAL SVC-SEPTEMBER 2022	
		10/19/2022	142799	ADMIN CITATION PROCESSING-BLDG & SAFETY-AUGUST 2022	
		10/19/2022	141840TPC	ADMIN CITATION PROCESSING-3RD PARTY COLL-BLDG & SAFETY-JULY 22	
		10/19/2022	141840	ADMIN CITATION PROCESSING-BLDG & SAFETY-JULY 2022	
	10/19/2022	143614TPC	ADMIN CITATION PROCESSING-3RD PARTY COLL-ANIMAL SVCS-SEPT 2022		
Remit to: IRVINE, CA					FYTD: \$115,605.70
E SOURCE COMPANIES LLC	34724	10/05/2022	21504	CONSULTING SERVICES-MV UTILITY/AUGUST 2022	\$29,000.00
	34879	10/19/2022	21591	CONSULTING SERVICES-MV UTILITY/SEPTEMBER 2022	\$30,589.41
		10/19/2022	21682	TRAVEL EXPENSES REIMB-ROB MARTIN	
Remit to: BOULDER, CO					FYTD: \$123,820.40

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City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
EASTERN MUNICIPAL WATER DISTRICT	244260	10/05/2022	SEP-22 10/5/22	WATER CHARGES	\$71,856.28
		10/05/2022	AUG-22 10/5/22	WATER CHARGES	
	244336	10/19/2022	SEP-22 10/19/22	WATER CHARGES	\$27,912.13
	244364	10/26/2022	OCT-22 10/26/22	WATER CHARGES	\$189,220.34
		10/26/2022	SEP-22 10/26/22	WATER CHARGES	
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$1,093,488.24
EC & AM ASSOCIATES, INC. DBA GK & ASSOCIATES	34940	10/26/2022	22-083	PVT REHAB (CDBG FY 21/22)	\$55,241.50
		10/26/2022	22-094	PVT REHAB (CDBG FY 21/22)	
Remit to: DIAMOND BAR, CA					<u>FYTD:</u> \$55,241.50

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City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ENCO UTILITY SERVICES MORENO VALLEY LLC	34726	10/05/2022	INV55945	SOLAR SYSTEM INSPECTION	\$1,078,031.23
		10/05/2022	INV55870	SOLAR SYSTEM INSPECTION	
		10/05/2022	INV55849	SOLAR SYSTEM INSPECTION	
		10/05/2022	C22-13	GRAHAM ST-VEHICLE HIT STREETLIGHT	
		10/05/2022	C22-12	N/E HEACOCK & ATWOOD-VEHICLE HIT STREETLIGHT	
		10/05/2022	C22-11	FREDERICK ST-VEHICLE HIT STREETLIGHT	
		10/05/2022	INV55989	DISTRIBUTION CHARGES 8/19/22 - 9/15/22	

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ENCO UTILITY SERVICES MORENO VALLEY LLC	34881	10/19/2022	40-524A-02	WA# 40-524A-YUM YUM DONUTS STREETLIGHTS	\$61,056.10
		10/19/2022	40-478B-07	WA# 40-478B-COURTYARDS AT COTTONWOOD STREETLIGHTS	
		10/19/2022	INV56174	METER FEES-DR HORTON	
		10/19/2022	INV56229	SOLAR SYSTEM INSPECTION	
		10/19/2022	40-433B-02	WA# 40-433B-PAMA BUSINESS PARK	
		10/19/2022	40-439A-12	WA# 40-439A-VIA DEL LAGO	
		10/19/2022	40-441B-02	WA# 40-441B-IRIS AVE PEDESTRIAN CROSSING	
		10/19/2022	40-460B-10	WA# 40-460B-DR HORTON DEL SOL TRACT 31590-96 HOMES	
		10/19/2022	40-474A-10	WA# 40-474A-KB HOMES-MOOTHART 80 HOMES	
		10/19/2022	40-482B-10	WA# 40-482B-ASPEN HILLS 112 UNITS - TR 32142	
		10/19/2022	40-517-01	WA# 40-517-ATT STREETLIGHT UPGRADES FOR 1 ANTENNA INSTALLATION	
		10/19/2022	40-486-12	WA# 40-486-ITRON FIELD HARDWARE INSTALLATION-COMMISSIONING	
		10/19/2022	40-501-2209	WA# 40-501-ACQUIRED SCE STREETLIGHTS MAINTENANCE	
		10/19/2022	40-492-08	WA# 40-492-IS5 NETWORK CYBER SECURITY	
		10/19/2022	40-506A-05	WA# 40-506A-ROCAS GRANDES APARTMENTS	
		10/19/2022	40-508-04	WA# 40-508-CYBER SECURITY MONITORING	
		10/19/2022	40-512A-04	WA# 40-512A-QUICK QUACK CAR WASH	
		10/19/2022	40-513A-04	WA# 40-513A-OLD FRONTAGE AND BAY AVE	
		10/19/2022	40-490B-02	WA# 40-490B-CACTUS COMMERCE - STARBUCKS	
		10/19/2022	40-476B-02	WA# 40-476B-ROSS GENERATOR PROJECT	
		10/19/2022	40-523A-03	WA# 40-523A-MV MARKETPLACE	
		10/19/2022	40-526-02	WA# 40-526-HARBOR FREIGHT TOOLS	
		10/19/2022	INV56186	SOLAR SYSTEM INSPECTION	
		10/19/2022	INV56211	SOLAR SYSTEM INSPECTION	
		10/19/2022	40-515A-02	WA# 40-515A-JIFFY LUBE	

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City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022

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ENCO UTILITY SERVICES MORENO VALLEY LLC		10/19/2022	40-489-03	WA# 40-489-MORENO VALLEY UTILITY SCADA ALARMS	
		10/19/2022	40-514A-04	WA# 40-514A-SKYLER PLACE - TR 38123 177 SFR	
Remit to: ANAHEIM, CA					FYTD: \$4,096,643.06
ENTERPRISE SOLUTIONS CONSULTING, LLC	34882	10/19/2022	MVU-2022-10	CONSULTING SVCS-MV UTILITIES	\$45,951.57
Remit to: WEBSTER, NY					FYTD: \$149,159.73
EXELON GENERATION COMPANY, LLC	34727	10/05/2022	828266	POWER PURCHASE-8/01-8/31/22	\$967,209.36
	34883	10/19/2022	834741	POWER PURCHASE-9/01-9/30/22	\$821,060.00
Remit to: CHICAGO, IL					FYTD: \$3,545,363.92
FEHR & PEERS	34797	10/12/2022	158735	MV LOCAL ROADWAY SAFETY PLAN	\$52,345.40
Remit to: WALNUT CREEK, CA					FYTD: \$125,851.54
FH II HOMEBUILDERS INC.	244382	10/26/2022	PROJ. PEN18-0092	REFUND GRADING & EROSION CONTROL SECURITY DEPOSITS (TR 37544)	\$73,820.00
Remit to: ONTARIO, CA					FYTD: \$73,820.00

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For Period 10/1/2022 through 10/31/2022

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
GREENTECH LANDSCAPE, INC.	34804	10/12/2022	54012	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 04	\$51,819.59
		10/12/2022	53997	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54014	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54015	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54016	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D	
		10/12/2022	54013	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 06	
		10/12/2022	54005	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54004	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	53842	SD LANDSCAPE AUG. BASE (SOUTH) ZONE E-8, 03, 03A, 04, 05, 06, 07	
		10/12/2022	54011	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 04	
		10/12/2022	54010	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 07	
		10/12/2022	54009	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 04	
		10/12/2022	54007	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 04	
		10/12/2022	54006	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	53998	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54017	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D	
		10/12/2022	53995	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54002	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 04	
		10/12/2022	54001	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03	
		10/12/2022	54000	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 05	
10/12/2022	53987	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D			
10/12/2022	53999	SD LANDSCAPE AUGUST ADDITIONAL WORK (WEST) ZONE 08			
10/12/2022	54003	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03			
10/12/2022	53996	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 04			
10/12/2022	53994	SD LANDSCAPE AUGUST ADDITIONAL WORK (SOUTH) ZONE 03			
10/12/2022	53993	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D			
10/12/2022	53992	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D			

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City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
GREENTECH LANDSCAPE, INC.		10/12/2022	53989	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D	
		10/12/2022	53988	SD LANDSCAPE AUGUST ADDITIONAL WORK (VALLEY) ZONE D	
	34887	10/19/2022	54089	LANDSCAPE MAINT-SEPTEMBER 2022	\$69,975.05
		10/19/2022	54088	SD LANDSCAPE SEPT. BASE ZONE E-8, 03, 03A, 04, 05, 06, 07	
		10/19/2022	54090	SD LANDSCAPE SEPT. BASE (VALLEY) ZONE D	
		10/19/2022	54087	SD LANDSCAPE SEPT. BASE (WEST) ZONE 01, 01A, 08, & E-7	
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$350,361.22
HABITAT FOR HUMANITY RIVERSIDE	34734	10/05/2022	CHR21 - INV13	HOME-CRITICAL HOME REPAIR PROGRAM-JULY 2022	\$37,869.98
		10/05/2022	CHR21 - INV14	HOME-CRITICAL HOME REPAIR PROGRAM-AUGUST 2022	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$75,217.32
HR GREEN PACIFIC INC.	34736	10/05/2022	155851	801 0089 CITYWIDE PVT REHAB FY 21/22	\$65,893.75
Remit to: DES MOINES, IA					<u>FYTD:</u> \$388,849.45
INLAND SOUTHERN CALIFORNIA 211+	34864	10/06/2022	W221005	ERAP1 REALLOCATION ROUND 3 FUNDS DRAW #1	\$425,768.00
Remit to: RANCHO CUCAMONGA, CA					<u>FYTD:</u> \$425,768.00
JOHNSON EQUIPMENT COMPANY	34890	10/19/2022	8062	EMERGENCY EQUIPMENT BUILD-OUT-POLICE	\$34,753.51
Remit to: PERRIS, CA					<u>FYTD:</u> \$34,753.51
LIBRARY SYSTEMS & SERVICES, LLC	34893	10/19/2022	INV6348	LIBRARY CONTRACT SVCS & MATERIALS-MAIN/MALL/IRIS-OCTOBER 2022	\$201,418.07
Remit to: ROCKVILLE, MD					<u>FYTD:</u> \$836,725.48

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City of Moreno Valley
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LYONS SECURITY SERVICE, INC.	34818	10/12/2022	30049	SECURITY GUARD SVCS-CONF & REC CTR-SEPTEMBER 2022	\$25,001.05
		10/12/2022	30081	SECURITY GUARD SVCS-CONF & REC CTR-EL GRITO 9/15/22	
		10/12/2022	30048	SECURITY GUARD SVCS-COTTONWOOD SPECIAL EVENT	
		10/12/2022	30050	SECURITY GUARD SVCS-CONF & REC CTR-SEPTEMBER 2022	
		10/12/2022	30051	SECURITY GUARD SVCS-ERC-SEPTEMBER 2022	
		10/12/2022	30053	SECURITY GUARD SVCS-SENIOR CENTER-SEPTEMBER 2022	
		10/12/2022	30054	SECURITY GUARD SVCS-TOWNGATE-SEPTEMBER 2022	
		10/12/2022	30047	SECURITY GUARD SVCS-COMMUNITY PARK-SEPTEMBER 2022	
		10/12/2022	30046	SECURITY GUARD SVCS-CITY HALL-SEPTEMBER 2022	
		10/12/2022	30052	SECURITY GUARD SVCS-LIBRARY-SEPTEMBER 2022	
Remit to: ANAHEIM, CA					FYTD: \$124,465.71

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City of Moreno Valley
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MARIPOSA LANDSCAPES, INC.	34748	10/05/2022	98648	LANDSCAPE MAINT.-CITY HALL-JUL. 2022	\$27,690.48
		10/05/2022	98653	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/FAY TO GENTIAN-JUL. 2022	
		10/05/2022	98654	LANDSCAPE MAINT.-AMPHITHEATER FACILITY-JUL. 2022	
		10/05/2022	98847	LANDSCAPE SERVICES-SD LMD ZONE 02-JULY ADDITIONAL WORK	
		10/05/2022	98849	SD LANDSCAPE MAINTENANCE (ZONE 02) FY22/23	
		10/05/2022	98851	SD LANDSCAPE MAINTENANCE (ZONE 02) FY22/23 - ADDITIONAL WORK	
		10/05/2022	98647	LANDSCAPE MAINT.-FIRE STATIONS 2, 6, 48, 58, 65, 91, & 99-JUL22	
		10/05/2022	98852	LANDSCAPE EXTRA WORK-JUL22-LABOR TO RELOCATE ROTOR HEADS	
		10/05/2022	98645	LANDSCAPE MAINT.-SENIOR CENTER-JUL. 2022	
		10/05/2022	98649	LANDSCAPE MAINT.-CITY HALL ANNEX-JUL. 2022	
		10/05/2022	98635	LANDSCAPE MAINT.-SOUTH AQUEDUCT A-JUL. 2022	
		10/05/2022	98640	LANDSCAPE MAINT.-CITY YARD-JUL. 2022	
		10/05/2022	98628	LANDSCAPE MAINT.-TOWNGATE COMMUNITY CENTER-JUL. 2022	
		10/05/2022	98629	LANDSCAPE MAINT.-TOWNGATE AQUEDUCT BIKEWAY-JUL. 2022	
		10/05/2022	98636	LANDSCAPE MAINT.-SOUTH AQUEDUCT B-JUL. 2022	
		10/05/2022	98638	LANDSCAPE MAINT.-ANIMAL SHELTER-JUL. 2022	
		10/05/2022	98639	LANDSCAPE MAINT.-MARCH ANNEX BUILDING-JUL. 2022	
		10/05/2022	98641	LANDSCAPE MAINT.-CONFERENCE & REC. CENTER-JUL. 2022	
		10/05/2022	98643	LANDSCAPE MAINT.-LIBRARY-JUL. 2022	
		10/05/2022	98644	LANDSCAPE MAINT.-PUBLIC SAFETY BUILDING-JUL. 2022	
		10/05/2022	98632	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/VANDENBERG TO FAY-JUL. 2022	
		10/05/2022	98633	LANDSCAPE MAINT.-NORTH AQUEDUCT-JUL. 2022	
		10/05/2022	98634	LANDSCAPE MAINT.-PAN AM SECTION AQUEDUCT-JUL. 2022	

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City of Moreno Valley
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MARIPOSA LANDSCAPES, INC.		10/05/2022	98631	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY-DELPHINIUM/PERHAM TO JFK-JUL22	
		10/05/2022	98637	LANDSCAPE MAINT.-AQUEDUCT/SCE AND OLD LAKE DRIVE-JUL. 2022	
		10/05/2022	99277	LANDSCAPE EXTRA WORK-AUG22-LABOR TO REPAIR DRIP IRRIGATION	
		10/05/2022	98630	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/BAY AVE. TO GRAHAM-JUL. 2022	
		10/05/2022	98650	LANDSCAPE MAINT.-VETERANS MEMORIAL-JUL. 2022	
		10/05/2022	98651	LANDSCAPE MAINT.-CITY YARD SANTIAGO OFFICE-JUL. 2022	

Attachment: 2022_OctoberPaymentRegister (6026 : OCTOBER PAYMENT REGISTER 2022)



City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MARIPOSA LANDSCAPES, INC.	34820	10/12/2022	99278	SD LANDSCAPE AUGUST ADDITIONAL WORK WQB	\$67,412.45
		10/12/2022	99276	SD LANDSCAPE AUGUST ADDITIONAL WORK ZONE 02	
		10/12/2022	99275	SD LANDSCAPE AUGUST ADDITIONAL WORK ZONE 02	
		10/12/2022	99091	LANDSCAPE MAINT.-CITY YARD SANTIAGO OFFICE-AUG. 2022	
		10/12/2022	99422	SD LANDSCAPE AUGUST ADDITIONAL WORK ZONE 02	
		10/12/2022	99094	LANDSCAPE MAINT.-AMPHITHEATER FACILITY-AUG. 2022	
		10/12/2022	99543	SD LANDSCAPE SEPTEMBER BASE WQB	
		10/12/2022	99095	SD LANDSCAPE AUGUST BASE WQB	
		10/12/2022	99534	LANDSCAPE MAINT.-UTILITY FIELD OFFICE-SEP. 2022	
		10/12/2022	98974R	SD LANDSCAPE AUGUST ADDITIONAL WORK WQB	
		10/12/2022	99076	LANDSCAPE MAINT.-SOUTH AQUEDUCT B-AUG. 2022	
		10/12/2022	99081	LANDSCAPE MAINT.-CONFERENCE & REC. CENTER-AUG. 2022	
		10/12/2022	99093	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/FAY TO GENTIAN-AUG. 2022	
		10/12/2022	99083	LANDSCAPE MAINT.-LIBRARY-AUG. 2022	
		10/12/2022	99540	LANDSCAPE MAINT.-KITCHING ELECTRIC SUBSTATION-SEP. 2022	
		10/12/2022	99069	LANDSCAPE MAINT.-TOWNGATE AQUEDUCT BIKEWAY-AUG. 2022	
		10/12/2022	99786	SD LANDSCAPE SEPTEMBER ADDITIONAL WORK ZONE 02	
		10/12/2022	99068	LANDSCAPE MAINT.-TOWNGATE COMMUNITY CENTER-AUG. 2022	
		10/12/2022	99067	SD LANDSCAPE AUGUST BASE ZONE 02	
		10/12/2022	99071	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY-DEPHINIUM/PERHAM TO JFK-AUG22	
		10/12/2022	99089	LANDSCAPE MAINT.-CITY HALL ANNEX-AUG. 2022	
		10/12/2022	99072	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/VANDENBERG TO FAY-AUG. 2022	
		10/12/2022	99787	SD LANDSCAPE SEPTEMBER ADDITIONAL WORK WQB	
		10/12/2022	99070	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/BAY AVE. TO GRAHAM-AUG. 2022	

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MARIPOSA LANDSCAPES, INC.	34820	10/12/2022	99515	SD LANDSCAPE SEPTEMBER BASE ZONE 02	\$67,412.45
		10/12/2022	99530	LANDSCAPE MAINT.-MORENO BEACH ELECTRIC SUBSTATION-SEP. 2022	
		10/12/2022	99073	LANDSCAPE MAINT.-NORTH AQUEDUCT-AUG. 2022	
		10/12/2022	99090	LANDSCAPE MAINT.-VETERANS MEMORIAL-AUG. 2022	
		10/12/2022	99084	LANDSCAPE MAINT.-PUBLIC SAFETY BUILDING-AUG. 2022	
		10/12/2022	99088	LANDSCAPE MAINT.-CITY HALL-AUG. 2022	
		10/12/2022	99078	LANDSCAPE MAINT.-ANIMAL SHELTER-AUG. 2022	
		10/12/2022	99074	LANDSCAPE MAINT.-PAN AM SECTION AQUEDUCT-AUG. 2022	
		10/12/2022	99075	LANDSCAPE MAINT.-SOUTH AQUEDUCT A-AUG. 2022	
		10/12/2022	99087	LANDSCAPE MAINT.-FIRE STATIONS 2, 6, 48, 58, 65, 91, & 99-AUG22	
		10/12/2022	99077	LANDSCAPE MAINT.-AQUEDUCT/SCE AND OLD LAKE DRIVE-AUG. 2022	
		10/12/2022	99079	LANDSCAPE MAINT.-MARCH ANNEX BUILDING-AUG. 2022	
		10/12/2022	99080	LANDSCAPE MAINT.-CITY YARD-AUG. 2022	
		10/12/2022	99085	LANDSCAPE MAINT.-SENIOR CENTER-AUG. 2022	

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MARIPOSA LANDSCAPES, INC.	34894	10/19/2022	99523	LANDSCAPE MAINT.-SOUTH AQUEDUCT A-SEP. 2022	\$25,726.79
		10/19/2022	99538	LANDSCAPE MAINT.-VETERANS MEMORIAL-SEP. 2022	
		10/19/2022	99533	LANDSCAPE MAINT.-SENIOR CENTER-SEP. 2022	
		10/19/2022	99519	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY-DEPHINIUM/PERHAM TO JFK-SEP22	
		10/19/2022	99520	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/VANDENBERG TO FAY-SEP. 2022	
		10/19/2022	99521	LANDSCAPE MAINT.-NORTH AQUEDUCT-SEP. 2022	
		10/19/2022	99522	LANDSCAPE MAINT.-PAN AM SECTION AQUEDUCT-SEP. 2022	
		10/19/2022	99518	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/BAY AVE. TO GRAHAM-SEP. 2022	
		10/19/2022	99801	LANDSCAPE EXTRA WORK-SCE/OLD LAKE DR-SEP22/REPLACE BROKEN IRRIG.	
		10/19/2022	99539	LANDSCAPE MAINT.-CITY YARD SANTIAGO OFFICE-SEP. 2022	
		10/19/2022	99542	LANDSCAPE MAINT.-AMPHITHEATER FACILITY-SEP. 2022	
		10/19/2022	99524	LANDSCAPE MAINT.-SOUTH AQUEDUCT B-SEP. 2022	
		10/19/2022	99802	LANDSCAPE EXTRA WORK-CRC-SEP22/INSTALL IRRIGATION TO PALM TREE	
		10/19/2022	99537	LANDSCAPE MAINT.-CITY HALL ANNEX-SEP. 2022	
		10/19/2022	99536	LANDSCAPE MAINT.-CITY HALL-SEP. 2022	
		10/19/2022	99535	LANDSCAPE MAINT.-FIRE STATIONS 2, 6, 48, 58, 65, 91, & 99-SEP22	
		10/19/2022	99527	LANDSCAPE MAINT.-MARCH ANNEX BUILDING-SEP. 2022	
		10/19/2022	99532	LANDSCAPE MAINT.-PUBLIC SAFETY BUILDING-SEP. 2022	
		10/19/2022	99517	LANDSCAPE MAINT.-TOWNGATE AQUEDUCT BIKEWAY-SEP. 2022	
		10/19/2022	99528	LANDSCAPE MAINT.-CITY YARD-SEP. 2022	
		10/19/2022	99529	LANDSCAPE MAINT.-CONFERENCE & REC. CENTER-SEP. 2022	
		10/19/2022	99516	LANDSCAPE MAINT.-TOWNGATE COMMUNITY CENTER-SEP. 2022	
		10/19/2022	99526	LANDSCAPE MAINT.-ANIMAL SHELTER-SEP. 2022	

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MARIPOSA LANDSCAPES, INC.		10/19/2022	99525	LANDSCAPE MAINT.-AQUEDUCT/SCE AND OLD LAKE DRIVE-SEP. 2022	
		10/19/2022	99531	LANDSCAPE MAINT.-LIBRARY-SEP. 2022	
		10/19/2022	99541	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/FAY TO GENTIAN-SEP. 2022	
Remit to: IRWINDALE, CA					FYTD: \$211,047.63
MERCHANTS BUILDING MAINTENANCE, LLC.	34750	10/05/2022	694329	CITY-WIDE ROUTINE JANITORIAL SERVICES - AUG. 2022	\$94,271.53
		10/05/2022	694327	CITY-WIDE ROUTINE JANITORIAL SERVICES - JUL. 2022	
	34945	10/26/2022	697659	CITY-WIDE ROUTINE JANITORIAL SERVICES - SEP. 2022	\$50,869.47
		10/26/2022	699755	SEP 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-TOWNGATE COMM. CTR.	
		10/26/2022	699752	SCRUB & REFINISH BALL ROOM STAGE ON 9/27/22	
		10/26/2022	699751	SEP 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-CONF. & REC. CENTER	
		10/26/2022	699753	SEP 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-COTTONWOOD GOLF CTR	
		10/26/2022	688081	JUL 2022 SPECIAL CLEANINGS FOR EVENTS AT SENIOR CENTER	
Remit to: MONTEREY PARK, CA					FYTD: \$237,487.75
MORENO VALLEY UTILITY	244311	10/12/2022	SEP-22 10/12/22	ELECTRICITY CHARGES FOR PERIOD 08/19-09/16/22	\$143,238.04
Remit to: HEMET, CA					FYTD: \$531,599.93
ORACLE AMERICA	34832	10/12/2022	100385883	ORACLE UTILITIES CUSTOMER CLOUD SERVICES	\$70,371.95
Remit to: REDWOOD SHORES, CA					FYTD: \$70,371.95

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PERMA	34950	10/26/2022	INITIAL DEPOSIT	ESTABLISH LIABILITY MEMBER TRUST ACCOUNT (INITIAL DEPOSIT)	\$50,000.00
Remit to: PALM DESERT, CA					FYTD: \$1,884,082.00
RE ASTORIA 2 LLC	34903	10/19/2022	2022_10_RE AST 2	RENEWABLE ENERGY-MV UTILITY-SEPTEMBER 2022	\$32,753.90
Remit to: SAN FRANCISCO, CA					FYTD: \$236,312.80
RIVERSIDE CONSTRUCTION COMPANY, INC	244357	10/19/2022	220711_01	SR60/MORENO BEACH PH 2	\$43,658.00
		10/19/2022	220711_02	SR60/MORENO BEACH PH 2	
Remit to: RIVERSIDE, CA					FYTD: \$103,989.99
ROGERS, ANDERSON, MALODY & SCOTT, LLP	34906	10/19/2022	71417	AUDIT SERVICES FOR FY ENDING 6/30/22 - SEP 2022 PROGRESS BILLING	\$28,000.00
Remit to: SAN BERNARDINO, CA					FYTD: \$48,735.00
SC COMMERCIAL LLC DBA SC FUELS	34908	10/19/2022	2241355-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	\$45,783.86
		10/19/2022	2240466-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2236046-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2235095-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2233256-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2230903-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2229898-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2228022-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
		10/19/2022	2224671-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	
10/19/2022	2224271-IN	FUEL FOR CITY VEHICLES & EQUIPMENT			
Remit to: ORANGE, CA					FYTD: \$248,889.65

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SELS USA LLC DBA SMART ERA LIGHTING SYSTEMS	244270	10/05/2022	0472791	PORTABLE GENERATOR & TOWABLE SOLAR-POWERED LIGHT TOWER	\$41,621.48
Remit to: WINSTON SALEM, NC					FYTD: \$41,621.48
SOUTHERN CALIFORNIA EDISON	244272	10/05/2022	7501450008	WDAT CHARGES-MVU/17160 KITCHING ST. SUBSTATION-AUG. 2022	\$66,420.95
		10/05/2022	7501450026	WDAT CHARGES-MVU/IRIS AVE.-AUG. 2022	
		10/05/2022	7501450027	WDAT CHARGES-MVU/GRAHAM ST.-AUG. 2022	
		10/05/2022	7501450028	WDAT CHARGES-MVU/GLOBE ST.-AUG. 2022	
		10/05/2022	7501450029	WDAT CHARGES-MVU/NANDINA AVE.-AUG. 2022	
		10/05/2022	7501450030	WDAT CHARGES-MVU/FREDERICK AVE.-AUG. 2022	
		10/05/2022	7501450034	WDAT CHARGES-MVU/24417 NANDINA AVE. SUBSTATION-AUG. 2022	
		10/05/2022	7501450031	WDAT CHARGES-MVU/SUBSTATION 115KV INTERCONNECTION-AUG. 2022	
	244343	10/19/2022	498683714/SEP-22	ELECTRICITY CHARGES FOR ACQUIRED STREETLIGHTS	\$133,957.29
		10/19/2022	559238386/SEP-22	IFA & DISTRIBUTION UPGRADE CHARGES-KITCHING SUBSTATION	
		10/19/2022	433869021/SEP-22	ELECTRICITY CHARGES FOR ADDED STREETLIGHTS	
		10/19/2022	355556776/SEP-22	ELECTRICITY CHARGES FOR ACQUIRED STREETLIGHTS	
		10/19/2022	282492235/SEP-22	ELECTRICITY-FERC CHARGES/MVU	
		10/19/2022	431591238/SEP-22	ELECTRICITY CHARGES FOR ACQUIRED STREETLIGHTS	
		10/19/2022	SEP-22 10/19/22	ELECTRICITY CHARGES	
		10/19/2022	435293103/SEP-22	ELECTRICITY CHARGES FOR ADDED STREETLIGHTS	
		10/19/2022	395913224/AUG-22	ELECTRICITY CHARGES	
		10/19/2022	570511709/SEP-22	IFA CHARGES-SUBSTATION	
Remit to: ROSEMEAD, CA					FYTD: \$985,819.64

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STEVEN B. QUINTANILLA A PROFESSIONAL CORPORATION	34850	10/12/2022	JULY 2022	LEGAL SERVICES 7/1 TO 7/31/22	\$121,197.34
		10/12/2022	SEP-22/NIELSEN	SPECIAL COUNSEL LITIGATION SVCS-NIELSEN, ET AL. 9/01-9/30/22	
		10/12/2022	AUG-22/NIELSEN	SPECIAL COUNSEL LITIGATION SVCS-NIELSEN, ET AL. 8/01-8/31/22	
Remit to: PALM SPRINGS, CA					FYTD: \$563,196.98
SWARCO MCCAIN, INC.	34954	10/26/2022	INV0268188	TRAFFIC SIGNAL EQUIPMENT	\$26,474.44
		10/26/2022	INV0268102	TRAFFIC SIGNAL EQUIPMENT	
		10/26/2022	INV0268398	TRAFFIC SIGNAL EQUIPMENT	
		10/26/2022	INV0268749	TRAFFIC SIGNAL EQUIPMENT	
		10/26/2022	INV0268751	TRAFFIC SIGNAL EQUIPMENT	
		10/26/2022	INV0268605	TRAFFIC SIGNAL EQUIPMENT	
Remit to: VISTA, CA					FYTD: \$26,474.44
THE ADVANTAGE GROUP/ FLEX ADVANTAGE	34758	10/05/2022	202210	OCTOBER 2022 RETIREE MEDICAL BENEFIT BILLING	\$47,968.70
Remit to: TEMECULA, CA					FYTD: \$200,460.15
THINK TOGETHER, INC	34852	10/12/2022	111-23-E03	ASES EXPANDED LEARNING PROGRAM MGMT. SERVICES- INSTALLMENT #3	\$684,515.81
Remit to: SANTA ANA, CA					FYTD: \$4,777,252.56
TRANSTECH ENGINEERS, INC.	34761	10/05/2022	20221409	SR60/REDLANDS BLVD INTERCHANGE	\$70,328.79
Remit to: CHINO, CA					FYTD: \$88,510.89
U.S. BANK/CALCARDS	34763	10/05/2022	09-27-22	SEPTEMBER 2022 CALCARD ACTIVITY	\$237,122.36
Remit to: ST. LOUIS, MO					FYTD: \$1,321,720.31

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WASTE MANAGEMENT	244322	10/12/2022	070622	SOLID WASTE DELINQUENCIES PASS THRU, LESS FRANCHISE FEES	\$800,646.19
Remit to: CORONA, CA					FYTD: \$823,876.16
WELLS FARGO CORPORATE TRUST	34923	10/12/2022	W221001	DEBT SERVICE - 2021 LRB TAXABLE MVU	\$316,142.00
	34924	10/12/2022	W221002	DEBT SERVICE - 2013 REF OF '05 LRB	\$1,665,620.80
	34925	10/18/2022	W221003	DEBT SERVICE - 2014 REF OF '05 LRB	\$564,066.56
	34926	10/18/2022	W221004	DEBT SERVICE - 2019 LRB MVU	\$316,600.00
Remit to: LOS ANGELES, CA					FYTD: \$4,388,436.32
WILLDAN ENGINEERING	34959	10/26/2022	002-27175	PLAN CHECK & INSPECTION SERVICES FOR BLDG. & SAFETY DEPT.- JUL22	\$91,778.99
Remit to: ANAHEIM, CA					FYTD: \$275,541.74
WILLDAN FINANCIAL SERVICES	34919	10/19/2022	010-52601	ERAP GRANT ADMINISTRATION SERVICES-SEP. 2022	\$56,291.25
		10/19/2022	010-52600	CARES ACT GRANT ADMINISTRATION SERVICES-SEP. 2022	
		10/19/2022	010-52602	GRANT ADMINISTRATION SERVICES-SEP. 2022	
Remit to: TEMECULA, CA					FYTD: \$153,970.14
WSP USA, INC.	34962	10/26/2022	1219669	SUNNYMEAD MDP LINE F AND F-7	\$28,386.37
Remit to: SAN BERNARDINO, CA					FYTD: \$93,302.40

TOTAL AMOUNTS OF \$25,000 OR GREATER **\$14,295,650.00**

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CHECKS UNDER \$25,000

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24771 NANDINA LLC	244323	10/12/2022	PEN20-0041	REFUND GRADING SECURITY DEPOSIT-PROJECT PEN20-0041	\$7,664.00
Remit to: OAKBROOK TERRACE, IL					FYTD: \$7,664.00
4LEAF, INC	244253	10/05/2022	J3988C	PLANNING SERVICES-JULY 2022	\$6,080.00
Remit to: PLEASANTON, CA					FYTD: \$15,240.00
ACCO ENGINEERED SYSTEMS, INC	34779	10/12/2022	20311786	BOILER BURNER REPLACEMENT HVAC REPAIR-CITY HALL	\$18,018.00
		10/12/2022	20290702	HVAC PREV. MAINTENANCE-CONFERENCE & REC CENTER	
		10/12/2022	20311787	PUPPY COOLER HVAC REPAIRS-ANIMAL SHELTER	
		10/12/2022	20290700	HVAC PREV. MAINTENANCE-CITY HALL	
		10/12/2022	20311788	AC-2 UNIT TROUBLESHOOT HVAC REPAIRS-CITY HALL	
		10/12/2022	20319122	FREEZER EVAP COIL & TXV REPLACEMENT-COTTONWOOD GOLD CENTER	
		10/12/2022	20290701	HVAC PREV. MAINTENANCE-ANIMAL SHELTER	
Remit to: PASADENA, CA					FYTD: \$72,744.00
ADMINSURE	34929	10/26/2022	15498	WORKERS' COMP CLAIM ADMIN-NOVEMBER 2022	\$2,441.00
Remit to: ONTARIO, CA					FYTD: \$14,574.00
ADOPT A HIGHWAY LITTER REMOVAL SERVICE OF AMERICA	34780	10/12/2022	220524	HWY 60 WB	\$625.00
Remit to: ENCINITAS, CA					FYTD: \$2,500.00
ADVANCED APPLIED ENGINEERING, INC	34706	10/05/2022	27757	PLANNING CONSULTANT SERVICES-JUNE TO JULY 2022	\$11,950.25
Remit to: BREA, CA					FYTD: \$11,950.25
AFUNGIA, TEUMALANGA	244279	10/05/2022	2002871.047	REFUND- SECURITY GUARD (SC RENTAL)	\$243.00
Remit to: MORENO VALLEY, CA					FYTD: \$557.50

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AIR EXCHANGE INC	34707	10/05/2022	91607936	PLYMOVENT MAINT & REPAIR-FIRE STATIONS	\$1,396.66
Remit to: FAIRFIELD, CA					FYTD: \$2,644.24
AIRESPRING INC.	34865	10/19/2022	165079955	LOCAL/LONG DISTANCE CALLS & INTERNET SVC-OCT. 2022	\$4,768.19
Remit to: VAN NUYS, CA					FYTD: \$13,275.22
ALISAM MORENO OPERATING, INC DBA WATERDROPS EXPRES	34708	10/05/2022	1003	CAR WASHING SERVICES FOR POLICE PATROL VEHICLES	\$476.00
Remit to: WOODLAND HILLS, CA					FYTD: \$476.00
AMERICAN FORENSIC NURSES	34709	10/05/2022	76518	PHLEBOTOMY SVCS	\$1,279.40
		10/05/2022	76204	PHLEBOTOMY SVCS	
		10/05/2022	74882	PHLEBOTOMY SVCS	
		10/05/2022	76495	PHLEBOTOMY SVCS	
	34781	10/12/2022	76568	PHLEBOTOMY SVCS	\$306.10
	34866	10/19/2022	76630	PHLEBOTOMY SVCS	\$1,547.18
		10/19/2022	76629	PHLEBOTOMY SVCS	
	34930	10/19/2022	76590	PHLEBOTOMY SVCS	\$61.22
	10/26/2022	76653	PHLEBOTOMY SVCS		
Remit to: LA QUINTA, CA					FYTD: \$9,377.10

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
AMTECH ELEVATOR SERVICES	34782	10/12/2022	151400868956	ELEVATOR ROUTINE MAINT.-CITY HALL-AUGUST 2022	\$10,193.19
		10/12/2022	151400899853	ELEVATOR ROUTINE MAINT.-EOC-SEPTEMBER 2022	
		10/12/2022	151400899852	ELEVATOR ROUTINE MAINT.-CITY HALL-SEPTEMBER 2022	
		10/12/2022	DVB28595001	EMERGENCY REPAIR OF CITY HALL ELEVATOR - RELAY BOARD	
		10/12/2022	151400837019	ELEVATOR ROUTINE MAINT.-EOC-JULY 2022	
		10/12/2022	151400837018	ELEVATOR ROUTINE MAINT.-CITY HALL-JULY 2022	
		10/12/2022	151400868957	ELEVATOR ROUTINE MAINT.-EOC-AUGUST 2022	
	34931	10/26/2022	151400933454	ELEVATOR ROUTINE MAINT.-EOC-OCTOBER 2022	\$295.00
		10/26/2022	151400933453	ELEVATOR ROUTINE MAINT.-CITY HALL-OCTOBER 2022	
		Remit to: PASADENA, CA			
ANGULO, GUADALUPE	244397	10/26/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$500.00
		10/26/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	
Remit to: MORENO VALLEY, CA				<u>FYTD:</u> \$500.00	
ARIA MANAGEMENT LLC	34710	10/05/2022	OCTOBER 2022	LEASE PAYMENT-LIBRARY-OCTOBER 2022	\$11,666.97
	34932	10/26/2022	NOVEMBER 2022	LEASE PAYMENT-LIBRARY-NOVEMBER 2022	\$11,666.97
Remit to: YORBA LINDA, CA				<u>FYTD:</u> \$58,334.85	
ARROYO, GISSELE	34783	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA				<u>FYTD:</u> \$500.00	
AUTOMATIC STOREFRONT SERVICE/E-Z AUTOMATED SYSTEMS	244254	10/05/2022	0031718	HUNTER DOOR 105B REPAIR-PUBLIC SAFETY BLDG.	\$1,399.54
Remit to: CHINO, CA				<u>FYTD:</u> \$1,399.54	
AVELAR, CONNIE	34784	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA				<u>FYTD:</u> \$500.00	

Attachment: 2022_OctoberPaymentRegister (6026 : OCTOBER PAYMENT REGISTER 2022)



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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
BAKER, LEAH	244280	10/05/2022	R22-165630	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: LOMA LINDA, CA					<u>FYTD:</u> \$75.00
BERLITZ LANGUAGES, INC.	244330	10/19/2022	001-274-22-02832	BILINGUAL EXAMS	\$225.00
	244360	10/26/2022	001-274-22-02986	BILINGUAL EXAMS	\$150.00
Remit to: PRINCETON, NJ					<u>FYTD:</u> \$900.00
BIO-TOX LABORATORIES, INC.	244301	10/12/2022	43267	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	\$15,959.72
		10/12/2022	43197	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		10/12/2022	43251	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		10/12/2022	43330	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		10/12/2022	43329	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		10/12/2022	43196	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
	244361	10/26/2022	43457	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	\$10,268.33
		10/26/2022	43512	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		10/26/2022	43524	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		10/26/2022	43456	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$41,933.05
BLANKENSHIP, MELYSSA	34785	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
BLOTT, JENNIFER	244281	10/05/2022	R22-165992	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: RANCHO CUCAMONGA, CA					<u>FYTD:</u> \$75.00
BLUE OUTDOOR LLC	34711	10/05/2022	2022-10-11358	ADVERTISING FOR OCTOBER 2022	\$585.00
Remit to: NEW YORK, NY					<u>FYTD:</u> \$585.00

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
BMW MOTORCYCLES OF RIVERSIDE	34712	10/05/2022	6031322	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	\$1,785.74
		10/05/2022	6031377	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	
	34786	10/12/2022	6031411	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	\$1,761.73
		10/12/2022	6031471	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	
	34867	10/19/2022	6031496	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	\$1,914.96
		10/19/2022	6031539	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	
		10/19/2022	6031538	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	

Remit to: RIVERSIDE, CA

FYTD: \$93,582.74

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BOX SPRINGS MUTUAL WATER COMPANY	244331	10/19/2022	36-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	\$449.74
		10/19/2022	1087-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	204-9 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	1084-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	45-4 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	80-4 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	1086-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	721-1 9/29/22	WATER USAGE-TOWNGATE-SEPT 2022	
		10/19/2022	1085-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	195-5 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	189-13 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		10/19/2022	331-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
	10/19/2022	1088-1 9/29/22	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY		
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,786.10
BRAUN BLAISING SMITH WYNNE, P.C.	34713	10/05/2022	20684	LEGAL SERVICES-MV UTILITY-JULY/AUG 2022	\$196.01
Remit to: SACRAMENTO, CA					<u>FYTD:</u> \$471.82

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
BREHM BUILDERS	244377	10/26/2022	CK NO. 234866	REISSUE OF UNCLAIMED CHECK FOR REFUND OF DEPOSIT ACCT TR-30300-2	\$1,176.90
Remit to: TUSTIN, CA					FYTD: \$1,176.90
BRIDGEPAY NETWORK SOLUTIONS	34933	10/26/2022	10648	CREDIT CARD GATEWAY SVCS-AUGUST 2022	\$22.40
Remit to: ALTAMONTE SPRINGS, FL					FYTD: \$66.10
BUBNICK, JEREMY D	34868	10/19/2022	9/19 - 9/22/22	TRAVEL PER DIEM - NRPA ANNUAL CONFERENCE	\$241.50
Remit to: MORENO VALLEY, CA					FYTD: \$241.50
C.A.C.E.O./CAL ASSO OF CODE ENFORCEMENT	244332	10/19/2022	200022059	AVERT COURSE 8.11.2022-ROBERTO LUERA	\$390.00
		10/19/2022	200022058	AVERT COURSE 8.11.2022-PAMELA CHAFFIN	
		10/19/2022	200022051	AVERT COURSE 8.11.2022-ROBERT ALVAREZ	
		10/19/2022	200022056	AVERT COURSE 8.11.2022-JORGE RUVALCABA	
		10/19/2022	200022055	AVERT COURSE 8.11.2022-HERNAN LOPEZ	
		10/19/2022	200022057	AVERT COURSE 8.11.2022-LANEE PADILLA	
Remit to: SACRAMENTO, CA					FYTD: \$390.00
CABRERA, RAVEN	244395	10/26/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$500.00
		10/26/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
CALIFORNIA BUILDING STANDARDS COMMISSION	244362	10/26/2022	3RD QTR 2022	SB 1473 FEES COLLECTED FOR 7/1-9/30/22	\$4,861.80
Remit to: SACRAMENTO, CA					FYTD: \$7,542.90

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CALIFORNIA DEPT. OF TAX AND FEE ADMINISTRATION	35029	10/31/2022	3RD QTR 2022	ACCT# 31-000177 ELECTRICAL ENERGY SURCHARGE RETURN/JUL-SEP 20221	\$19,045.00
Remit to: SACRAMENTO, CA					FYTD: \$34,191.00
CALIFORNIA MUNICIPAL STATISTICS, INC. V1	244255	10/05/2022	22092701	DIRECT & OVERLAPPING DEBT STATEMENT AS OF 6/30/22	\$550.00
Remit to: OAKLAND, CA					FYTD: \$550.00
CALIFORNIA NEWSPAPERS PARTNERSHIP	244256	10/05/2022	0011545602	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	\$2,801.44
		10/05/2022	0011545937	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011545946	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011548192	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011545582	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011545932	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011545591	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011545607	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
		10/05/2022	0011545613	PUBLIC HEARING NOTICE ADVERTISING-LEGALS	
	244333	10/19/2022	238423DF-0033	PUBLIC HEARING NOTICE ADVERTISING-HEACOCK LOGISTICS PARKING NOI	\$476.90
Remit to: WILLOUGHBY, OH					FYTD: \$10,011.95
CALIFORNIA SURVEYING & DRAFTING SUPPLY INC., CALIFORNIA SURVEYING & DRAFTING	244334	10/19/2022	91232759	TERRAFLEX ADV VIA TRIMBLE CONNECT & SUPPORT	\$1,840.00
Remit to: SACRAMENTO, CA					FYTD: \$1,840.00

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Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
CAMERON-DANIEL, P.C.	34870	10/19/2022	1344	LEGAL SERVICES-MV UTILITY	\$6,682.50
		10/19/2022	1345	LEGAL SERVICES-MV UTILITY	
Remit to: SEBASTOPOL, CA					FYTD: \$24,392.50
CANAL ALARM DEVICES, INC.	244257	10/05/2022	SI-641869	CAMERA EQUIPMENT & SUPPLIES	\$7,135.00
		10/05/2022	SI-641384	CAMERA EQUIPMENT & SUPPLIES	
Remit to: RONKONKOMA, NY					FYTD: \$7,135.00
CANYON SPRINGS LITTLE LEAGUE	34714	10/05/2022	SEP. 30, 2022	SPONSORSHIP OF TWO TEAMS-RED SOX (FARM & INTERMED) SPLIT EQUALLY	\$500.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
CARLOS, MARIA	244347	10/19/2022	2002884.047	DEPOSIT REFUND-TOWNGATE COMM. CTR	\$209.60
Remit to: MORENO VALLEY, CA					FYTD: \$209.60
CASC ENGINEERING AND CONSULTING, INC.	34715	10/05/2022	0047211	PLAN CHECK SVCS-PWQMP	\$12,000.00
		10/05/2022	0046961	PLAN CHECK SVCS-PWQMP	
Remit to: COLTON, CA					FYTD: \$16,637.25
CATALAN, CARLOS GUTIERREZ	244378	10/26/2022	R22-168607	ANIMAL SERVICES REFUND-RETURN ADOPTION, REFUND LICENSE FEE	\$15.00
Remit to: MORENO VALLEY, CA					FYTD: \$15.00
CCS DISASTER RECOVERY SERVICES, LLC	34871	10/19/2022	6597	DISASTER RECOVERY SVCS ANNUAL SUBSCRIPTION & INITIAL SETUP FEE	\$5,000.00
Remit to: COSTA MESA, CA					FYTD: \$5,000.00

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CHANCY, CHIZURU	244302	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES-HULA & ORI TAHITI PERFORMING ARTS CLASS	\$34.80
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$177.60
CHANDLER ASSET MANAGEMENT, INC	34787	10/12/2022	2209MORENOVA	INVESTMENT MANAGEMENT SVCS-SEPTEMBER 2022	\$8,606.38
Remit to: SAN DIEGO, CA					<u>FYTD:</u> \$34,784.15
CHAVARIN, DESTINY	244379	10/26/2022	R22-167532	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: SUN CITY, CA					<u>FYTD:</u> \$75.00
CHRIS ALAN VOGT DBA CAV CONSULTING	34788	10/12/2022	21039	SENIOR ENGINEER CONSULTING SERVICES (LDD)-SEPTEMBER 2022	\$7,644.00
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$156,650.75

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
CINTAS CORPORATION NO. 2	34873	10/19/2022	4125596950	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	\$11,484.89
		10/19/2022	4129009734	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/19/2022	4129693690	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/19/2022	4126274779	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/19/2022	4128333586	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/19/2022	4126959035	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/19/2022	4127640992	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
	34936	10/19/2022	4130396859	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	\$1,670.10
		10/19/2022	4124983397	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/26/2022	4131064709	UNIFORM RENTAL & LAUNDERING SRVS FY 22/23	
		10/26/2022	5119942641	FIRST AID KIT SUPPLIES-BERC-BUS & EMPLOYMENT RESOURCE CTR	
		10/26/2022	5119942654	FIRST AID KIT SUPPLIES-SENIOR CENTER	
		10/26/2022	5119942670	FIRST AID SUPPLIES-COTTONWOOD GOLF COURSE	
Remit to: CINCINNATI, OH					FYTD: \$25,061.70
CLARITAS HOLDINGS, INC. DBA CLARITAS, LLC	34937	10/26/2022	2717993	2022 RENEWAL: SPOTLIGHT STANDARD PACKAGE	\$1,495.00
Remit to: CINCINNATI, OH					FYTD: \$1,495.00
CLARK LAND RESOURCES, INC.	34790	10/12/2022	CMV-0722	RIGHT OF WAY CONSULTING SERVICES	\$9,311.88
Remit to: OCEANSIDE, CA					FYTD: \$9,511.88
CLARK, ADAM	34789	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
COATS, DAVID	34874	10/19/2022	SEP. 2022	INSTRUCTOR SERVICES - SHITO-RYU KARATE CLASSES	\$421.80
Remit to: MORENO VALLEY, CA					FYTD: \$1,732.80

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COOLEY, DONNA	34791	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244296	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
CORODATA MEDIA STORAGE INC.	34717	10/05/2022	DS1303047	OFF-SITE MEDIA STORAGE-AUGUST 2022	\$431.55
	34875	10/19/2022	DS1303350	OFF-SITE MEDIA STORAGE-SEPTEMBER 2022	\$428.93
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$1,799.71
COSTAR REALTY INFORMATION, INC	34792	10/12/2022	120082428	COMMERCIAL REAL ESTATE DATABASE SVC-JULY 2022	\$6,484.00
		10/12/2022	120106005	COMMERCIAL REAL ESTATE DATABASE SVC-AUGUST 2022	
		10/12/2022	120122333	COMMERCIAL REAL ESTATE DATABASE SVC-SEPTEMBER 2022	
		10/12/2022	120146749	COMMERCIAL REAL ESTATE DATABASE SVC-OCTOBER 2022	
Remit to: CHICAGO, IL					<u>FYTD:</u> \$8,105.00
COUNTRY SQUIRE ESTATES	244258	10/05/2022	SEPT 2022	UUT REFUND FOR SEPT 2022	\$22.67
Remit to: ONTARIO, CA					<u>FYTD:</u> \$85.45

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COUNTS UNLIMITED, INC.	34718	10/05/2022	22612	TRAFFIC DATA COLLECTION	\$3,780.00
		10/05/2022	22595	TRAFFIC DATA COLLECTION	
		10/05/2022	22598	TRAFFIC DATA COLLECTION	
		10/05/2022	22744	TRAFFIC DATA COLLECTION	
		10/05/2022	22599	TRAFFIC DATA COLLECTION	
		10/05/2022	22698	TRAFFIC DATA COLLECTION	
		10/05/2022	22600	TRAFFIC DATA COLLECTION	
		10/05/2022	22604	TRAFFIC DATA COLLECTION	
		10/05/2022	22666	TRAFFIC DATA COLLECTION	
		10/05/2022	22669	TRAFFIC DATA COLLECTION	
		10/05/2022	22691	TRAFFIC DATA COLLECTION	
		10/05/2022	22647	TRAFFIC DATA COLLECTION	
		10/05/2022	22681	TRAFFIC DATA COLLECTION	
		10/05/2022	22678	TRAFFIC DATA COLLECTION	
	10/05/2022	22646	TRAFFIC DATA COLLECTION		
Remit to: CORONA, CA					FYTD: \$4,860.00
COUNTY OF RIVERSIDE	244259	10/05/2022	PE0000000510	TRAFFIC MOTOR COMMUNICATIONS FOR PD 8/1-8/31/22	\$2,174.76
	244303	10/12/2022	22-292685	JULY COUNTY PARCEL LIST	\$52.00
	244335	10/19/2022	3622	REGISTERED VOTERS CONFIRMATION-CFD NO. 2021-01/AMENDMENT NO. 53	\$35.00
Remit to: RIVERSIDE, CA					FYTD: \$169,138.21
COUNTY OF RIVERSIDE SHERIFF	34719	10/05/2022	SH0000041844	TOBACCO GRANT BILLING - 8/11-8/24/22	\$1,500.92
Remit to: RIVERSIDE, CA					FYTD: \$15,348,820.23

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CRIME SCENE STERI-CLEAN, LLC	34720	10/05/2022	43044	BIO HAZARD REMOVAL SERVICE	\$1,900.00
		10/05/2022	43035	BIO HAZARD REMOVAL SERVICE	
		10/05/2022	43042	BIO HAZARD REMOVAL SERVICE	
	34793	10/12/2022	43068	BIO HAZARD REMOVAL SERVICE	\$850.00
	34939	10/26/2022	43100	BIO HAZARD REMOVAL SERVICE	\$200.00
Remit to: RANCHO CUCAMONGA, CA					FYTD: \$14,800.00
CROSSROAD MEGAWASH, INC DBA WASH BANK EXPRESS	34721	10/05/2022	008	CAR WASH SVC-PD-JULY 2022 TO AUGUST 2022	\$1,445.00
Remit to: MORENO VALLEY, CA					FYTD: \$7,035.00
CROWN CASTLE FIBER LLC	34876	10/19/2022	1218321	INTERNET & DATA SVCS 10/01-10/31/22	\$2,537.50
		10/19/2022	1192852	INTERNET & DATA SVCS 09/01-09/30/22	
Remit to: HOUSTON, TX					FYTD: \$5,037.50
CRP/PDC MORENO VALLEY OWNER LLC	244380	10/26/2022	BFC22-0114	REFUND OVER-ASSESSED PLAN CHECK FEE-13850 OLD 215 FRONTAGE RD	\$3,362.91
Remit to: NEWPORT BEACH, CA					FYTD: \$3,362.91
CWE CORP.	34722	10/05/2022	22409	PLAN CHECK SVCS-PWQMP-AUGUST 2022	\$2,101.00
		10/05/2022	22369	PLAN CHECK SVCS-PWQMP-JULY 2022	
Remit to: FULLERTON, CA					FYTD: \$2,101.00
DANKS, HARRISON	244282	10/05/2022	R22-165913	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: MURRIETA, CA					FYTD: \$75.00

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
DATA TICKET, INC.	34723	10/05/2022	142800	ADMIN CITATION PROCESSING-CODE-JULY 2022	\$21,775.23
		10/05/2022	142800TPC	ADMIN CITATION PROCESSING-3RD PARTY COLLECTIONS-CODE-AUG 2022	
		10/05/2022	142801	ADMIN CITATION PROCESSING-PD-AUGUST 2022	
		10/05/2022	142508HH	PARKING HANDHELD DEVICES LEASE-AIR TIME-CODE-AUGUST 2022	
		10/05/2022	142508	PARKING CITATION PROCESSING-CODE-AUGUST 2022	
		10/05/2022	142798	ADMIN CITATION PROCESSING-ANIMAL SVC-AUGUST 2022	
Remit to: IRVINE, CA					FYTD: \$115,605.70
DEPARTMENT OF CONSERVATION	244363	10/26/2022	3RD QTR 2022	SMI FEES REPORT-3RD QTR ENDING 9/30/22	\$8,399.99
Remit to: SACRAMENTO, CA					FYTD: \$13,710.40
DESCOTEAUX, JULIA M.	244375	10/26/2022	10/06/22-REIMB.	REIMBURSE HOTEL COST PAID BY EMPLOYEE FOR ACCELA CONFERENCE	\$918.54
Remit to: MORENO VALLEY, CA					FYTD: \$1,258.17
DIAZ, GABRIEL	244376	10/26/2022	10/2 - 10/4/22	TRAVEL PER DIEM, LODGING & MILEAGE REIMB.-APA CALIF. CONFERENCE	\$595.09
Remit to: MORENO VALLEY, CA					FYTD: \$595.09
DIGITAL TELECOMMUNICATIONS CORP.	34878	10/19/2022	45803	SOFTWARE ASSURANCE/MAINTENANCE-8/28/22-9/27/22	\$900.00
		10/19/2022	45486	SOFTWARE ASSURANCE/MAINTENANCE-7/28/22-8/27/22	
Remit to: SANTA CLARITA, CA					FYTD: \$4,155.00
DIMAS, MARIA	244381	10/26/2022	R22-168407	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT FOR 2 CATS	\$150.00
Remit to: MORENO VALLEY, CA					FYTD: \$150.00

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DISH DBS CORPORATION	244304	10/12/2022	86557282/OCT22	SATELLITE TV-FIRE STATION 99-10/1-10/30/22	\$146.39
Remit to: PALATINE, IL					<u>FYTD:</u> \$585.56
DIVISION OF THE STATE ARCHITECT	244305	10/12/2022	3RD QTR 2022-786	STATE PORTION-DISABILITY ACCESS & EDUCATION FEE REPORT 786	\$223.20
Remit to: SACRAMENTO, CA					<u>FYTD:</u> \$531.80
E.R. BLOCK PLUMBING & HEATING, INC.	34794	10/12/2022	137792	BACKFLOW DEVICE TEST-FIRE STATION 2	\$3,564.38
	34880	10/19/2022	137871	SD BACKFLOW TESTING -ZN D, E-7, 01A, NPDES,	\$1,385.00
		10/19/2022	137996	BACKFLOW DEVICE TEST-PARKS	
		10/19/2022	137993	SD BACKLOW REPAIR - ZONE D	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$18,053.89
EMERGENT BATTERY TECHNOLOGIES, INC.	34725	10/05/2022	41194	REPLACEMENT BATTERIES (40) FOR BATTERY BACKUP SYSTEMS	\$6,901.90
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$20,705.70
EMPIRE MOWER	244365	10/26/2022	23785	TREE TRIMMING EQUIPMENT PARTS	\$912.63
		10/26/2022	24070	TREE TRIMMING EQUIPMENT PARTS	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$2,123.87

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ENCO UTILITY SERVICES MORENO VALLEY LLC	34795	10/12/2022	INV56053	SOLAR SYSTEM INSPECTION	\$1,936.00
		10/12/2022	INV55795	METER FEES-25079 IRIS AVE	
		10/12/2022	0402-MF-2723	SOLAR SYSTEM INSPECTION	
		10/12/2022	INV56054	SOLAR SYSTEM INSPECTION	
		10/12/2022	INV56156	SOLAR SYSTEM INSPECTION	
		10/12/2022	INV56155	SOLAR SYSTEM INSPECTION	
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$4,096,643.06
ESCARPITA, ARTURO	244348	10/19/2022	R22-167139	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$75.00
ESTRADA, CHRISTOPHER ANGEL	34796	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
ESTRADA, MOISES	244283	10/05/2022	R22-167784	ANIMAL SERVICES REFUND-MICROCHIP REFUND	\$16.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$16.00
EVEREST ENVIRONMENTAL INC.	244324	10/12/2022	2021-18220	ANNUAL REPORT-SWARM 20/21 PARTIAL ANNUAL REPORT FILING	\$600.00
Remit to: RANCHO CUCAMONGA, CA					<u>FYTD:</u> \$600.00

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EXCLUSIVE TOWING	244261	10/05/2022	22-17058	EVIDENCE VEHICLE TOWING	\$2,866.50
		10/05/2022	22-17883	EVIDENCE VEHICLE TOWING	
		10/05/2022	22-17884	EVIDENCE VEHICLE TOWING	
		10/05/2022	22-17901	EVIDENCE VEHICLE TOWING	
		10/05/2022	22-17497	EVIDENCE VEHICLE TOWING	
		10/05/2022	22-17059	EVIDENCE VEHICLE TOWING	
	244306	10/12/2022	22-18089	EVIDENCE VEHICLE TOWING	\$544.25
	10/12/2022	22-18098	EVIDENCE VEHICLE TOWING		
Remit to: RIVERSIDE, CA					FYTD: \$3,683.75
FAST SIGNS	244262	10/05/2022	70-1915	REVINYL SIGN PEN22-0108	\$388.09
Remit to: MORENO VALLEY, CA					FYTD: \$4,679.19
FIRST AMERICAN DATA TREE, LLC	244307	10/12/2022	20027760922	ONLINE SOFTWARE SUBSCRIPTION-SEPTEMBER 2022	\$99.00
Remit to: PASADENA, CA					FYTD: \$396.00
FM THOMAS AIR CONDITIONING INC	34728	10/05/2022	44411	EMERGENCY HVAC REPAIR-MVU KITCHING SUBSTATION	\$3,115.87
		10/05/2022	44410	COMPRESSOR/II DRIER/CONTACTOR REPAIR-FIRE STAITON 91	
	34798	10/12/2022	44466	BARRACKS HVAC REPAIR-FIRE STATION 91	\$699.10
Remit to: BREAA, CA					FYTD: \$5,624.79
FRANCE PUBLICATIONS, INC. DBA FRANCE MEDIA, INC	34729	10/05/2022	2022-51641	FULL PAGE AD-WESTERN REAL ESTATE BUSINESS-SEPT 2022 ISSUE	\$2,900.00
Remit to: ATLANTA, GA					FYTD: \$6,350.00
FRED'S GLASS & MIRROR, INC.	244263	10/05/2022	25482	WINDOW REPAIR-MARCH FIELD PARK CC	\$1,590.79
Remit to: RIVERSIDE, CA					FYTD: \$1,590.79

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FRONTIER COMMUNICATIONS	244264	10/05/2022	081095-5/SEPT22	FOREIGN EXCHANGE BUS LISTING-MV UTILITY	\$7.70
	244337	10/19/2022	081095-5/OCT22	FOREIGN EXCHANGE BUS LISTING-MV UTILITY	\$7.70
	244366	10/26/2022	062221-5/OCT2022	COMMUNICATION SVCS-09/28-10/27/22	\$1,208.58
Remit to: CINCINNATI, OH					<u>FYTD:</u> \$12,068.73
FRONTIER COMMUNITIES	244383	10/26/2022	BFT22-0042	REFUND PLANNING REVIEW FEE-PERMIT VOIDED-TR 37544	\$166.00
Remit to: ONTARIO, CA					<u>FYTD:</u> \$166.00
G/M BUSINESS INTERIORS, INC.	34730	10/05/2022	0278949-IN	FREEDOM TASK SEATING-TECHNOLOGY SVCS	\$14,992.68
		10/05/2022	0279017-IN	TABLES & CHAIRS-POLICE	
	34884	10/19/2022	0279658-IN	LATERAL FILE CABINET & PENCIL DRAWER-PARKS MAINT	\$913.96
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$54,138.76
GALLEGOS, KIMBERLY	244325	10/12/2022	R22-168240	ANIMAL SERVICES REFUND-REFUND LICENSE FEES DOG RETURNED	\$15.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$15.00
GALLS INC., INLAND UNIFORM	34731	10/05/2022	BC1711856	SEASON JACKETS FOR CODE ENFORCEMENT	\$1,028.92
	34799	10/12/2022	BC1694589	TACTICAL CARRIER & BODY ARMOR-CODE	\$4,057.92
		10/12/2022	BC1694304	TACTICAL CARRIER & BODY ARMOR-CODE	
Remit to: CHICAGO, IL					<u>FYTD:</u> \$5,207.01
GARCIA, CHANTEL	34885	10/19/2022	SEP. 2022	INSTRUCTOR SERVICES - ART EXPRESSION CLASSES	\$464.40
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$464.40
GARCIA, JAKELINE	34800	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00

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GARCIA, MELISSA	34801	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
GARDAWORLD	34802	10/12/2022	10703971	ARMORED CAR SVC-CITY HALL, CONF & REC, MVU, LIBRARY & ANIMAL SVC	\$4,479.61
		10/12/2022	10707923	ARMORED CAR SVC-CITY HALL, CONF & REC, MVU, LIBRARY & ANIMAL SVC	
		10/12/2022	10700151	ARMORED CAR SVC-CITY HALL, CONF & REC, MVU, LIBRARY & ANIMAL SVC	
		10/12/2022	20540186	ARMORED CAR SVC-CITY HALL, CONF & REC, LIBRARY & ANIMAL SVC	
		10/12/2022	20536904	ARMORED CAR SVC-CITY HALL, CONF & REC, LIBRARY & ANIMAL SVC	
		10/12/2022	10711968	ARMORED CAR SVC-CITY HALL, CONF & REC, MVU, LIBRARY & ANIMAL SVC	
	34886	10/19/2022	20543752	ARMORED CAR SVC-CITY HALL, CONF & REC, MVU, LIBRARY & ANIMAL SVC	\$454.94
Remit to: CHICAGO, IL					<u>FYTD:</u> \$8,836.42
GLOBAL MUSIC RIGHTS, LLC	34803	10/12/2022	INV-GMR-65657	GLOBAL MUSIC RIGHTS LICENSE-5/1/22 TO 4/30/23	\$2,000.00
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$2,000.00
GLOBAL POWER GROUP, INC.	244308	10/12/2022	84095	GENERATOR MAINTENANCE & REPAIR-FIRE STATION 6	\$1,985.94
		10/12/2022	84054	GENERATOR MAINTENANCE & REPAIR-FIRE STATION 6	
		10/12/2022	84023	GENERATOR MAINTENANCE & REPAIR-FIRE STATION 99	
		10/12/2022	84052	GENERATOR MAINTENANCE & REPAIR-FIRE STATION 48	
		10/12/2022	84021	GENERATOR MAINTENANCE & REPAIR-FIRE STATION 65	
Remit to: LAKESIDE, CA					<u>FYTD:</u> \$3,556.18

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GOLDEN STAR TECHNOLOGY, DBA: GST	244265	10/05/2022	IN78005	ALIENVAULT SUPPORT & MAINTENANCE	\$6,117.15
Remit to: CERRITOS, CA					FYTD: \$6,117.15
GREENTECH LANDSCAPE, INC.	34732	10/05/2022	53844	SD LANDSCAPE MONTH BASE (VALLEY) ZONE D	\$24,584.81
		10/05/2022	53841	SD LANDSCAPE MONTH BASE (WEST) ZONE 01,01A, 08, & E-7	
Remit to: LOS ANGELES, CA					FYTD: \$350,361.22
GROUP C MEDIA INC.	34733	10/05/2022	34052	1/2 PAGE ADVERTISING-BUSINESS FACILITIES-ISSUE 9/01/22	\$2,600.00
Remit to: RED BANK, NJ					FYTD: \$5,200.00
GURNEY, RICHARD	244384	10/26/2022	R22-168523	ANIMAL SERVICES REFUND-SPAY/NEUTER AND RABIES DEPOSITS	\$95.00
Remit to: MORENO VALLEY, CA					FYTD: \$95.00
HARBOR FREIGHT TOOLS	244326	10/12/2022	MVU-7013703-02	COMMERCIAL LED REBATE INCENTIVE	\$13,784.40
Remit to: MORENO VALLEY, CA					FYTD: \$113,784.40
HDL COREN & CONE	244367	10/26/2022	SIN019986	CONTRACT SVCS-PROPERTY TAX SOFTWARE MAINT (JULY-SEPTEMBER 2022)	\$6,413.67
Remit to: BREA, CA					FYTD: \$12,385.43
HLP, INC.	34735	10/05/2022	21753	WEBCHAMELEON SOFTWARE ANNUAL SUPPORT & MAINT	\$10,344.00
	34888	10/19/2022	22300	WEB LICENSE MONTHLY SVC FEE	\$64.05
Remit to: LITTLETON, CO					FYTD: \$10,619.80
HOWARD, YAIRA	244349	10/19/2022	RCT# 1024975.047	REFUND OF DEPOSIT FOR CANCELLED EVENT AT TOWNGATE COMMUNITY CTR.	\$209.60
Remit to: PERRIS, CA					FYTD: \$209.60

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HUNSAKER & ASSOCIATES IRVINE, INC	34737	10/05/2022	22070294	PLAN CHECK SVCS-BRADSHAW MAJESTIC-JULY 2022	\$1,476.01
		10/05/2022	22070295	PLAN CHECK SVCS-TR37725-PEN21-0206-JULY 2022	
Remit to: IRVINE, CA					<u>FYTD:</u> \$18,972.03
HYLAND SOFTWARE, INC. (FMRLY SIRE TECHNOLOGIES)	34738	10/05/2022	LE01-270669	SIRE SOFTWARE QTRLY MAINT 11/01/22-01/31/23	\$6,652.10
Remit to: DALLAS, TX					<u>FYTD:</u> \$13,304.20
IMMI TAX SERVICES, LLC	34805	10/12/2022	2521	BACKGROUND CHECKS	\$182.00
	34941	10/26/2022	2522	BACKGROUND CHECKS	\$130.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,872.00
INLAND EMPIRE PROPERTY SERVICE, INC	34739	10/05/2022	2022602	NUISANCE ABATEMENT SVCS-EQUESTRIAN CENTER	\$2,629.50
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$60,940.32

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INTERWEST CONSULTING GROUP, INC.	34740	10/05/2022	80940	PLAN CHECK SVCS-PEN21-0133/ATWOOD FIVE-PLEX DEV-JULY 2022	\$10,136.25
		10/05/2022	80807	PLANNING CONSULTANT SVC-JULY 2022	
		10/05/2022	80943	PLAN CHECK SVCS-PM38082/PEN21-0079-JULY 2022	
		10/05/2022	80942	PLAN CHECK SVCS-TR38237/DR HORTON-JULY 2022	
		10/05/2022	80938	PLAN CHECK SVCS-TR32408/PEN19-0168-JULY 2022	
	34942	10/05/2022	80941	PLAN CHECK SVCS-PEN21-0105-JULY 2022	\$3,997.50
		10/05/2022	80939	PLAN CHECK SVCS-RIVARD BUS PARK-JULY 2022	
		10/26/2022	81730	PLAN CHECK SVCS-TR32408/PEN19-0168-AUGUST 2022	
		10/26/2022	81731	PLAN CHECK SVCS-PEN21-0133/ATWOOD FIVE-PLEX DEV-AUGUST 2022	
		10/26/2022	81733	PLAN CHECK SVCS-TR38237/DR HORTON-AUGUST 2022	
		10/26/2022	81734	PLAN CHECK SVCS-PM38082/PEN21-0079-AUGUST 2022	
Remit to: LOVELAND, CO					FYTD: \$30,693.75
ISRAEL IBARRA DBA WORLD FAMOUS TACOS	34741	10/05/2022	1000 - FINAL	BALANCE DUE FOR BENEFITS FAIR LUNCH ON 9/29/22	\$1,030.00
Remit to: MORENO VALLEY, CA					FYTD: \$2,060.00
JAMES ELLIOTT ENTERTAINMENT	244392	10/26/2022	5521	BAND PERFORMANCE FOR DAY OF THE DEAD EVENT ON 10/28/22	\$3,500.00
Remit to: RANCHO MIRAGE, CA					FYTD: \$7,000.00
JCA ENGINEERING, INC.	34742	10/05/2022	21-2765.1	ELECTRICAL ENGINEERING-VICTORIANO PARK	\$3,080.00
Remit to: HIGHLAND, CA					FYTD: \$15,400.00
JIMENEZ, VANESSA	34806	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244294	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00

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JOHNSON , TRACY	34889	10/19/2022	SEP. 2022	INSTRUCTOR SERVICES - SHITO-RYU KARATE CLASSES	\$421.80
Remit to: MORENO VALLEY, CA					FYTD: \$1,732.80
JTB SUPPLY CO., INC.	34744	10/05/2022	110938	TRAFFIC SIGNAL MAINT SUPPLIES	\$3,691.95
	34943	10/26/2022	111057	TRAFFIC SIGNAL MAINT SUPPLIES	\$4,756.31
Remit to: ORANGE, CA					FYTD: \$12,822.10
KAMUNYU, NAOMI	244358	10/19/2022	10/4 -10/8/22	TRAVEL PER DIEM & MILEAGE - 2022 NEOGOV CONNECT CONFERENCE	\$548.00
Remit to: MORENO VALLEY, CA					FYTD: \$548.00
KELLY, SCHAKEEVIA	34807	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
KOEPFLI, TRISTAN	34891	10/19/2022	PO-MVSD 003	REPAINT HELMETS	\$700.00
Remit to: TEMECULA, CA					FYTD: \$700.00
KONICA MINOLTA BUSINESS SOLUTIONS, USA	34808	10/12/2022	50895563	EQUIPMENT RELOCATION CHARGE-POLICE	\$400.00
	34892	10/19/2022	9008793741	COPIER USAGE-PD LEASE-8/15-8/31/22	\$10,342.58
		10/19/2022	40886945	COPIER LEASE-CITY WIDE-SEPTEMBER 2022	
		10/19/2022	9008898189	COPIER USAGE-PD LEASE-OCTOBER 2022	
		10/19/2022	9008835492	COPIER USAGE-PD LEASE-SEPTEMBER 2022	
Remit to: PASADENA, CA					FYTD: \$40,820.88
LARA, IVAN	34809	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: PERRIS, CA					FYTD: \$500.00

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LARAJARA, ANDREA	34810	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
LEIVAS, INC. DBA. LEIVAS LIGHTING	34811	10/12/2022	1011200	SD LIGHTING REPAIR ADDITIONAL WORK ZONE D	\$412.57
Remit to: RIVERSIDE, CA					FYTD: \$5,385.36
LEXISNEXIS PRACTICE MANAGEMENT	34812	10/12/2022	3094093097	LEGAL RESEARCH TOOLS-SEPTEMBER 2022	\$883.20
Remit to: CHICAGO, IL					FYTD: \$3,532.80
LIBRARY SYSTEMS & SERVICES, LLC	34813	10/12/2022	INV6292	LIBRARY GRANT-CLLS-AUGUST 2022	\$4,725.00
		10/12/2022	INV6136B	LIBRARY GRANT-CLLS-JULY 2022	
Remit to: ROCKVILLE, MD					FYTD: \$836,725.48
LIEBERT, CASSIDY, WHITMORE	244266	10/05/2022	220978	ERC MEMBERSHIP-07/01/22 THROUGH 6/30/23	\$3,975.00
Remit to: LOS ANGELES, CA					FYTD: \$41,441.61
LONDON, JOHN	34814	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
LONDON, KORII	34815	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
LOPEZ, ALAN	34816	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244293	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00

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LOPEZ, JOANNA	34817	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244291	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
LOPEZ, VICTORIA	244393	10/26/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$500.00
		10/26/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
LOR GEOTECHNICAL GROUP, INC.	34745	10/05/2022	18743	PVT REHAB (CDBG FY 21/22)	\$520.00
		10/05/2022	18742	CITYWIDE PVT REHAB FY 21/22	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$520.00
LOZANO, CARISSA	244385	10/26/2022	R22-166631	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: MENIFEE, CA					<u>FYTD:</u> \$75.00
LYONS SECURITY SERVICE, INC.	34746	10/05/2022	29935	SECURITY GUARD SVC-ERC-AUGUST 2022	\$4,480.65
		10/05/2022	29937	SECURITY GUARD SVCS-SENIOR CENTER-AUGUST 2022	
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$124,465.71
M. BREY ELECTRIC, INC.	34944	10/26/2022	7827	EMERGENCY HOT WATER LINE REPAIR-FIRE STATION 6	\$13,855.00
		10/26/2022	7776	CONCRETE APPROACH REPAIR-CONFERENCE & REC CENTER	
		10/26/2022	7915	PATIO COVER PAINT-FIRE STATION 48	
Remit to: BEAUMONT, CA					<u>FYTD:</u> \$191,084.90
MAHBOUBI, REBECCA	244284	10/05/2022	R22-166845	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: BEVERLY HILLS, CA					<u>FYTD:</u> \$75.00

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MARCH JOINT POWERS AUTHORITY	244267	10/05/2022	57617	GAS CHARGES-M.A.R.B. BUILDING 823-JUL. 2022	\$74.67
		10/05/2022	57620	GAS CHARGES-M.A.R.B. BUILDING 938-JUL. 2022	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$240.02
MAR-CO EQUIPMENT COMPANY	34747	10/05/2022	188640	STREET SWEEPER REPAIR - LABOR & PARTS	\$1,446.14
Remit to: POMONA, CA					<u>FYTD:</u> \$1,446.14
MARGARITAS GRILL RESTAURANT & CATERING, LLC	34819	10/12/2022	S02339	VIP CATERING-EL GRITO 2022 EVENT ON 9/15/22	\$6,623.39
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$16,884.95
MARQUEZ, EMMA	244285	10/05/2022	2002861.047	REFUND- POM POM CHEERLEADING DRILL TEAM (AGES 8-15)	\$86.40
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$86.40
MARTINEZ, ISRAEL	34821	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244298	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
MATTHEWS, MYESHA	244386	10/26/2022	2002889.047	DEPOSIT REFUND- SENIOR CTR.	\$320.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$320.00
MCGRATH RENTCORP AND SUBSIDIARIES	34749	10/05/2022	300866681	TEMPORARY STORAGE UNIT RENTAL-CITY YARD 9/29-10/28/22	\$726.60
		10/05/2022	300813095	TEMPORARY STORAGE UNIT RENTAL-CITY YARD 7/31-8/29/22	
		10/05/2022	300788590	TEMPORARY STORAGE UNIT RENTAL-CITY YARD 7/01-7/30/22	
		10/05/2022	300840619	TEMPORARY STORAGE UNIT RENTAL-CITY YARD 8/30-9/28/22	
Remit to: SAN FRANCISCO, CA					<u>FYTD:</u> \$908.25

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MCRAE, HARRIET	34822	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244292	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
MCT TECHNOLOGY, INC.	244368	10/26/2022	12381	CARECONNECT - CHILD CARE DATA MANAGEMENT SYSTEM	\$7,704.00
Remit to: CHINO HILLS, CA					FYTD: \$7,704.00
MEKHADEL, WAFAA	244387	10/26/2022	R22-166788	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: MORENO VALLEY, CA					FYTD: \$75.00
MENDOZA, ANTHONY	34823	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
MENGISTU, YESHIALEM	34895	10/19/2022	SEP. 2022	MILEAGE REIMBURSEMENT - SEPTEMBER 2022	\$235.00
Remit to: MORENO VALLEY, CA					FYTD: \$505.92
MERCHANTS BUILDING MAINTENANCE, LLC.	34824	10/12/2022	695522	AUG 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-TOWNGATE COMM. CTR.	\$2,180.00
		10/12/2022	695526	JUL 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-TOWNGATE COMM. CTR.	
		10/12/2022	688080	JUL 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-COTTONWOOD GOLF CTR	
	34896	10/19/2022	697487	AUG 2022 SPECIAL CLEANINGS FOR EVENT RENTALS-COTTONWOOD GOLF CTR	\$835.00
Remit to: MONTEREY PARK, CA					FYTD: \$237,487.75
MGT OF AMERICA, LLC	34751	10/05/2022	47162	SB 90 CLAIMS MANDATED COST FILING SERVICES (50%)	\$4,312.50
Remit to: TAMPA, FL					FYTD: \$4,312.50

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MICHAEL BAKER INTERNATIONAL, INC	34825	10/12/2022	1158000	802 0004 INDIAN ST CARDINAL BRIDGE PH 2	\$18,194.00
Remit to: LOS ANGELES, CA					FYTD: \$21,572.75
MISSION LINEN SUPPLY, INC.	34752	10/05/2022	517841764	LINEN RENTAL SERVICES	\$58.01
	34826	10/12/2022	517887261	LINEN RENTAL SERVICES	\$174.03
		10/12/2022	517945056	LINEN RENTAL SERVICES	
		10/12/2022	517795105	LINEN RENTAL SERVICES	
	34946	10/26/2022	517990926	LINEN RENTAL SERVICES	\$58.01
Remit to: SANTA BARBARA, CA					FYTD: \$1,186.54
MORENO VALLEY CHAMBER OF COMMERCE	244369	10/26/2022	7544	2022 BUSINESS EXPO BOOTH FEE - BERC	\$75.00
Remit to: MORENO VALLEY, CA					FYTD: \$75.00
MORENO VALLEY COMMUNITY VET CARE	34897	10/19/2022	SEP. 2022	VETERINARY SERVICES-MV ANIMAL SHELTER/SEPTEMBER 2022	\$13,760.55
Remit to: MORENO VALLEY, CA					FYTD: \$53,249.33
MORENO VALLEY HIGH SCHOOL	244350	10/19/2022	2002877.047	DEPOSIT REFUND- CONFERENCE & RECREATION CENTER RENTAL	\$786.20
Remit to: MORENO VALLEY, CA					FYTD: \$786.20
MORENO VALLEY HISPANIC CHAMBER OF COMMER	244310	10/12/2022	1001	PLATINUM MEMBERSHIP/BENEFITS - FY 22/23	\$15,000.00
Remit to: MORENO VALLEY, CA					FYTD: \$15,000.00
MORENO VALLEY MALL HOLDING, LLC	34947	10/26/2022	NOV. 2022 RENT	NOVEMBER 2022 RENT PAYMENT FOR SP. 2078-M.V. LIBRARY BRANCH	\$6,874.54
Remit to: MORENO VALLEY, CA					FYTD: \$27,498.16

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MORENO VALLEY TOW & RADIATOR	244268	10/05/2022	17426	EVIDENCE TOWING FOR PD	\$273.00
	244339	10/19/2022	17613	EVIDENCE TOWING FOR PD	\$819.00
		10/19/2022	17535	EVIDENCE TOWING FOR PD	
Remit to: MORENO VALLEY, CA					FYTD: \$9,312.50
MORENO, JOSE	244286	10/05/2022	R22-167868	ANIMAL SERVICES REFUND-LICENSE REFUND	\$15.00
Remit to: MORENO VALLEY, CA					FYTD: \$15.00
MORRIS, KEVIN	244394	10/26/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$500.00
		10/26/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
MUNOZ, YVETTE	244388	10/26/2022	R22-168577	ANIMAL SERVICES REFUND-OVERPAYMENT ON WEB LICENSE	\$20.00
Remit to: MORENO VALLEY, CA					FYTD: \$20.00
MUSICSTAR	244312	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES-INTRO TO ANIME & CARTOON DRAWING CLASSES	\$175.20
Remit to: RIVERSIDE, CA					FYTD: \$175.20
MWI ANIMAL HEALTH	244269	10/05/2022	43108229	ANIMAL MEDICAL SUPPLIES	\$62.67
	244313	10/12/2022	43208300	ANIMAL MEDICAL SUPPLIES/VACCINES	\$308.10
	244340	10/19/2022	43618954	ANIMAL MEDICAL SUPPLIES/VACCINES	\$824.33
		10/19/2022	43578914	ANIMAL MEDICAL SUPPLIES/VACCINES	
Remit to: LOS ANGELES, CA					FYTD: \$3,516.06
NAMEKATA, JAMES	34898	10/19/2022	SEP. 2022	INSTRUCTOR SERVICES - SHITO-RYU KARATE CLASSES	\$410.40
Remit to: RIVERSIDE, CA					FYTD: \$1,721.40

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NAVARRO, CHRISTY	34827	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244297	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00
NEW HORIZON MOBILE HOME PARK	34899	10/19/2022	SEPT 2022	UUT REFUND FOR SEPT 2022	\$10.20
Remit to: LOS ANGELES, CA					FYTD: \$17.61
NEWHALL, KATRINA	244351	10/19/2022	R22-166337	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: GRANITE FALLS, WA					FYTD: \$150.00
NGUYEN, CLEMENT BA DUONG	34828	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES-VOVINAM MARTIAL ARTS CLASSES	\$468.00
Remit to: BEAUMONT, CA					FYTD: \$1,665.00
NGUYEN, JASON	244352	10/19/2022	R22-167772	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: RIVERSIDE, CA					FYTD: \$75.00
NPG INC, DBA GOLDSTAR ASPHALT PRODUCTS	34829	10/12/2022	20240	ROAD AND HIGHWAY BUILDING MATERIALS-MAINT & OPS	\$266.68
	34948	10/26/2022	20441	ROAD AND HIGHWAY BUILDING MATERIALS-MAINT & OPS	\$254.83
Remit to: PERRIS, CA					FYTD: \$7,765.00
NV5, INC.	34830	10/12/2022	291622	ON-CALL CONSTRUCTION INSPECTION SERVICES - JUL. 2022	\$20,781.82
Remit to: HOLLYWOOD, FL					FYTD: \$126,170.16
ONESOURCE DISTRIBUTORS, INC.	34831	10/12/2022	S6830544.003	(5) 75KVA TRANSFORMERS FOR MVU INVENTORY	\$22,215.41
Remit to: OCEANSIDE, CA					FYTD: \$44,298.77

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ORNELAS, MADISON	34833	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$500.00
PACIFIC PRODUCTS AND SERVICES LLC	244341	10/19/2022	30643	BEAUTIFY MV SIGN POSTS, ANCHORS, SLEEVES, DRIVE RIVETS, & BRACES	\$9,030.36
		10/19/2022	30895	3/8" STEEL DRIVE RIVETS	
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$30,827.11
PACIFIC WEST, LLC , C/O PAULC.KING TRUST	244287	10/05/2022	BL#30091-YR2022	REFUND OF OVERPAYMENT FOR BUSINESS LICENSE	\$96.68
Remit to: IRVINE, CA					<u>FYTD:</u> \$96.68
PADILLA, ALEXIS	34834	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244299	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
PAMELA D. CHAFFIN	34949	10/26/2022	10/24 - 10/27/22	TRAVEL PER DIEM & MILEAGE - CACEO CODE CONFERENCE	\$322.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$322.00
PARRAL, DANIEL	244353	10/19/2022	R22-168288	ANIMAL SERVICES REFUND-RETURN ADOPTION, LICENSE FEE RETURNED	\$15.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$15.00
PARSONS TRANSPORTATION GROUP, INC.	34835	10/12/2022	2210A012	SR60/MORENO BEACH PH 2	\$864.89
Remit to: IRVINE, CA					<u>FYTD:</u> \$7,138.98

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PEPE'S TOWING	34836	10/12/2022	107760	EMERGENCY TOWING SERVICES FOR FLEET VEHICLE	\$430.00
	34900	10/19/2022	22-1012-553	TOW SERVICES FOR GENERATOR REMOVAL-CITY YARD	\$1,023.00
		10/19/2022	107431	EVIDENCE TOWING FOR PD	
Remit to: MORENO VALLEY, CA					FYTD: \$4,360.75
PERCEPTIVE ENTERPRISES, INC.	34837	10/12/2022	3796	PROFESSIONAL DBE/CPR CONSULTING SERVICES	\$18,858.00
		10/12/2022	3785	PROFESSIONAL DBE/CPR CONSULTING SERVICES	
Remit to: LOS ANGELES, CA					FYTD: \$33,264.00
PROFESSIONAL COMMUNICATIONS NETWORK PCN	244370	10/26/2022	221100427	LIVE ANSWERING SERVICE FOR ROTATIONAL TOW PROGRAM	\$626.48
Remit to: RIVERSIDE, CA					FYTD: \$2,789.15
PTS COMMUNICATIONS INC	34753	10/05/2022	2093268	PAY PHONE SERVICES-OCT. 2022	\$128.28
Remit to: SAN RAMON, CA					FYTD: \$641.40
PUBLIC RISK, INNOVATION, SOLUTIONS, AND MANAGEMENT	34901	10/19/2022	23990002	EXCESS WORKERS' COMP SUBSCRIPTION RENEWAL LATE FEE	\$838.95
Remit to: FOLSOM, CA					FYTD: \$268,511.95
PVP COMMUNICATIONS, INC.	34902	10/19/2022	131581	MOTOR HELMET COMMUNICATIONS KITS (2)	\$599.18
Remit to: TORRANCE, CA					FYTD: \$599.18
RAMIREZ, NATALY	34838	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$500.00

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RAMOS, ROBERTO	34839	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES-AMAZING MARTIAL ARTS & TAE KWON DO CLASSES	\$963.90
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$4,239.90

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READY REFRESH BY NESTLE	34754	10/05/2022	02G6703660050	WATER DISPENSER UNIT RENTAL-CITY HALL	\$869.22
		10/05/2022	02G6703657413	WATER DISPENSER UNIT RENTAL-BERC	
		10/05/2022	02G6703658235	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/05/2022	02G6703658237	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/05/2022	02G6703658271	WATER DISPENSER UNIT RENTAL-CITY YARD SANTIAGO OFFICE	
		10/05/2022	02G6703658273	WATER DISPENSER UNIT RENTAL-FIRE STATION 91	
		10/05/2022	02G6703657389	WATER DISPENSER UNIT RENTAL-FIRE STATION 99	
		10/05/2022	02G6703660049	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/05/2022	02G6703660052	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/05/2022	02G6703660053	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/05/2022	02G6703660057	WATER DISPENSER UNIT RENTAL-CITY YARD	
		10/05/2022	02G6703660056	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/05/2022	02G6703657407	WATER DISPENSER UNIT RENTAL-CRC	
		10/05/2022	02G6703657409	WATER DISPENSER UNIT RENTAL-ANNEX 1	
		10/05/2022	02G6703658274	WATER DISPENSER UNIT RENTAL-MAIN LIBRARY	
		10/05/2022	02G6703657401	WATER DISPENSER UNIT RENTAL-SENIOR CENTER	
		10/05/2022	02G6703148277	WATER DISPENSER UNIT RENTAL-FIRE STATION 2	
		10/05/2022	02G6703657388	WATER DISPENSER UNIT RENTAL-FIRE STATION 58	
		10/05/2022	02G6703657403	WATER DISPENSER UNIT RENTAL-FIRE STATION 48	
		10/05/2022	02G6703660059	WATER DISPENSER UNIT RENTAL-FIRE STATION 65	
		10/05/2022	02G6703657399	WATER DISPENSER UNIT RENTAL-FIRE STATION 6	
		10/05/2022	02G6703657396	WATER DISPENSER UNIT RENTAL-ANIMAL SHELTER	
		10/05/2022	02G6703657393	WATER DISPENSER UNIT RENTAL-ANIMAL SHELTER	
		10/05/2022	02G6703657410	WATER DISPENSER UNIT RENTAL-ANNEX 1	
		10/05/2022	02G6703660060	WATER DISPENSER UNIT RENTAL-RAINBOW RIDGE	
		10/05/2022	02G6703686057	WATER DISPENSER UNIT RENTAL-EOC	
		10/05/2022	02G6703686058	WATER DISPENSER UNIT RENTAL-VAL VERDE (RED MAPLE) SITE	
		10/05/2022	02G6703660054	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/05/2022	02G6705245066	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	

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City of Moreno Valley Payment Register

For Period 10/1/2022 through 10/31/2022

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
READY REFRESH BY NESTLE	34840	10/12/2022	02H6703660052	WATER DISPENSER UNIT RENTAL-CITY HALL	\$863.91
		10/12/2022	02H6703686057	WATER DISPENSER UNIT RENTAL-EOC	
		10/12/2022	02H6703660060	WATER DISPENSER UNIT RENTAL-RAINBOW RIDGE	
		10/12/2022	02H6703660059	WATER DISPENSER UNITS RENTAL-FIRE STATION 65	
		10/12/2022	02H6703658235	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/12/2022	02H6703660057	WATER DISPENSER UNIT RENTAL-CITY YARD	
		10/12/2022	02H6703657388	WATER DISPENSER UNIT RENTAL-FIRE STATION 58	
		10/12/2022	02H6703658273	WATER DISPENSER UNIT RENTAL-FIRE STATION 91	
		10/12/2022	02H6703658274	WATER DISPENSER UNIT RENTAL-MAIN LIBRARY	
		10/12/2022	02H6703657413	WATER DISPENSER UNITS RENTAL-BERC	
		10/12/2022	02H6703660050	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/12/2022	02H6703686058	WATER DISPENSER UNIT RENTAL-VAL VERDE (RED MAPLE) SITE	
		10/12/2022	02H6703660056	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/12/2022	02H6703658271	WATER DISPENSER UNIT RENTAL-CITY YARD SANTIAGO OFFICE	
		10/12/2022	02H6703660054	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/12/2022	02H6703657396	WATER DISPENSER UNIT RENTAL-ANIMAL SHELTER	
		10/12/2022	02H6703658237	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/12/2022	02H6703660049	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/12/2022	02H6703657389	WATER DISPENSER UNIT RENTAL-FIRE STATION 99	
		10/12/2022	02H6703657407	WATER DISPENSER UNIT RENTAL-CRC	
		10/12/2022	02H6703657393	WATER DISPENSER UNIT RENTAL-ANIMAL SHELTER	
		10/12/2022	02H6705245066	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/12/2022	02H6703657399	WATER DISPENSER UNIT RENTAL-FIRE STATION 6	
		10/12/2022	02H6703657401	WATER DISPENSER UNIT RENTAL-SENIOR CENTER	
		10/12/2022	02H6703657403	WATER DISPENSER UNIT RENTAL-FIRE STATION 48	
		10/12/2022	02H6703657409	WATER DISPENSER UNIT RENTAL-ANNEX 1	
		10/12/2022	02H6703657410	WATER DISPENSER UNIT RENTAL-ANNEX 1	
		10/12/2022	02H6703660053	WATER DISPENSER UNIT RENTAL-CITY HALL	

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READY REFRESH BY NESTLE	34841	10/12/2022	02I0035449305	BOTTLED WATER, DELIVERY & RENTAL-CREEKSIDE ELEMENTARY/CHILD CARE	\$103.94
		10/12/2022	02I0035449404	BOTTLED WATER-SUNNYMEAD ELEMENTARY/CHILD CARE	
		10/12/2022	02I0035449180	BOTTLED WATER, DELIVERY & RENTAL-ARMADA ELEMENTARY/CHILD CARE	

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READY REFRESH BY NESTLE	34904	10/19/2022	0216703660057	WATER DISPENSER UNIT RENTAL-CITY YARD	\$976.03
		10/19/2022	0216703657407	WATER DISPENSER UNIT RENTAL-CRC	
		10/19/2022	0216703658237	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/19/2022	0216703658274	WATER DISPENSER UNIT RENTAL-MAIN LIBRARY	
		10/19/2022	0216703657389	WATER DISPENSER UNIT RENTAL-FIRE STATION 99	
		10/19/2022	0216703657393	WATER DISPENSER UNIT RENTAL-ANIMAL SHELTER	
		10/19/2022	0216703657396	WATER DISPENSER UNIT RENTAL-ANIMAL SHELTER	
		10/19/2022	0216703657399	WATER DISPENSER UNIT RENTAL-FIRE STATION 6	
		10/19/2022	0216703657401	WATER DISPENSER UNIT RENTAL-SENIOR CENTER	
		10/19/2022	0216703657403	WATER DISPENSER UNIT RENTAL-FIRE STATION 48	
		10/19/2022	0216703657410	WATER DISPENSER UNIT RENTAL-ANNEX 1	
		10/19/2022	0216703657409	WATER DISPENSER UNIT RENTAL-ANNEX 1	
		10/19/2022	0216703658271	WATER DISPENSER UNIT RENTAL-CITY YARD SANTIAGO OFFICE	
		10/19/2022	0216703658235	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/19/2022	0216703657388	WATER DISPENSER UNIT RENTAL-FIRE STATION 58	
		10/19/2022	0216703660056	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/19/2022	0216705245066	WATER DISPENSER UNIT RENTAL-PUBLIC SAFETY BUILDING	
		10/19/2022	0216703686058	WATER DISPENSER UNIT RENTAL-VAL VERDE (RED MAPLE) SITE	
		10/19/2022	0216703686057	WATER DISPENSER UNIT RENTAL-EOC	
		10/19/2022	0216703657413	WATER DISPENSER UNIT RENTAL-BERC	
		10/19/2022	0216703660059	WATER DISPENSER UNIT RENTAL-FIRE STATION 65	
		10/19/2022	0216703658273	WATER DISPENSER UNIT RENTAL-FIRE STATION 91	
		10/19/2022	0216703660053	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/19/2022	0216703660052	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/19/2022	0216703660050	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/19/2022	0216703660049	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/19/2022	0216703660054	WATER DISPENSER UNIT RENTAL-CITY HALL	
		10/19/2022	0216703660060	WATER DISPENSER UNIT RENTAL-RAINBOW RIDGE	

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Remit to: LOUISVILLE, KY					<u>FYTD:</u> \$3,556.24
REGALADO, BLANCA E	34842	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES-FOLKLORIC DANCE ADULT & YOUTH CLASSES	\$717.60
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$2,317.80
REYES, ALEJANDRA	34843	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244300	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
RHYTHM TECH PRODUCTIONS, LLC	34905	10/19/2022	894	SERVICE CALL TO REFOCUS/REPROGRAM LIGHTING & AUDIO SYSTEM ETC.	\$3,120.00
	34951	10/26/2022	833	SOUND ENGINEER TO OPERATE AUDIO FOR EVENT ON 8/18/22 AT CRC	\$450.00
Remit to: COLTON, CA					<u>FYTD:</u> \$13,691.20
RIVERA, JOCELYN	34844	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
Riverside Community Housing Corporation, Housing Authority of Riverside County	244354	10/19/2022	BL#40747-YR2022	REFUND OF OVERPAYMENT FOR BUSINESS LICENSE	\$65.00
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$65.00
RIVERSIDE COUNTY HABITAT CONSERVATION	244342	10/19/2022	3RD QTR 2022	STEPHEN'S KANGAROO RAT MITIGATION FEES FOR QTR ENDING 9/30/22	\$11,565.00
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$16,060.00

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ROADPOST USA INC DBA BLUECOSMO	34952	10/26/2022	BU01507440	SATELLITE PHONE SERVICE PLAN-FIRE	\$545.40
Remit to: SEATTLE, WA					<u>FYTD:</u> \$2,980.42
RODRIGUEZ, ARISSA	244288	10/05/2022	R22-167886	ANIMAL SERVICES REFUND-LICENSE REFUND	\$15.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$15.00
ROGELIO SILVA	244391	10/26/2022	10/28/22 EVENT	BAND PERFORMANCES FOR DAY OF THE DEAD EVENT ON 10/28/22	\$2,500.00
Remit to: BELLFLOWER, CA					<u>FYTD:</u> \$9,000.00
RUBY INDUSTRIAL TECHNOLOGIES, C/O ED JOHNSON	244289	10/05/2022	BL#03615-YR2022	REFUND OF OVERPAYMENT FOR BUSINESS LICENSE	\$13.00
Remit to: BLOOMFIELD, CT					<u>FYTD:</u> \$13.00
RUGAMAS, IVAN	244396	10/26/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$500.00
		10/26/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
RUGAMAS, TATIANA	34845	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
SAFEWAY SIGN CO.	34907	10/19/2022	53580	TRAFFIC SIGNS/HARDWARE	\$4,500.72
Remit to: ADELANTO, CA					<u>FYTD:</u> \$21,403.56
SAUCEDO, BIANCA	34846	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
	244295	10/05/2022	SEPTEMBER 2022	MOVAL LEARNS-SEPTEMBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00

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SECURITY LOCK & KEY	244314	10/12/2022	31738	KEY COPIES-CITY HALL,COTTONWOOD, TOWNGATE CC	\$307.92
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$1,171.67
SECURITY SIGNAL DEVICES, INC. DBA SSD ALARM	34755	10/05/2022	R-00399548	ALARM SYSTEM SERVICES FOR MOVAL & KITCHING SUBSTATIONS-OCT. 2022	\$464.85
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$1,859.40
SICAIROS, BRITTANY	34847	10/12/2022	OCTOBER 2022	MOVAL LEARNS-OCTOBER 2022	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$500.00
SKY PUBLISHING	34848	10/12/2022	22.5_146	FULL PAGE MAGAZINE AD-FLOOD PLAIN MGMT PUBLIC SVC MSG/2022 ISS 5	\$1,500.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$3,000.00
SKY TRAILS MOBILE VILLAGE	34849	10/12/2022	Sept 2022	UUT REFUND FOR SEPT 2022	\$5.99
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$11.98
SOUTHERN CALIFORNIA EDISON	244271	10/05/2022	SEP-22 10/5/22	ELECTRICITY CHARGES	\$3,577.86
	244315	10/12/2022	SEP-22 10/12/22	ELECTRICITY CHARGES	\$9,371.53
	244371	10/26/2022	SEP-22 10/26/22	ELECTRICITY CHARGES	\$5,775.01
Remit to: ROSEMEAD, CA					<u>FYTD:</u> \$985,819.64
SOUTHERN CALIFORNIA GAS CO.	244273	10/05/2022	AUG-2022	GAS CHARGES	\$3,722.08
	244344	10/19/2022	SEP-2022	GAS CHARGES	\$4,900.69
Remit to: MONTEREY PARK, CA					<u>FYTD:</u> \$22,995.54
SOUTHERN PET SUPPLIES	34909	10/19/2022	9961	PET SUPPLIES-NYLON LEADS	\$150.00
Remit to: SAN DIEGO, CA					<u>FYTD:</u> \$569.65

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STATE BOARD OF EQUALIZATION 1	35119	10/31/2022	3RD QTR 2022	SALES & USE TAX REPORT FOR THE QUARTER ENDING 9/30/22	\$813.00
Remit to: SACRAMENTO, CA					FYTD: \$11,153.00
STATE OF CALIFORNIA DEPT. OF JUSTICE	244274	10/05/2022	601746	LIVE SCAN FINGERPRINTING APPS FOR PD-AUG. 2022	\$2,963.00
	244345	10/19/2022	608360	LIVE SCAN FINGERPRINTING APPS FOR PD-SEP. 2022	\$2,544.00
Remit to: SACRAMENTO, CA					FYTD: \$15,706.00
STEVEN B. QUINTANILLA A PROFESSIONAL CORPORATION	34757	10/05/2022	AUG-22/MILLER	SPECIAL COUNSEL LITIGATION SVCS-MILLER STARR REG. 8/01-8/31/22	\$15,590.94
Remit to: PALM SPRINGS, CA					FYTD: \$563,196.98
STEVEN PERRY PROFESSIONAL PHOTOGRAPHY	34851	10/12/2022	220917.1	PHOTOGRAPHY SERVICES 09/15/22 - EL GRITO EVENT	\$639.38
		10/12/2022	220928.1	PHOTOGRAPHY SERVICES 09/28/22 - FOREVER 21 DONATION CEREMONY	
	34910	10/19/2022	221005.2	PHOTOGRAPHY SERVICES 10/04/22 - MOVAL SPECIAL PRESENTATION EVENT	\$547.50
		10/19/2022	221005.1	PHOTOGRAPHY SERVICES 10/04/22 - FIRE DEPT. PHOTOSHOOT	
		10/19/2022	221006.1	PHOTOGRAPHY SERVICES 10/06/22 - MOVAL JOB FAIR	
	34953	10/26/2022	221015.1	PHOTOGRAPHY SERVICES 10/14/22 - MORRISON PARK PHOTO SHOOT	\$72.50
Remit to: MORENO VALLEY, CA					FYTD: \$4,752.76
STEVE'S TOWING INC.	34756	10/05/2022	132945	EVIDENCE TOWING FOR PD	\$420.00
Remit to: LAKE ELSINORE, CA					FYTD: \$420.00

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STILES ANIMAL REMOVAL, INC.	244316	10/12/2022	2550	DECEASED LARGE ANIMAL REMOVAL SERVICES-SEP. 2022	\$1,435.00
Remit to: GUASTI, CA					FYTD: \$7,750.00
SUNNYMEAD ACE HARDWARE	244275	10/05/2022	96232	MISC. SUPPLIES FOR PD	\$122.72
	244346	10/19/2022	96231	MISC. SUPPLIES FOR PD	\$6.44
Remit to: MORENO VALLEY, CA					FYTD: \$858.41
THE HOLE IN WALL INC.	34920	10/19/2022	OCT. 13, 2022	DONATION - COUNCIL DISCRETIONARY FUNDS CONTRIBUTION	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$250.00
THE UNIVERSITY ENTERPRISES CORPORATION AT CSUSB	244317	10/12/2022	SP0012002	SPONSORSHIP FOR IE SMALL BUSINESS BUSINESS DEV. CTR. 2022-PMT #1	\$8,500.00
Remit to: SAN BERNARDINO, CA					FYTD: \$8,500.00
THERMAL-COOL INC.	244390	10/26/2022	WO-0020463	HVAC MAINTENANCE & CONDENSOR COIL CLEANER - LASSELLE SPORTS PARK	\$679.00
		10/26/2022	WO-0020550	HVAC SERVICE, BOLT, & REFRIGERANT - LASSELLE SPORTS PARK	
		10/26/2022	WO-0020490	HVAC MAINTENANCE SERVICE - SUNNYMEAD PARK SNACK BAR	
Remit to: RIVERSIDE, CA					FYTD: \$679.00
THOMPSON COBURN LLP	34759	10/05/2022	3566465	LEGAL SERVICES-MVU/RELIABILITY STANDARD COMPLIANCE/AUG. 2022	\$39.08
Remit to: WASHINGTON, DC					FYTD: \$164.41
THOMSON REUTERS-WEST PUBLISHING CORP.	34911	10/19/2022	847127856	AUTO TRACK SERVICES FOR PD INVESTIGATIONS-SEP. 2022	\$1,295.14
Remit to: CAROL STREAM, IL					FYTD: \$5,180.56

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TIME WARNER CABLE	244318	10/12/2022	091922301090122	FIBER INTERNET ACCESS SERVICES - SEP. 2022	\$844.00
Remit to: PITTSBURGH, PA					<u>FYTD:</u> \$2,532.00
TITAN RENTAL GROUP, INC.	244319	10/12/2022	RES# 44272-FINAL	RENTAL OF CANOPY, TABLES, CHAIRS, ETC. FOR EL GRITO EVENT	\$3,231.46
		10/12/2022	RES# 44264-FINAL	RENTAL OF CANOPY, TABLES, CHAIRS, ETC. FOR JULY 4TH 2022 EVENT	
	244372	10/26/2022	RES# 44814-FINAL	RENTAL OF LED UPLIGHTS FOR STATE OF CITY EVENT 8/23/22	\$138.60
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$4,031.81
T-MOBILE USA, INC.	244276	10/05/2022	9507528742	CELLULAR TECHNOLOGY EXTRACTION/LOCATOR SERVICES FOR PD	\$375.00
		10/05/2022	9506607277	CELLULAR TECHNOLOGY EXTRACTION/LOCATOR SERVICES FOR PD	
		10/05/2022	9508329625	CELLULAR TECHNOLOGY EXTRACTION/LOCATOR SERVICES FOR PD	
		10/05/2022	9509433159	CELLULAR TECHNOLOGY EXTRACTION/LOCATOR SERVICES FOR PD	
Remit to: SEATTLE, WA					<u>FYTD:</u> \$2,910.00
TORRES, MARIA	244327	10/12/2022	R22-167039	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$95.00
TOUCH OF SOUL	34853	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES - SOUL LINE DANCING CLASS	\$464.40
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,315.80
TOWNSEND PUBLIC AFFAIRS, INC.	34760	10/05/2022	18865	CONSULTING SERVICES-LOBBYIST/ADVOCATE & GRANT WRITING-SEP. 2022	\$4,000.00
	34955	10/26/2022	18980	CONSULTING SERVICES-LOBBYIST/ADVOCATE & GRANT WRITING-OCT. 2022	\$4,000.00
Remit to: NEWPORT BEACH, CA					<u>FYTD:</u> \$20,000.00
TRB AND ASSOCIATES	34854	10/12/2022	4422	PERMIT TECHNICIAN CONSULTANT SERVICES (LDD)-AUG. 2022	\$11,342.50
Remit to: SAN RAMON, CA					<u>FYTD:</u> \$24,213.30

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TRICHE, TARA	34855	10/12/2022	SEP. 2022	INSTRUCTOR SERVICES-BALLET/DANCE EXPLORATION CLASSES	\$1,566.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$3,692.70
TSG ENTERPRISES, INC. DBA THE SOLIS GROUP	34956	10/26/2022	9525	PVT REHAB (CDBG FY 21/22)	\$14,982.00
		10/26/2022	9372	CITYWIDE PVT REHAB FY 21/22	
		10/26/2022	9371	CITYWIDE PVT REHAB PROG (FY 21-26)	
		10/26/2022	9527	CITYWIDE PVT REHAB FY 21/22	
		10/26/2022	9526	CITYWIDE PVT REHAB PROG (FY 21-26) PVT	
		10/26/2022	9370	REHAB (CDBG FY 21/22)	
Remit to: PASADENA, CA					<u>FYTD:</u> \$22,058.00
TUMON BAY RESORT & SPA	34957	10/26/2022	NOV. 2022 RENT	NOV. 2022 RENT (INCL. CAM, ETC) FOR BUSINESS & EMP. RESOURCE CTR	\$8,152.37
Remit to: TAMUNING, GU					<u>FYTD:</u> \$32,609.48
TYLER TECHNOLOGIES, INC.	244277	10/05/2022	025-380097	MYCIVICAPP SMARTPHONE APP SUBSCRIPTION 7/1/22 - 6/30/23	\$6,945.75
Remit to: DALLAS, TX					<u>FYTD:</u> \$6,945.75
U.S. BANK NA	34762	10/05/2022	13417473	INVESTMENT CUSTODIAL SERVICES-AUG. 2022	\$925.00
Remit to: ST. PAUL, MN					<u>FYTD:</u> \$3,650.00

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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA	34856	10/12/2022	720220465 (d)	DIGALERT TICKETS SUBSCRIPTION SERVICE-JUL. 2022	\$342.50
		10/12/2022	720220465 (c)	DIGALERT TICKETS SUBSCRIPTION SERVICE-JUL. 2022	
		10/12/2022	720220465 (a)	DIGALERT TICKETS SUBSCRIPTION SERVICE-JUL. 2022	
	34857	10/12/2022	720220465 (b)	DIGALERT TICKETS SUBSCRIPTION SERVICE-JUL. 2022	
		10/12/2022	820220477 (b)	DIGALERT TICKETS SUBSCRIPTION SERVICE-AUG. 2022	\$466.75
		10/12/2022	820220477 (c)	DIGALERT TICKETS SUBSCRIPTION SERVICE-AUG. 2022	
		10/12/2022	820220477 (d)	DIGALERT TICKETS SUBSCRIPTION SERVICE-AUG. 2022	
	244320	10/12/2022	820220477 (a)	DIGALERT TICKETS SUBSCRIPTION SERVICE-AUG. 2022	
		10/12/2022	22-2300276 (b)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD	\$84.03
		10/12/2022	22-2300276 (c)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD	
244321	10/12/2022	22-2300276 (d)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD		
	10/12/2022	22-2300276 (a)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD		
	10/12/2022	22-2300692 (c)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD	\$84.03	
	10/12/2022	22-2300692 (b)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD		
		10/12/2022	22-2300692 (d)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD	
		10/12/2022	22-2300692 (a)	CA STATE FEE FOR REGULATORY COSTS TO SAFE EXCAVATION BOARD	
Remit to: CORONA, CA					FYTD: \$1,754.14
UNITED SITE SERVICES OF CA, INC.	34858	10/12/2022	114-13367402	FENCE RENTAL AT ANIMAL SHELTER 09/22-10/19/22	\$106.40
Remit to: DALLAS, TX					FYTD: \$425.60

Attachment: 2022_OctoberPaymentRegister (6026 : OCTOBER PAYMENT REGISTER 2022)



City of Moreno Valley Payment Register

For Period 10/1/2022 through 10/31/2022

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VACATE TERMITES & PEST ELIMINATION COMPANY	34859	10/12/2022	119265	MOSQUITO ABATEMENT SERVICE-PUBLIC SAFETY BLDG.	\$2,160.00
		10/12/2022	117601	NON-ROUTINE PEST SERVICE-PUBLIC SAFETY BLDG.	
		10/12/2022	117416	NON-ROUTINE PEST SERVICE-FIRE STATION 99	
		10/12/2022	119259	MOSQUITO ABATEMENT SERVICE-ANIMAL SHELTER	
		10/12/2022	119128	MOSQUITO ABATEMENT SERVICE-SENIOR CENTER	
		10/12/2022	119122	MOSQUITO ABATEMENT SERVICE-TOWNGATE COMMUNITY CENTER	
		10/12/2022	119175	INTERIOR PEST CONTROL-CITY YARD SANTIAGO	
		10/12/2022	118764	NON-ROUTINE PEST SERVICE-MARCH FIELD PARK COMM CENTER	
		10/12/2022	118104	NON-ROUTINE PEST SERVICE-CONFERENCE & REC CENTER	
		10/12/2022	118085	NON-ROUTINE PEST SERVICE-MARCH FIELD PARK COMM CENTER	
		10/12/2022	117417	NON-ROUTINE PEST SERVICE-FIRE STATION 2	
		10/12/2022	117923	NON-ROUTINE PEST SERVICE-FIRE STATION 91	
		10/12/2022	117838	MOSQUITO ABATEMENT FLY LIGHT INSTAL & SERVICE-CITY YARD PERRIS	
		10/12/2022	117713	NON-ROUTINE PEST SERVICE-CITY YARD PERRIS	
		10/12/2022	117693	NON-ROUTINE PEST SERVICE-CONFERENCE & REC CENTER	
		10/12/2022	118388	NON-ROUTINE PEST SERVICE-CITY HALL	
		10/12/2022	118515	NON-ROUTINE PEST SERVICE-FIRE STATION 48	

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City of Moreno Valley
Payment Register
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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VACATE TERMITES & PEST ELIMINATION COMPANY		10/19/2022	118440	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 6	
		10/19/2022	119073	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 48	
		10/19/2022	118657	PEST CONTROL SERVICE-AUG. 2022-CITY YARD	
		10/19/2022	118658	MOSQUITO ABATEMENT TRAP/FLY LIGHT SERVICE-CITY YARD	
		10/19/2022	118659	PEST CONTROL SERVICE-AUG. 2022-TRANSPORTATION TRAILER	
		10/19/2022	118663	PEST CONTROL SERVICE-AUG. 2022-MAIN LIBRARY	
		10/19/2022	118575	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 6	
		10/19/2022	118666	PEST CONTROL SERVICE-AUG. 2022-MARCH ANNEX	
		10/19/2022	118574	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 2	
		10/19/2022	119065	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 6	
		10/19/2022	119093	PEST CONTROL SERVICE-SEPT. 2022-MAIN LIBRARY	
		10/19/2022	119083	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 99	
		10/19/2022	119079	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 58	
		10/19/2022	119077	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 2	
		10/19/2022	117998	PEST CONTROL SERVICE-JUL. 2022-CITY YARD	
		10/19/2022	118665	PEST CONTROL SERVICE-AUG. 2022-MARCH FIELD PARK CC	
		10/19/2022	118368	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 2	
		10/19/2022	118196	PEST CONTROL SERVICE-JUL. 2022-CONFERENCE & REC. CENTER	
		10/19/2022	118199	PEST CONTROL SERVICE-JUL. 2022-EMERGENCY OPS CENTER	
		10/19/2022	118201	PEST CONTROL SERVICE-JUL. 2022-CITY HALL	
		10/19/2022	118220	PEST CONTROL SERVICE-JUL. 2022-ANIMAL SHELTER	
		10/19/2022	118273	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 58	
		10/19/2022	118576	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 65	
		10/19/2022	118366	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 91	
		10/19/2022	118571	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 99	
		10/19/2022	118371	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 48	
		10/19/2022	118399	PEST CONTROL SERVICE-JUL. 2022-PUBLIC SAFETY BLDG.	
		10/19/2022	119269	PEST CONTROL SERVICE-SEPT. 2022-CITY HALL	



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<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VACATE TERMITES & PEST ELIMINATION COMPANY		10/19/2022	118004	PEST CONTROL SERVICE-JUL. 2022-TOWNGATE COMM. CENTER	
		10/19/2022	119422	MOSQUITO ABATEMENT TRAP/FLY LIGHT SERVICE-ANIMAL SHELTER	
		10/19/2022	118573	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 58	
		10/19/2022	118364	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 99	
		10/19/2022	119267	PEST CONTROL SERVICE-SEPT. 2022-EMERGENCY OPS. CENTER	
		10/19/2022	118669	PEST CONTROL SERVICE-AUG. 2022-SENIOR CENTER	
		10/19/2022	119125	PEST CONTROL SERVICE-SEPT. 2022-MARCH FIELD PARK COMM. CENTER	
		10/19/2022	119127	PEST CONTROL SERVICE-SEPT. 2022-SENIOR CENTER	
		10/19/2022	118570	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 91	
		10/19/2022	119139	PEST CONTROL SERVICE-SEPT. 2022-CITY YARD	
		10/19/2022	119123	PEST CONTROL SERVICE-SEPT. 2022-TOWNGATE COMM CENTER	
		10/19/2022	119104	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 58	
		10/19/2022	119266	PEST CONTROL SERVICE-SEPT. 2022-PUBLIC SAFETY BLDG.	
		10/19/2022	119141	PEST CONTROL SERVICE-SEPT. 2022-TRANSPORTATION TRAILER	
		10/19/2022	119271	PEST CONTROL SERVICE-SEPT. 2022-CONFERENCE & REC CENTER	
		10/19/2022	119272	PEST CONTROL SERVICE-SEPT. 2022-COTTONWOOD GOLF CENTER	
		10/19/2022	117891	PEST CONTROL SERVICE-JUN. 2022-FIRE STATION 58	
		10/19/2022	119321	PEST CONTROL SERVICE-JUL. 2022-FIRE STATION 58	
		10/19/2022	118675	PEST CONTROL SERVICE-AUG. 2022-TOWNGATE COMM. CENTER	
		10/19/2022	119142	MOSQUITO FLY LIGHT SERVICE-CITY YARD	
	10/19/2022	119096	PEST CONTROL SERVICE-SEPT. 2022-FIRE STATION 65		
	10/19/2022	118917	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 58		
	10/19/2022	118916	PEST CONTROL SERVICE-AUG. 2022-FIRE STATION 48		
	10/19/2022	118727	PEST CONTROL SERVICE-AUG. 2022-PUBLIC SAFETY BLDG.		
	10/19/2022	118195	PEST CONTROL SERVICE-JUL. 2022-COTTONWOOD GOLF CENTER		
	10/19/2022	118684	PEST CONTROL SERVICE-AUG. 2022-ANIMAL SHELTER		

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**City of Moreno Valley
Payment Register
For Period 10/1/2022 through 10/31/2022**

CHECKS UNDER \$25,000

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VACATE TERMITES & PEST ELIMINATION COMPANY		10/19/2022	119124	PEST CONTROL SERVICE-SEPT. 2022-MARCH ANNEX	
		10/19/2022	118680	PEST CONTROL SERVICE-AUG. 2022-EMERGENCY OPS CENTER	
		10/19/2022	118679	PEST CONTROL SERVICE-AUG. 2022-CITY HALL	
		10/19/2022	118677	PEST CONTROL SERVICE-AUG. 2022-CONFERENCE & REC CENTER	
		10/19/2022	119258	PEST CONTROL SERVICE-SEPT. 2022-ANIMAL SHELTER	
		10/19/2022	117995	PEST CONTROL SERVICE-JUL. 2022-SENIOR CENTER	
		10/19/2022	117999	PEST CONTROL SERVICE-JUL. 2022-TRANSPORTATION TRAILER	
		10/19/2022	118001	PEST CONTROL SERVICE-JUL. 2022-MARCH ANNEX	
		10/19/2022	118002	PEST CONTROL SERVICE-JUL. 2022-MARCH FIELD COMM. CENTER	
		10/19/2022	118676	PEST CONTROL SERVICE-AUG. 2022-COTTONWOOD GOLF CENTER	
		10/19/2022	118022	PEST CONTROL SERVICE-JUL. 2022-MAIN LIBRARY	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$17,250.00
VALDIVIA, CELESTE	244355	10/19/2022	2002878.047	DEPOSIT REFUND- TOWNGATE COMMUNITY CENTER RENTAL	\$209.60
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$209.60
VALENZUELA, OSCAR	244328	10/12/2022	R22-167552	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: PERRIS, CA					<u>FYTD:</u> \$75.00
VALLEY WIDE TOWING, LLC	34913	10/19/2022	22-12310	EVIDENCE TOWING FOR PD	\$1,433.25
		10/19/2022	22-12362	EVIDENCE TOWING FOR PD	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$7,302.75
VALMONT INDUSTRIES, INC.	34764	10/05/2022	CD2208996	SOUTH COAST LIGHTING & DESIGN FOR HOUND TOWN DOG PARK	\$11,593.90
Remit to: CHICAGO, IL					<u>FYTD:</u> \$11,593.90

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**City of Moreno Valley
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VERIZON WIRELESS	244278	10/05/2022	9915493391	DATA CHARGES FOR CELLULAR SERVICE FOR PD DEVICES	\$573.84
Remit to: DALLAS, TX					FYTD: \$2,097.71
VICTOR MEDICAL CO	34914	10/19/2022	5600089	ANIMAL MEDICAL SUPPLIES/VACCINES	\$137.04
Remit to: LAKE FOREST, CA					FYTD: \$8,721.63
VISTA PAINT CORPORATION	34765	10/05/2022	2022-716063-00	TRAFFIC PAINT SUPPLIES - GLASS BEADS	\$2,934.89
		10/05/2022	2022-629717-00	TRAFFIC PAINT	
	34915	10/19/2022	2022-718052-00	ON-LINE TRAFFIC FAST DRY YELLOW PAINT	\$15,755.24
		10/19/2022	2022-724691-00	ON-LINE TRAFFIC FAST DRY PAINT-YELLOW & BLACK	
		10/19/2022	2022-716786-00	ON-LINE TRAFFIC FAST DRY WHITE PAINT	
Remit to: FULLERTON, CA					FYTD: \$49,049.32
VOYAGER FLEET SYSTEM, INC.	34916	10/19/2022	8692116152239	CNG FUEL PURCHASES	\$8,997.59
Remit to: HOUSTON, TX					FYTD: \$48,271.64
WAXIE ENTERPRISES, LLC DBA WAXIE SANITARY SUPPLY	34766	10/05/2022	81210062	JANITORIAL/CLEANING SUPPLIES FOR LIBRARY BRANCHES	\$265.33
	34860	10/12/2022	81223638	JANITORIAL/CLEANING SUPPLIES FOR LIBRARY BRANCHES	\$347.85
		10/12/2022	81068631	JANITORIAL/CLEANING SUPPLIES FOR LIBRARY BRANCHES	
	34917	10/19/2022	81217024	JANITORIAL SUPPLIES FOR PD	\$126.07
Remit to: LOS ANGELES, CA					FYTD: \$4,406.85
WELLS FARGO CORPORATE TRUST	34927	10/18/2022	W221007	DEBT SERVICE - CFD NO. 87-1 TOWNGATE IMPR AREA NO.1	\$16,219.96
	34958	10/26/2022	2144043	TRUSTEE FEES - 2021 TAXABLE LRB	\$3,000.00
Remit to: LOS ANGELES, CA					FYTD: \$4,388,436.32

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WEST COAST ARBORISTS, INC.	34767	10/05/2022	189759	SD TREE TRIMING/REMOVAL FY 22/23	\$1,870.77
	34918	10/19/2022	191087	TREE & STUMP REMOVAL SERVICES - MAINT. & OPERATIONS DIVISION	\$6,937.30
		10/19/2022	191093	SD TREE & STUMP REMOVAL SERVICES - ZONE 09	
		10/19/2022	190919	SD TREE & STUMP REMOVAL SERVICES - ZONE D	
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$33,166.67
WEST COAST SHOPPING CART SERVICE, INC.	244373	10/26/2022	22-044	SHOPPING CART RETRIEVAL SERVICES-SEP. 2022	\$3,425.50
Remit to: WEST COVINA, CA					<u>FYTD:</u> \$16,456.00
WESTERN MUNICIPAL WATER DISTRICT	244374	10/26/2022	24753-018620/SP2	WATER CHARGES-M.A.R.B. BALLFIELDS	\$5,025.30
		10/26/2022	23866-018292/SP2	WATER CHARGES-SKATE PARK	
		10/26/2022	23821-018258/SP2	WATER CHARGES-MARCH FIELD PARK COMMUNITY CTR.-BLDG. 938	
		10/26/2022	23821-018257/SP2	WATER CHARGES-MARCH FIELD PARK COMMUNITY CTR. LANDSCAPE	
Remit to: ARTESIA, CA					<u>FYTD:</u> \$23,353.23

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WILLDAN ENGINEERING	34861	10/12/2022	00713635	PROJECT MANAGEMENT SERVICES-AUG. 2022/NSP CLOSEOUT, ETC.	\$3,772.50
		10/12/2022	00713582	PROJECT MANAGEMENT SERVICES-MAY 2022/NSP CLOSEOUT, ETC.	
		10/12/2022	00713620	PROJECT MANAGEMENT SERVICES-JUL. 2022/NSP CLOSEOUT, ETC.	
	34960	10/26/2022	002-27355	CODE ENF.-SUBSTANDARD HOUSING INSPECTION SERVICES - SEPT. 2022	\$2,800.00
	34961	10/26/2022	00713648	PROJECT MANAGEMENT SERVICES-SEP. 2022/NSP CLOSEOUT, ETC.	\$4,195.00
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$275,541.74
WILMINGTON TRUST	34928	10/17/2022	W221006	DEBT SERVICE - STONERIDGE CFD NO. 5 SPECIAL TAXES	\$18,045.21
Remit to: WILMINGTON, DE					<u>FYTD:</u> \$18,045.21
WOLTERS KLUWER	34768	10/05/2022	5413235643	PDFLYER STANDALONE SOFTWARE MAINTENANCE 8/1/22-7/31/23	\$2,270.10
Remit to: TORRANCE, CA					<u>FYTD:</u> \$3,680.10
WORKABILITY 1 REGION 5	244356	10/19/2022	2002882.047	DEPOSIT REFUND- CONFERENCE & REC CTR.	\$524.10
Remit to: SAN JACINTO, CA					<u>FYTD:</u> \$524.10
ZAPANTA, SHARMAINE	244389	10/26/2022	R22-168343	ANIMAL SERVICES REFUND-RETURN ADOPTION, REFUND LICENSE FEE	\$15.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$15.00
ZHANG, JING	244290	10/05/2022	R22-167898	ANIMAL SERVICES REFUND-SPAY/NEUTER AND RABIES DEPOSITS	\$95.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$95.00

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ZUMAR INDUSTRIES, INC.	34862	10/12/2022	97264	BEAUTIFY MOVAL ADOPTION ALUMINUM PLAQUE DECALS	\$1,533.71
Remit to: SANTA FE SPRINGS, CA					<u>FYTD:</u> \$1,533.71

TOTAL CHECKS UNDER \$25,000	\$936,335.12
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GRAND TOTAL	\$15,231,985.19
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Attachment: 2022_OctoberPaymentRegister (6026 : OCTOBER PAYMENT REGISTER 2022)



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: December 20, 2022

TITLE: APPEAL OF PLANNING COMMISSION DENIAL OF GENERAL PLAN AMENDMENT, CHANGE OF ZONE, CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, AND A TENTATIVE TRACT MAP 37858 TO SUBDIVIDE A 4.81-ACRE PROJECT SITE IN TO 37 SINGLE-FAMILY LOTS

RECOMMENDED ACTION

That the City Council consider the Appeal filed by RC Hobbs Company, (the “Appellant”) appealing the Planning Commission’s denial of the Appellant’s application for a General Plan Amendment (GPA), Change of Zone, Conditional Use Permit, and Tentative Tract Map to facilitate a 37-lot single-family residential Planned Unit Development (PUD), located North of Cactus Avenue, East of Moreno Beach Drive, and take any action the City Council deems appropriate.

Recommendations: That the City Council:

1. **ADOPT** Resolution No. 2022-XX, attached hereto, **DENYING** Appeal PAA22-0004.

OR

1. **ADOPT** Resolution No. 2022-XX, attached hereto:
 1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment (PEN20-0174), Change of Zone (PEN20-0175); Tentative Tract Map 37858 (PEN20-0172), and Conditional Use Permit (PEN20-0173) for a Planned Unit Development, 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 and City 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. **ADOPTING** 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.
2. **ADOPT** Resolution No. 2022-XX, attached hereto, **APPROVING** Appeal PAA22-0004:
 1. **APPROVING** General Plan Amendment (PEN20-0174) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX 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.
 2. **APPROVING** 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-XX.
 3. **INTRODUCE** Ordinance No. [next in order] approving Change of Zone (PEN20-0175) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.

BACKGROUND

The Appellant 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".

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 ("Project Site").

On November 10, 2022, the Proposed Project was considered by the Planning

Commission upon a duly noticed public hearing. The Planning Commission voted to deny the requested General Plan Amendment, which effectively resulted in rejecting the Proposed Project, since approval of the General Plan Amendment (PEN20-0174) is a prerequisite to approving the Proposed Project's Change of Zone (PEN20-0175), Conditional Use Permit (PEN20-0173), and Tentative Parcel Map (PEN20-0172).

The General Plan Amendment was denied based on the following findings:

1. That the Proposed Project is inconsistent with the City's current MoVal 2040 General Plan because the proposed density increase is inconsistent with the General Plan's goals, objectives, policies and programs and does not comply with the applicable zoning standards.
2. The Proposed Project will adversely affect the public health, safety, or general welfare in that the increased density would result in increased traffic and potential for accidents, especially due to the proximity of the Proposed Project to highly trafficked roads.

Pursuant to MVMC Section 9.02.240 (Appeals), the Appellant has provided a letter attached to this report stating the specific reasons for the appeal and providing justification for: 1) the proposed projects consistency with the goals, objectives, policies and programs of the General Plan; and 2) how the Proposed Project will not adversely affect the public health, safety, or general welfare.

SCOPE AND STANDARD OF REVIEW:

Pursuant to Moreno Valley Municipal Code (MVMC) Section 9.02.040 (General Plan Amendments), the authority for approval of general plan amendments shall be vested in the City Council. However, Section 9.02.040 further provides that the Planning Commission's action recommending disapproval of proposed general plan amendment, regardless of how such amendment was initiated, shall be final unless appealed to the City Council within fifteen (15) consecutive calendar days after the Planning Commission's recommended disapproval. The Planning Commission's action was taken on November 10, 2022, and the Appellant filed its appeal on November 17, 2022, within the 15-day appeal period.

Section 9.02.040 provides that the City Council may approve, approve with modifications, or disapprove any proposed General Plan Amendment. However, prior to any final City Council action regarding the General Plan Amendment, if there is any substantial modification proposed by the City Council that was not previously considered by the Planning Commission, the proposed substantial modification must first be referred to the Planning Commission for its recommendation.

Finally, if the City Council is inclined to approve the proposed General Plan Amendment (approving the appeal), it must make the following findings:

1. That the proposed General Plan Amendment is consistent with existing goals, objectives, policies and programs of the general plan; and

2. That the proposed General Plan Amendment will not adversely affect the public health, safety or general welfare.

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.

REVIEW AGENCY COMMENTS

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

ALTERNATIVE

1. Uphold the Planning Commission's decision to deny the Proposed Project.
2. Overrule the Planning Commission's decision; adopt the Resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation monitoring and Reporting Program; adopt the Resolution approving General Plan Amendment (PEN20-0174); adopt the Ordinance approving Change of Zone (PEN20-0175); adopt the Resolution approving Conditional Use Permit (PEN20-0173) and Tentative Tract Map (PEN20-0172) based on the findings set forth in the above-reference Resolutions and the Administrative Record.

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, in accordance with Government Code 65905. As of the preparation of this staff report, one public comment has been received regarding the proposed project.

FISCAL IMPACT

Not Applicable

PREPARATION OF STAFF REPORT

Prepared By:
Danielle Harper-Scott
Associate Planner

Department Head Approval:
Manuel A. Mancha
Community Development Director

Concurred By:
Sean P. Kelleher
Planning Official

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

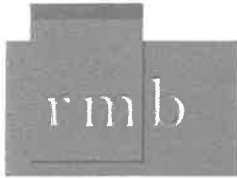
ATTACHMENTS

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

1. Appeal Letter
2. Resolution No. 2022-XX - Denying Appeal PAA22-0004
3. Resolution No. 2022-XX - Initial Study MND
4. Exhibit A to Resolution No. 2022-XX - Initial Study MND
5. Appendix A - CalEEMod Emission Summary
6. Appendix B - Habitat Assessment & Focused Surveys
7. Appendix C - Cultural Assessment
8. Appendix D - Preliminary Soil Investigation
9. Appendix E - Phase I Environmental Site Assessment
10. Appendix F - Preliminary Hydrology Report
11. Appendix G - Preliminary WQMP
12. Appendix H - Noise Impact Analysis
13. Appendix I - Trip Generation & VMT Memo
14. Exhibit B to Resolution No. 2022-XX - Notice of Intent to Adopt a Mitigated Negative Declaration (MND)
15. Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)
16. Resolution No. 2022-XX - Approving Appeal PAA22 0004
17. Ordinance No. XXX - Change of Zone
18. Project Plans
19. Planning Commission Public Comments

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/13/22 6:08 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/14/22 8:54 AM



robert m. beers pe

PROJECT APPEAL LETTER

Thursday, November 17, 2022

City of Moreno Valley
Mr. Manuel Mancha
Community Development Director
14177 Frederick Street
Moreno Valley, CA 92533

Re: Planning Commission Denial of PEN 20-0172 (GPA – ZC – TTM - PUD)
Bradshaw Street property in the City of Moreno Valley
TTM 37858

Dear Mr. Mancha:

On behalf of RC Hobbs Companies, we are filing an appeal to be heard by City Council regarding the denial of our project by the City of Moreno Valley Planning Commission this past Thursday, November 10, 2022.

The Planning Commission made findings that:

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

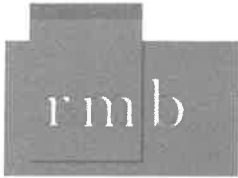
During the deliberations by the Planning Commission, the individual Planning Commissioners all commented on the project in the positive, stating that they liked the land plan, the architecture, and the smaller lot sizes for the project, as that would enable the future homes to be more affordable than new homes on conventional R5 lots. The issue of affordability is an ongoing concern in the California Real Estate market, and innovative projects like our project are absolutely consistent goals, objectives, policies and programs of the General Plan and would not adversely affect the public health, safety or general welfare.

The City Council has previously approved two other single family tentative maps along Bradshaw Circle (PEN 18-005 & Pen18-0154), both of which were conditioned to complete the frontage street improvements for Bradshaw Circle to Public Standards and offer the Bradshaw Street Right-of-Way to the City of Moreno Valley for public street and utility purposes..

Our project was specifically conditioned to complete not only the street improvements along our frontage along Bradshaw Circle, but also the curb and gutter improvements on the other side of the street which has existing homes (2 total).

We request the City Council consider our proposed project under this appeal at a future City Council Hearing.

5172 Queen Street
Riverside, CA 92506
(951) 317-2041



robert m. beers pe

It appeared to us that there was a misunderstanding on the planning commissions part regarding the status of the existing Bradshaw Circle street improvements and right-of-way. Bradshaw Circle along our property frontage was created by PM 8114 which recorded on August 5, 1977. An offer of dedication for public street and utility purposes was made for the Bradshaw Circle Right-of-Way to the County of Riverside, but not accepted as the street was not improved to County Standards.

Bradshaw Circle right-of-way subsequently offered again for dedication for public street and utility purposes by two subsequent Parcel Maps, PM 11822 recorded October 11, 1978, and PM 16636 recorded September 23, 1981

City Staff stated that the street improvements would not be accepted for public maintenance until all of the street improvements are completed to current City Standards. Until such time, each underlying property is responsible for the maintenance of the street improvements. In our case, we proposed an HOA with 37 lots to maintain the portion of Bradshaw Circle adjacent to our property.

The purpose of a 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 space and recreational areas. Our project meets all of the objective criteria of a PUD and we encourage the City Council to reconsider this project approval.

Please call me if you have any questions regarding these items.

Sincerely,

Robert M. Beers, PE

RESOLUTION NUMBER 2022-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING THE APPEAL PAA22-0004 OF THE PLANNING COMMISSION'S DENIAL OF 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 has the authority to approve amendments to the City's General Plan and the City's Zoning Atlas; and

WHEREAS, RC Hobbs Company ("Applicant") is proposing the development of a thirty-seven (37) lot, single-family residential development on 4.81 acres, commonly known as the Bradshaw Collection (the "Proposed Project"); and

WHEREAS, the proposal is to construct the Proposed Project on land situated 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, in part, the Applicant has filed an application for the approval of General Plan Amendment PEN20-0174 ("Application") requesting an amendment to the Moreno Valley General Plan from Residential 5 (R5) to Residential 10 (R10), which shall also require any necessary and corresponding amendments to the City's Zoning Atlas to reflect that zoning classification and/or redistricting of the Project Site shall retain consistency between the Zoning Atlas and the General Plan land use designations; 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, the Planning Commission denied the proposed General Plan Amendment finding it inconsistent with the City's General Plan; and would adversely affect the public health, safety or general welfare; and

WHEREAS, the Applicant timely filed an appeal of the Planning Commission's denial of the Proposed Project; and

WHEREAS, on December 20, 2022, the City Council conducted a duly noticed public hearing on the appeal of the Planning Commission's denial of the Proposed Project, and considered the Proposed Project's Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program; and

WHEREAS, on December 20, 2022, upon a duly noticed public hearing the City Council afforded all interested persons an opportunity to testify and to present evidence; and

WHEREAS, on December 20, 2022, the City Council denied the Appeal (PAA22-0004) of the Planning Commission's denial of General Plan Amendment (PEN20-0174) finding the General Plan Amendment inconsistent with the existing goals, objectives, policies and programs of the General Plan; and would adversely affect the public health, safety or general welfare.

NOW, THEREFORE, THE CITY COUNCIL 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 City Council has considered all the evidence submitted into the Administrative Record related to the 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) 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 and City Council's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearings;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearings; and
- (g) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearings.

Section 3. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby finds as follows:

- (a) The requested General Plan Amendment is inconsistent with the existing goals, objectives, policies and programs of the General Plan; and
- (b) The proposed General Plan amendment will adversely affect the public health, safety or general welfare.

Section 4. Denial of Appeal.

That based on the foregoing Recitals, Administrative Record and Findings, the City Council hereby denies the appeal of the Planning Commission's denial of a 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), and thereby denying the entire Proposed Project which is contingent upon the approval of the General Plan amendment.

Section 5. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the City Council that conflict with the provisions of this Resolution are hereby repealed.

Section 6. Severability

That the City Council 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.

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PASSED AND ADOPTED THIS ____ day of _____, 2022.

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera,
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead,
City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Attachment: Resolution No. 2022-XX - Denying Appeal PAA22-0004 [Revision 3] (6019 : Bradshaw Collection)

RESOLUTION NUMBER 2022-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM 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 the Bradshaw Collection project which includes the proposed development of a 37 single-family lot residential project with associated 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, the Proposed Project includes the General Plan Amendment (GPA) (PEN20-0174), Change of Zone (PEN20-0175), a Conditional Use Permit (PEN20-0173) for a Single-Family Planned Unit Development, and a Tentative Tract Map (PEN20-0175, 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 (PEN20-0174); 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 30 days commencing on October 13, 2022, through November 2, 2022; and

WHEREAS, in compliance with CEQA and the CEQA Guidelines, a Mitigation Monitoring and Reporting Program ("MMRP"), which is a program for reporting and monitoring the Proposed Projects' mitigation measures, was prepared for the Proposed Project and circulated with the Mitigated Negative Declaration; and

WHEREAS, on November 10, 2022, upon a duly noticed public hearing was

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

conducted by the Planning Commission to consider the approval of the Proposed Project; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission voted 5-1 to deny the General Plan Amendment, thereby denying the entire Proposed Project, which was contingent upon the approval of the General Plan amendment; and

WHEREAS, the applicant filed a timely Appeal Application (PAA22-0004) appealing the Planning Commission’s denial of General Plan Amendment PEN20-0174; and

WHEREAS, on December 20, 2022, a duly noticed hearing was conducted by the City Council to consider the Initial Study/Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and the Proposed Project; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the City Council determined that the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program will reduce the Proposed Project’s potential environmental to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment which would otherwise require the preparation and certification of an Environmental Impact Report.

NOW, THEREFORE, THE CITY COUNCIL 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 City Council 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 Reports prepared for the Planning Commission and City Council’s consideration and all documents, records and references related thereto, and Staff’s presentation at the public hearings;
- (e) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearings.

Section 3. Findings

Attachment: Resolution No. 2022-XX - Initial Study MND [Revision 5] (6019 : Bradshaw Collection)

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

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, 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 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 City Council hereby adopts the IS/MND attached hereto as Exhibits A, respectively, and the MMRP attached hereto as Exhibit C.

Section 5. Repeal of Conflicting Provisions

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

Section 6. Severability

That the City Council 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 City Council shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 20th day of December 2022

Attachment: Resolution No. 2022-XX - Initial Study MND [Revision 5] (6019 : Bradshaw Collection)

CITY OF MORENO VALLEY
CITY COUNCIL

Dr. Yxstian A. Gutierrez,
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead, City Clerk

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-XX - Initial Study MND [Revision 5] (6019 : Bradshaw Collection)

Exhibit A

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

Attachment: Resolution No. 2022-XX - Initial Study MND [Revision 5] (6019 : Bradshaw Collection)

Exhibit B

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Attachment: Resolution No. 2022-XX - Initial Study MND [Revision 5] (6019 : Bradshaw Collection)

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM

Attachment: Resolution No. 2022-XX - Initial Study MND [Revision 5] (6019 : Bradshaw Collection)

Exhibit A

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION



CITY OF MORENO VALLEY

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE CACTUS & BRADSHAW RESIDENTIAL PROJECT (TTM 37858)



**TTM 37858 Project - Case Numbers PEN20-0172 (Tentative Tract Map), PEN20-0174 (General Plan Amendment), PEN20-0175 (Change of Zone), PEN20-0173 (Conditional Use Permit)
October 13, 2022**

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

Prepared By
EPD Solutions, Inc.
2355 Main Street, Suite 100
Irvine, CA 92614 (949) 794-1180

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MITIGATION MONITORING AND REPORTING PROGRAM (Separate Document)

APPENDICES (Separate Documents)

- A CalEEMod Emissions Summary
- B Habitat Assessment and Focused Burrowing Owl Surveys and MSHCP Consistency
- C Phase I Cultural Resources Investigation and Paleontological Overview
- D Preliminary Soil Investigation
- E Phase I Environmental Site Assessment
- F Preliminary Hydrology Report
- G Preliminary Project Specific Water Quality Management Plan
- H Noise Impact Analysis
- I Trip Generation and VMT Screening Analysis



INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR CACTUS & BRADSHAW RESIDENTIAL PROJECT (TTM 37858)

MITIGATED NEGATIVE DECLARATION

Project Name: Cactus & Bradshaw Residential Project (TTM 37858)

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

Mitigation measures necessary to avoid the potentially significant effects on the environment are included in the attached Initial Study, which is hereby incorporated and fully made part of this Mitigated Negative Declaration. The City of Moreno Valley has hereby agreed to implement each of the identified mitigation measures, which would be adopted as part of the attached Mitigation Monitoring and Reporting Program.

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Project Case Number(s):** PEN20-0172 (Tentative Tract Map), PEN20-0174 (General Plan Amendment), PEN-0175 (Change of Zone), PEN20-0173 (Conditional Use Permit)
2. **Project Title:** Cactus & Bradshaw Residential Project (TTM 37858)
3. **Public Comment Period:** October 13, 2022, through November 2, 2022
4. **Lead Agency:** City of Moreno Valley
Mindy Davis, Planning Department
14177 Frederick Street
Moreno Valley, California 92552
(951) 413-3209
mindyd@moval.org
5. **Documents Posted At:** <http://www.moval.org/cdd/documents/about-projects.html>
6. **Prepared By:** Konnie Dobreva, JD
Meaghan Truman
EPD Solutions, Inc.
2355 Main Street, Suite 100, Irvine, California 92614
(949) 794-1180
7. **Project Sponsor:**

Applicant/Developer
RC Hobbs Company
1428 Chapman Avenue
Orange, CA 92866

8. **Project Location:** The project site is located on approximately 4.81 acres at the northeast corner of the intersection of Bradshaw Circle and Cactus Avenue in the eastern portion of the City of Moreno Valley (project site). The City of Moreno Valley (City) encompasses approximately 52 square miles of land within Riverside County and is bounded by the City of Riverside to the east; the City of Perris and Lake Perris State Recreation Area to the south; the Badlands mountain range and City of Beaumont to the east; and the Box Springs Mountains range and the City of Redlands (within San Bernardino County) to the north. See Figure 1, *Regional Location*.

Regional access to the project site is provided by State Route 60 (SR-60) and Interstate 215 (I-215). Local access to the project site is provided by Moreno Brach Drive and Cactus Avenue. The project site is located within the U.S. Geological Survey (USGS) Sunnymead 7.5 Minute Series Topographic Quadrangle.

9. **General Plan Designation:** Residential (5 du/ac)

Residential 5: The primary purpose of areas designated Residential 5 is to provide for single-family detached housing on standard sized suburban lots at a density of 5 dwelling units per acre.

10. **Specific Plan Name and Designation:** N/A

11. **Existing Zoning:** Residential 5 District (R5)

Residential 5 District: The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for development of single-family residential and mobile home subdivisions at a maximum allowable density of 5 dwelling units per acre, as indicated in Section 9.03.020 of the Moreno Valley Municipal Code (MVMC).

12. **Surrounding Land Uses and Setting:**

	Land Use	General Plan	Zoning
Project Site	Vacant	Residential: 5 max du/ac (R5)	Residential 5 (R5) District
North	Single-Family Residential	Residential: Max. 5 du/ac (R5)	Residential 5 (R5) District
South	Single-Family Residential	Residential: Max. 10 du/ac (R10)	Suburban Residential (SP 193 ML)
East	Vacant/Undeveloped	Commercial (C) Residential/Office (R/O)	Residential Single-Family 10 (RS10) District
West	Vacant/Undeveloped, Single-family Residential	Residential: Max. 10 du/ac (R10)	Commercial (CC) Residential 15 District (R15)

13. **Description of the Site and Project:**

Environmental Setting

Existing Project Site

The approximately 4.81-acre project site consists of three parcels (APNs 478-090-018, 478-090-024, and 478-090-025) and is comprised of vacant and graded lots. Vehicular access to the site is provided by Bradshaw Circle and Cactus Avenue as shown on Figure 2, *Local Vicinity*, and Figure 3, *Aerial*. The perimeter of the site is partially secured by a chain-link fence along the perimeter of the site.

Existing vegetation at the project site consists of a dense cover of grasses as well as one Palo Verde and one Palm Tree. The topography of the project site is relatively flat with a gentle slope of less than one percent across the site.

Existing Land Use and Zoning Designations

As shown on Figure 4, *General Plan Designation*, the project site currently has a General Plan land use designation of Residential: Max. 5 du/ac (R5). The primary purpose of areas designated Residential 5 is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density is 5 dwelling units per acre.

As shown on Figure 5, *Zoning Map*, the project site is currently zoned Residential 5 District (R5). The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for development of single-family residential and mobile home subdivisions at a maximum allowable density of five dwelling units per net acre, as indicated in MVMC Section 9.03.020.

Project Description

Introduction

The proposed project would develop 37 single-family residential lots, onsite roadways with sidewalks, drainage infrastructure, and open space lots on the 4.81-acre project site (project). Figure 6, *Conceptual Site Plan*, illustrates the proposed site configuration following project implementation, and Figure 7, *Wall and Fence Plan*, shows the proposed walls and fencing for the project.

As the project proposes a residential density of 7.9 dwelling units per acre, the project requires a General Plan Amendment to change the site's land use designation from Residential: Max. 5 du/ac (R5) to Residential: Max. 10 du/ac (R10) and a Change of Zone from Residential 5 District (R5) to Residential Single-Family 10 (RS10) District. The project also requires approval of a Tentative Tract Map (TTM 37858) and a Conditional Use Permit (CUP) for a Planned Unit Development (PUD).

Project Characteristics

The project proposes a total residential lot area of 136,045 SF. The single-family residences would range in size from 1,864 SF to 2,526 SF with a minimum lot size of 3,095 SF. The project proposes three distinct three- to four-bedroom floor plans, private yards, and two-car garages for the residential lots. In addition to the residential lots, the project proposes lots designated for open space and drainage purposes. Two bioretention drainage basins (Lot A and Lot B) are located along the western portion of the project site and a linear 3-foot-wide drainage ditch (Lot C) is located along the eastern property line. An approximately 10,982 SF recreation – open space lot (Lot D) is located near the center of the residential development, which would include landscaping, walkways, and seating

areas. New walkways are also proposed throughout the residential development. The project would provide private yards within the single-family residential lots. The project would include a total of 15,961 SF of open space.

Architectural Design

The proposed single-family residences would be designed with Spanish, French, and Cottage architectural elements, multi-level rooflines, and an earth tone color scheme. In addition, the residences would incorporate stucco finishes, detailed roof elements, awnings, metal railings, and decorative windows and doors in the exterior design. Enhanced elevations would be incorporated where building sides or rears are visible from streets. The tallest roofline of the two-story residences would be less than 30 feet in height.

The proposed two-story single-family residences would include three different floor plans and two different architectural styles to provide aesthetic variation throughout the community. Plan 1, Plan 2, and Plan 3 homes would include a traditional two-story home design with either Spanish or French architectural elements.

Access and Circulation

Vehicular access to the project site would be provided via two driveways on Bradshaw Circle, which would provide access to the community's internal roadways. The single-family residences would be accessed by private driveways along the internal roadways, as shown on Figure 6, *Conceptual Site Plan*. The project also includes pedestrian paths to provide for non-vehicular onsite circulation and for connection to existing sidewalks and bike lanes adjacent to the proposed project.

The proposed project would provide garage, driveway, and on-street parking. Each residence would have a two or three car garage depending on floor plan and a minimum of two driveway parking spaces.

Landscaping

Landscaping proposed as part of the project would consist of drought-tolerant ornamental trees, shrubbery, and groundcover. Turf would be provided in active use areas in common open spaces. The landscape plan would be consistent with the City's landscape and irrigation design standards, as provided in MVMC Section 9.17.030. Figure 8, *Landscape Plan*, illustrates the proposed landscaping for the project.

Lighting

Outdoor lighting included as part of future development on the project site would be typical of single-family residential PUDs and would consist of wall-mounted lighting as well as pole-mounted lights along the proposed internal roadways. Nighttime lighting would be used as accent/security lighting in the park area. The project's outdoor lighting would be directed downward and shielded to minimize off-site spill. The location of all exterior lighting would comply with lighting standards established in the MVMC.

Infrastructure Improvements

Water and Sewer

The proposed project would install a new 8-inch diameter sewer line and 8-inch diameter water line within the project's proposed onsite private streets and within Bradshaw Circle where these new lines would connect to an existing 21-inch diameter sewer line and 12-inch diameter water line, respectively, within Cactus Avenue.

Drainage

In the existing condition, the topography of the project site is relatively flat with a small elevation change towards Bradshaw Circle. The project site's current surface runoff generally sheet flows to the southwest. In the developed condition, onsite flows would be conveyed to one of two onsite water quality bioretention basins (Lots A and B), and both of these basin lots would connect to a new 24-inch diameter storm drain in Bradshaw Circle that would connect to the existing Storm Drain Line F-4 within Cactus Avenue that is operated by the Riverside County Flood Control and Water Conservation District (RCFC).

Parcel Consolidation

The project would consolidate the three existing parcels (APNs 478-090-018, 478-090-024, and 478-090-025) into one Tentative Tract Map. Existing parcels in the project vicinity would not be impacted by the proposed parcel consolidation.

GENERAL PLAN AND ZONING

As discussed, the project requires a General Plan Amendment to change the designation of the site to Residential: Max. 10 du/ac (R10) and Change of Zone to Residential Single-Family 10 (RS10) District in order to implement the project, which proposes single-family residential uses at a density of 7.9 dwelling units per acre. MVMC Section 9.03.020 states that the primary purpose of the Residential Single-Family 10 (RS10) District is to provide for residential development on small single-family lots with amenities not generally found in suburban subdivisions. The district is intended for subdivisions at a maximum allowable density of ten (10) dwelling units per net acre.

Following approval of the General Plan Amendment and Change of Zone, the project would be consistent with the land use designation and zoning classification associated with the project site.

As a result of project implementation, all other off-site land use designations and zoning classifications in the project vicinity would remain the same as under existing conditions.

CONSTRUCTION DURATION AND ZONING

Construction activities include demolition of the existing structures, pavement, and the existing utility infrastructure; grubbing, grading, excavation and re-compaction of soils; utility and infrastructure installation; building construction; roadway pavement; and architectural coatings. Approximately 8,097 cubic yards of soil is proposed to be exported during grading activities.

Construction activities for the project would occur over 12 months and would begin in 2023 with the opening for project occupancy in 2024. Construction activities would occur in the following stages: site preparation, grading, building construction, architectural coating, and paving. Pursuant to the MVMC Chapter 8.14.040, construction activities would be limited to between the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday, excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturday, unless written approval is obtained from the City building official or City engineer.

DISCRETIONARY APPROVALS

In accordance with Sections 15050 and 15367 of the *State CEQA Guidelines*, the City is the designated Lead Agency for the proposed project and has principal authority and jurisdiction for CEQA actions and project approval. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by a proposed project.

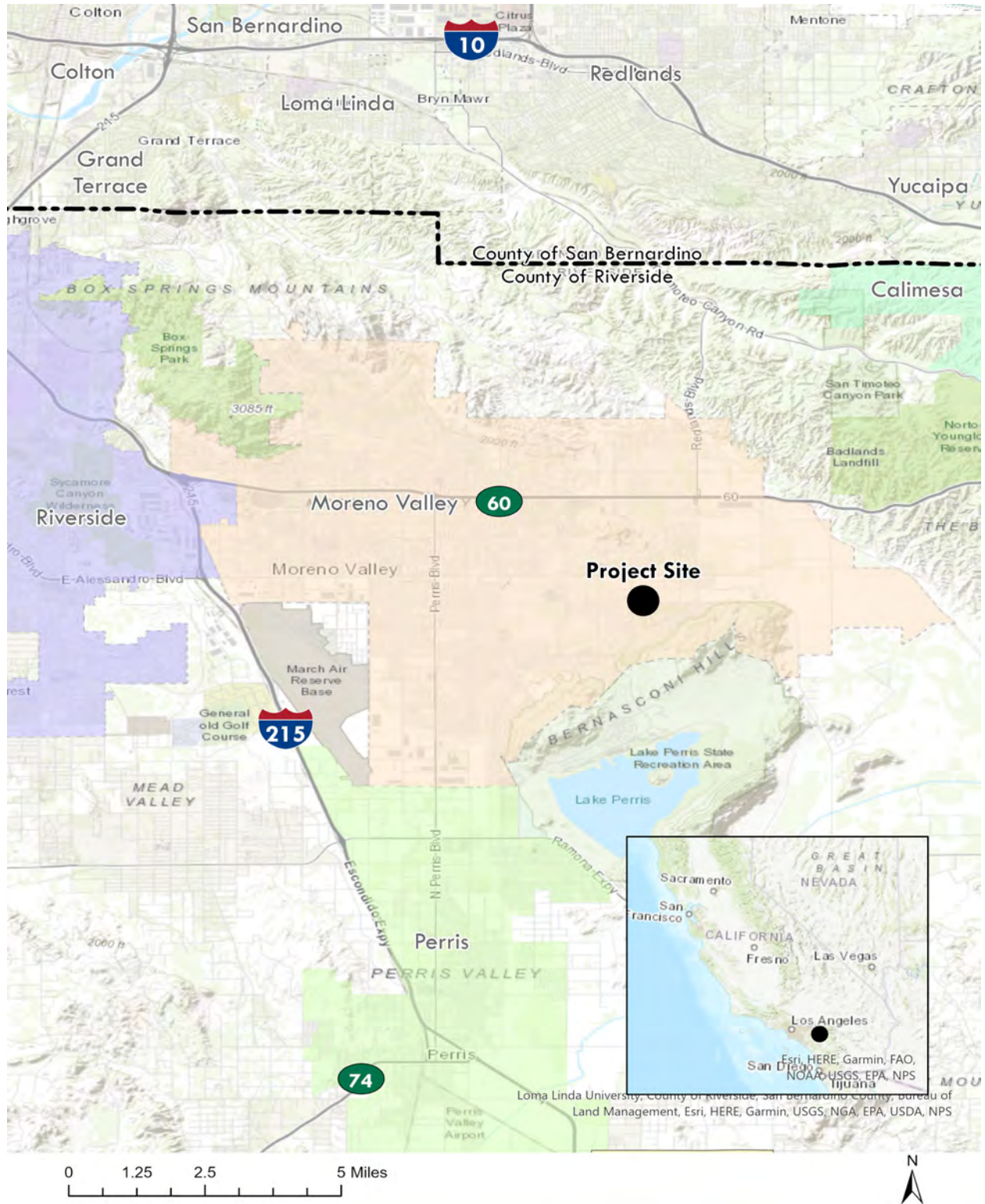
The following discretionary approvals by the City, as Lead Agency, are anticipated to be necessary for implementation of the proposed project:

CITY OF MORENO VALLEY

- General Plan Amendment to change the site's land use designation from Residential: Max. 5 du/ac (R5) to Residential: Max. 10 du/ac (R10)
- Change of Zone from Residential 5 District (R5) to Residential Single-Family 10 (RS10) District
- Approval of Tentative Tract Map (TTM 37858)
- Approval of a Conditional Use Permit (CUP) for a Planned Unit Development (PUD)

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Regional Location



Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Cactus & Bradshaw Residential Project (TTM 37858)

Figure 1

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Local Vicinity



 Project Site



Cactus & Bradshaw Residential Project (TTM 37858)

Figure 2

Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

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Aerial View

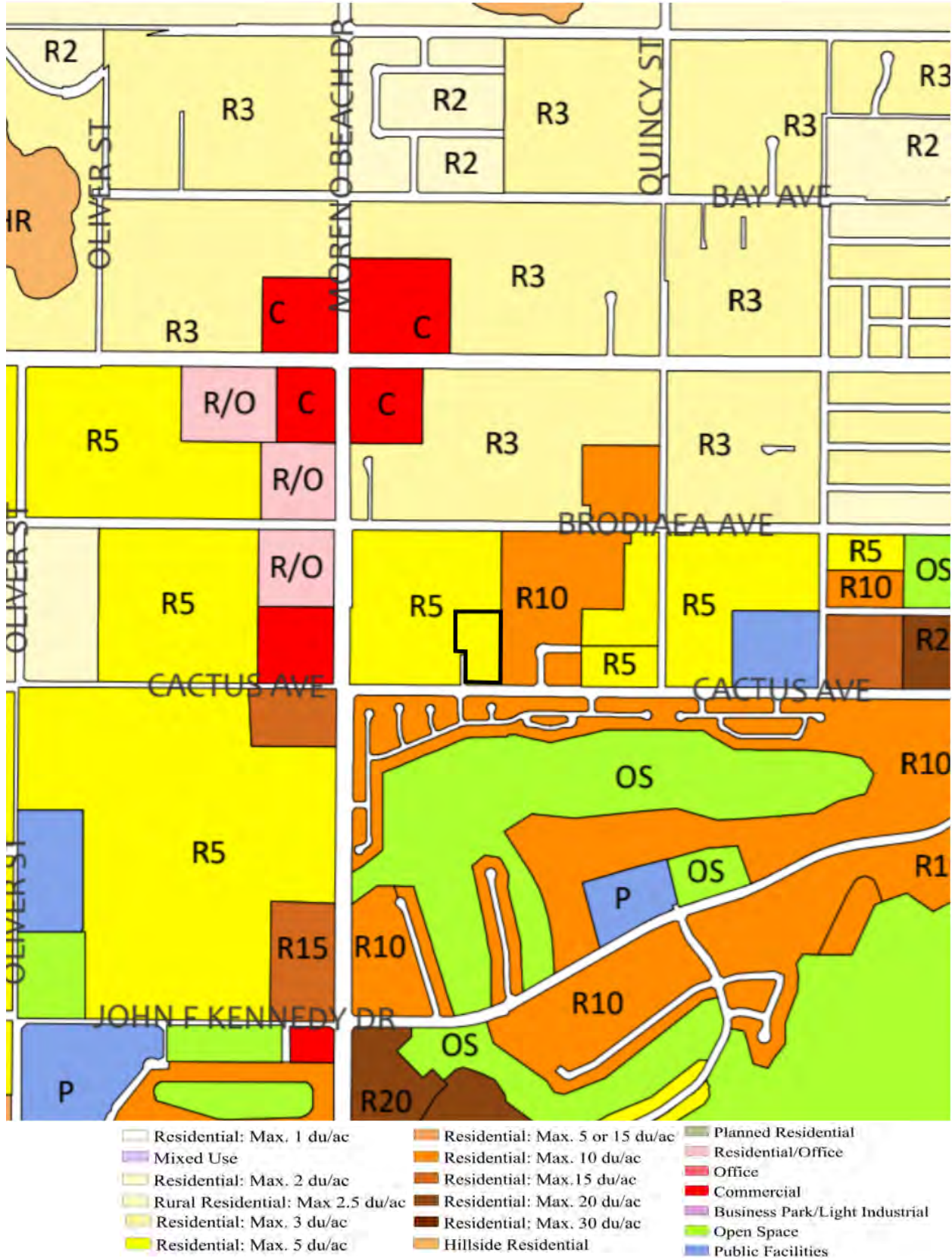


 Project Site



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General Plan Designation



Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Cactus & Bradshaw Residential Project (TTM 37858)

Figure 4

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Zoning Designation



Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

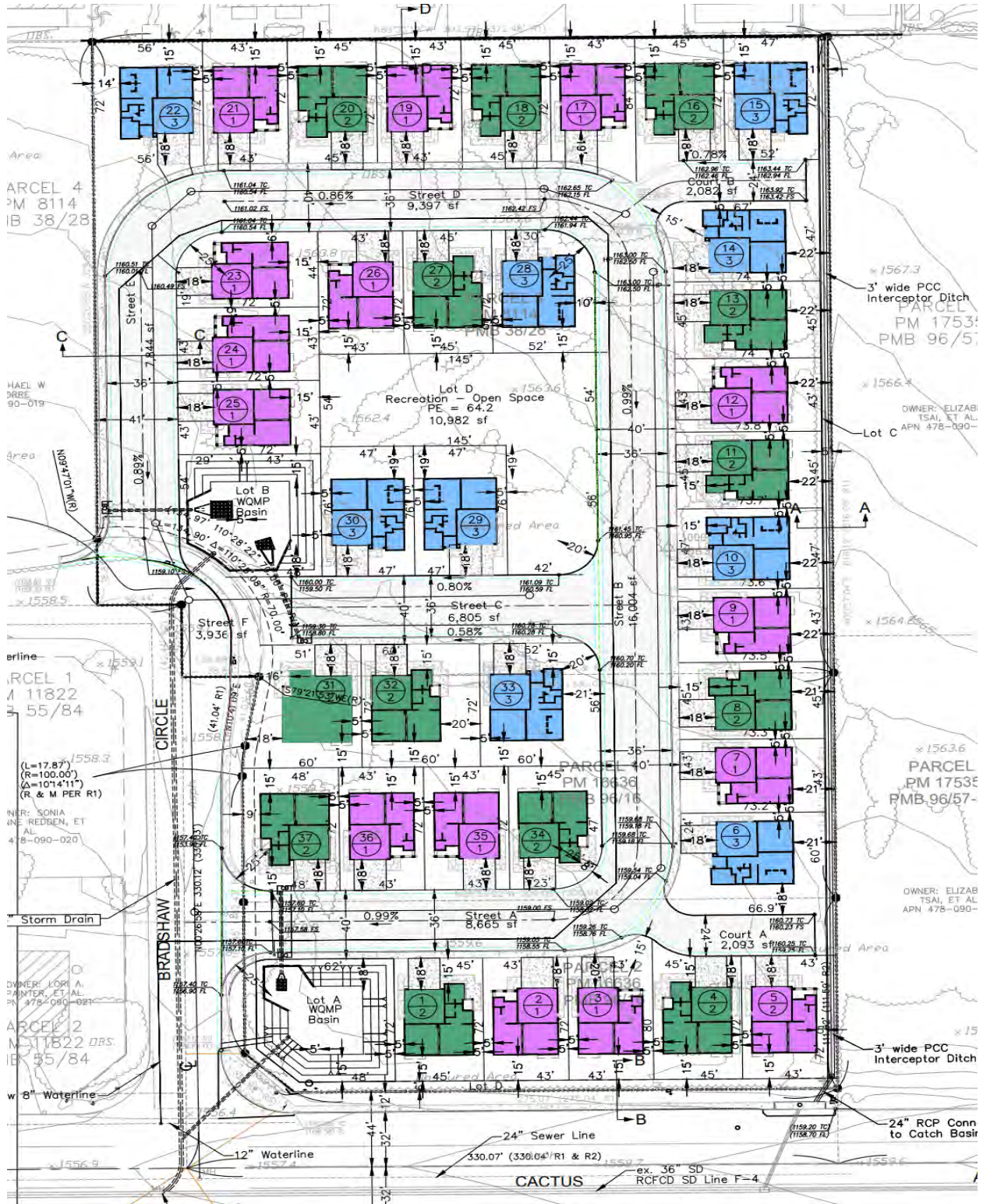
- Residential 5 District
- Residential 3 District
- Residential Single Family 10 District
- Open Space

Cactus & Bradshaw Residential Project (TTM 37858)

Figure 5

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Conceptual Site Plan



Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Cactus & Bradshaw Residential Project (TTM 37858)

Figure 6

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Wall and Fence Plan



Wall Plan Key			
5' High Tan Vinyl Fence		Power Coated Wrought Fencing with Iron Gate	
6' High Masonry Block Walls		Combo Retaining/ block wall	
5' High Tan Vinyl Gate		WQMP Basin Walls	

Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Cactus & Bradshaw Residential Project (TTM 37858)

Figure 7

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Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Landscape Plan



Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Cactus & Bradshaw Residential Project (TTM 37858)

Figure 8

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Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

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

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The City sent notices regarding the project to the following California Native American tribes that may have knowledge regarding tribal cultural resources in the project vicinity:

- Agua Caliente Band of Cahuilla Indians
- Cahuilla Band of Indians
- Desert Cahuilla Indians
- Los Coyotes Band of Cahuilla Indians
- Morongo Band of Mission Indians
- Pechanga Band of Luiseño Indians
- Rincon Band of Luiseño Indians
- San Manuel Band of Mission Indians
- Santa Rosa Band of Mission Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseño Indians

The Pechanga Band of Luiseño Indians requested consultation regarding the proposed project. The consulting tribes consider the area sensitive for cultural resources as several sites are located nearby. Although no information for site specific tribal cultural resources was provided (and there are no known tribal cultural resources on or adjacent to the project site), the consulting tribes requested inclusion of mitigation due to the potential of the Project to unearth previously undocumented tribal cultural resources during construction. These mitigation measures are incorporated in this Initial Study.

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

None applicable

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

- A. CalEEMod Emissions Summary
- B. Habitat Assessment and Focused Burrowing Owl Surveys and MSHCP Consistency
- C. Phase I Cultural Resources Investigation and Paleontological Overview
- D. Preliminary Soil Investigation
- E. Phase I Environmental Site Assessment
- F. Preliminary Hydrology Report
- G. Preliminary Project Specific Water Quality Management Plan
- H. Noise Impact Analysis
- I. Trip Generation and VMT Screening Analysis

17. **Acronyms:**

ADA -	American with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program
GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
HCM	Highway Capacity Manual
HOA -	Homeowners Association
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
LOS -	Level of Service
LST -	Localized Significance Threshold
MARB -	March Air Reserve Base
MARB/IPA-	March Air Reserve Base/Inland Port Airport
MSHCP -	Multiple Species Habitat Conservation Plan
MVFP -	Moreno Valley Fire Department
MVPD -	Moreno Valley Police Department
MVUSD -	Moreno Valley Unified School District
MWD -	Metropolitan Water District
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works

RCEH -	Riverside County Environmental Health
RCFCWCD -	Riverside County Flood Control & Water Conservation District
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RCWMD -	Riverside County Waste Management District
RTA -	Riverside Transit Agency
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
SAWPA -	Santa Ana Watershed Project Authority
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCE -	Southern California Edison
SCH -	State Clearinghouse
SKRHCP -	Stephens' Kangaroo Rat Habitat Conservation Plan
SWPPP -	Stormwater Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey
VMT -	Vehicle Miles Traveled
VVUSD -	Valley Verde Unified School District
WQMP -	Water Quality Management Plan
WRCOG -	Western Riverside Council of Government

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

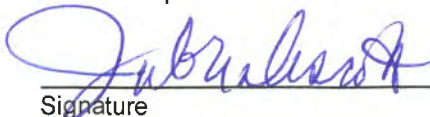
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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



 Signature
 Julia Descoteaux

 Printed Name

10/12/2022

 Date
 City of Moreno Valley

 For

Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS – Except as provided in [Public Resources Code §21099](#) – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – **Would the project:**

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in 2 ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or “vista” of the scenic resource. Important factors in determining whether the proposed project would block scenic vistas include the project’s proposed height, mass, and location relative to surrounding land uses and travel corridors.

The project site is located within a partially developed area of the City and is not within or adjacent to a scenic vista. The site is adjacent to roadways and existing residential land uses. The Moreno Valley General Plan Figure 7-2, Major Scenic Resources identifies the scenic resources within the City that include: Box Springs Mountains, Moreno Peak, Russell Mountains, Reche Mountains, and the Badlands.

The site is located approximately one mile south of the Moreno Peak. However, only partial views of the Moreno Peak are present on the project site between the existing single-family residences to the north. The proposed single-family residences would be 30 feet in height and would be the same height as existing single-family residences to the north and south.

In addition, Figure 7-2, Major Scenic Resources of the General Plan designates various view corridors throughout the City. The proposed project is not within or adjacent to a designated view corridor. Thus, redevelopment of the project site with single-family residences would not obstruct, interrupt, or diminish a scenic vista; and impacts would not occur.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. There are no designated state scenic highways in the City. The closest eligible state scenic highway is State Route (SR) 74, which travels east/west and is approximately 11.5 miles to the south of the project site. The closest officially designated state scenic highway is SR 243 from Interstate 10 (I-10) south of the city of Banning limits (Caltrans 2021), which is located approximately 17 miles east of the project site. Neither of the scenic highways discussed above are visible from the project site, therefore, no impacts to state scenic highways would occur from implementation of the proposed project.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than Significant Impact. As described previously, the project site is located in a developing portion of Moreno Valley and is adjacent to roadways to the south and west, vacant land to the east, and single-family residences north. Nearby parcels are developed with single-family residential uses. The project site is vacant. The existing character of the site and surrounding area is neither unique nor of special aesthetic value or quality.

The project would redevelop the project to provide 37 new single-family residences, which would be similar to the single-family residential uses that are adjacent to the west of the site, to the south of the site beyond the flood control channel, and to the north of the site beyond Finch Avenue.

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

Zoning. The project site is currently zoned as Residential 5 District (R5). The project includes a zone change to Residential Single-Family 10 (RS10) District to implement the proposed single-family residential uses. MVMC Section 9.03.020 states that the primary purpose of the Residential Single-Family 10 (RS10) District is to provide for residential development on small single-family lots with amenities not generally found in suburban subdivisions. The district is intended for subdivisions at a maximum allowable density of ten (10) dwelling units per net acre.

The proposed development would also require approval of a Conditional Use Permit (CUP) for a Planned Unit Development (PUD), which allows for a development to establish unique criteria for such things as setbacks, lot width and depth, building separation, and lot size. This is allowed in exchange for a higher level of detail and amenities within the project than typically required for standard residential development. The project would be consistent with the standards for approval of a PUD listed in MVMC Section 9.03.060.

As detailed in Table AES-1, the proposed project would be consistent with the development standards for the Residential Single-Family 10 (RS10) District listed in Municipal Code Section 9.03.040 with approval of a PUD. Thus, the proposed project would not conflict with applicable zoning regulations governing scenic quality.

Table AES-1: Project Consistency with Residential Single-Family 10 (RS10) District Development Standards

Standard	Municipal Code Requirement	Proposed Project
Minimum lot size	4,500 acre	3,095 SF*
Lot width	45 ft.	43 ft.*
Lot depth	85 ft.	72 ft.*
Maximum density	10 du/acre	7.9 du/acre
Height limit	30 feet	30 feet/2 stories

* consistent with approval of a PUD

General Plan. The project site currently has a General Plan land use designation of Residential: Max. 5 du/ac (R5). The proposed project includes a General Plan Amendment to change the designation of the site to Residential: Max. 10 du/ac (R10). According to the General Plan Land Use Element, the Residential: Max. 10 du/ac (R10) General Plan land use designation allows for development of residential uses to a maximum density of 10 dwelling units per acre. The project's proposed density of approximately 7.9 du/ac would be consistent with the maximum allowable density of 10 du/ac with the approval of a PUD. In addition, the project would be consistent with the General Plan Land Use Element goals and policies related to scenic quality, as shown in Table AES-2.

Table AES-2: Consistency with Land Use Element Goals and Policies Related to Scenic Quality

Goal or Policy	Project Consistency
Goal 2.1: A pattern of land uses, which organizes future growth, minimizes conflicts between land uses, and which promotes the rational utilization of presently underdeveloped and undeveloped parcels.	Consistent. The proposed project would redevelop the vacant site with 37 new single-family residences on an existing vacant site in the City, which would promote the rational utilization of a presently undeveloped parcel. Therefore, the project would be consistent with Goal 2.1.
Goal 2.4: A supply of housing in sufficient numbers suitable to meet the diverse needs of future residents and to support healthy economic development without creating an oversupply of any particular type of housing.	Consistent. The proposed project would redevelop the vacant site with 37 new single-family residences, which would assist in meeting the diverse needs of future residents. In addition, the project would provide 3 different plans and architectural styles for the single-family residences, which would support healthy economic development and an oversupply of a particular type of housing would not occur. Therefore, the project would be consistent with Goal 2.4.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Policy 2.2.8: The primary purpose of areas designated Residential 10 is to provide for a variety of residential products and to encourage innovation in housing types. Developments within Residential 10 areas are typically expected to provide amenities not generally found in suburban subdivisions, such as common open space and recreational areas. The maximum allowable density shall be 10.0 dwelling units per acre.</p>	<p>Consistent. The proposed project would redevelop the project site with single-family residences at a density of 7.9 dwelling unit per acre, which would be consistent with the maximum allowable density of 10 dwelling units per acre. Therefore, the project would be consistent with Policy 2.2.8.</p>			
<p>Policy 2.2.12: Planned Unit Developments (PUD) shall be encouraged for residential construction in order to provide housing that is varied by type, design, form of ownership, and size. PUD's shall also provide opportunities to cluster units to protect significant environmental features and/or provide unique recreational facilities.</p>	<p>Consistent. As described in the Project Description, the proposed project would provide 3 different plans and 3 different architectural styles for the single-family residences to provide housing that is varied by type, design, and size. In addition, the project would provide sidewalks and landscaping along the streets and within common areas. Therefore, the project would be consistent with Policy 2.2.12.</p>			
<p>Policy 2.2.14: Encourage a diversity of housing types, including conventional, factory built, mobile home, and multiple family dwelling units.</p>	<p>Consistent. As described in the previous response, the proposed project would provide 3 different plans and 3 different architectural styles for the single-family residences to provide a diversity of housing types. Therefore, the project would be consistent with Policy 2.2.14.</p>			
<p>Policy 2.3.1: Within individual residential projects, a variety of floor plans and elevations should be offered.</p>	<p>Consistent. As described in the previous response, the proposed project would provide 3 different plans and 3 different architectural styles for the single-family residences. Therefore, the project would be consistent with Policy 2.3.1.</p>			
<p>Policy 2.3.2: Encourage building placement variations, roofline variations, architectural projections, and other embellishments to enhance the visual interest along residential streets.</p>	<p>Consistent. The proposed residential development would be designed with contemporary architectural elements, multi-level rooflines, and a complementary color scheme. Architectural elements in the exterior design would include stucco finish, stone veneer accents, metal awnings and deck railings, and vinyl window and door trim. The project would be designed with Spanish, French, and Cottage style architectural elements. When complete, the development would be representative of a modern residential community. In addition, landscaping improvements associated with the proposed project are anticipated to improve the existing visual character of the project site and would serve to provide increased visual interest along residential streets. Therefore, the project would be consistent with Policy 2.3.2.</p>			
<p>Policy 2.3.3: Discourage the development of single-family residences with a bulk (building mass) that is out of scale with the size of the parcels on which they are located.</p>	<p>Consistent. The proposed project would construct the proposed single-family residences with 3 different plans designed to conform to the size of the parcel on which they are located. Therefore, the project would be consistent with Policy 2.3.3.</p>			
<p>Policy 2.3.4: Design large-scale small lot single family and multiple family residential projects to</p>	<p>Consistent. The proposed project would construct the proposed single-family residences with private</p>			

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>group dwellings around individual open space and/or recreational features.</p>	<p>open space, as well as a total of 26,401 SF of open space and/or recreational features. The single-family residences would be grouped around a 11,443 SF community recreation area. Therefore, the project would be consistent with Policy 2.3.4.</p>			
<p>Overall, the proposed project would be consistent with development standards required by the RS10 zoning district with the approval of a CUP for a PUD, the Residential: Max. 10 du/ac (R10) General Plan land use designation, as well as the Land Use Element goals and policies related to scenic quality. Thus, the project would not conflict with applicable zoning and other regulations governing scenic quality. Furthermore, the project would increase the visual cohesion between the project site and the surrounding single-family residential area. Hence, the proposed project would not degrade the visual character of the project site and surrounding area; and impacts would be less than significant.</p>				
<p>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less Than Significant Impact. The project site is undeveloped and has no existing source of nighttime lighting. However, the project site is surrounded by sources of nighttime lighting including streetlights along Cactus Avenue, illumination from vehicle headlights, offsite exterior residential related lighting, and interior illumination passing through windows. Sensitive receptors relative to lighting and glare include residents, motorists, and pedestrians.</p> <p>The proposed project would include the provision of street lighting and nighttime lighting for security purposes around all of the residences. Implementation of the proposed project would result in a higher intensity development on the project site than currently exists, which would contribute additional sources to the overall ambient nighttime lighting conditions. However, all outdoor lighting would be hooded, appropriately angled away from adjacent land uses, and would comply with the MVMC Section 9.16.280 that will highlight building features and add emphasis to important spaces and entryways, while limiting glare and light trespass onto adjacent properties. Because the project site is within an urban area with various sources of existing nighttime lighting, and the project would be required to comply with the City's lighting regulations that would be verified by the City's Building and Safety Division during the permitting process, the lighting increase in light that would be generated by the project would not adversely affect day or nighttime views in the area. Overall, lighting impacts would be less than significant.</p> <p>Reflective light (glare) can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. Generally, darker or mirrored glass would have a higher visible light reflectance than clear glass. Buildings constructed of highly reflective materials from which the sun reflects at a low angle can cause adverse glare. The proposed project would not use highly reflective surfaces, or glass sided buildings. Although the residences would contain windows, the windows would be separated by stucco and architectural elements, which would limit the potential of glare. In addition, as described previously, onsite lighting would be angled down and shielded, which would avoid the potential on onsite lighting to generate glare. Therefore, the project would not generate substantial sources of glare, and impacts would be less than significant.</p>				
<p>Existing Plans, Programs, or Policies None.</p>				
<p>Mitigation Measures None.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 2 – Community Development Element – Section 2.3 – Community Design • Chapter 7 – Conservation Element – Section 7.8 – Scenic Resources <ul style="list-style-type: none"> - Figure 6-2 – Major Scenic Resources 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.11 – Aesthetics <ul style="list-style-type: none"> - Figure 4.11-1 – Major Scenic Resources 				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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| <p>3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code</p> <ul style="list-style-type: none"> • Section 9.10.110 – Light and Glare of the Moreno Valley Municipal Code. • Chapter 9.16 – Design Guidelines • Section 9.17.030 G – Heritage Trees <p>4. California Department of Transportation, California Scenic Highway Mapping System. 2021. Accessed: at https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways (Accessed February 22, 2021).</p> | | | | |
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II. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The project site is identified by the California Department of Conservation Important Farmland Finder as “Farmland of Local Importance” (CDC 2020). The project site is not designated as Prime, Unique, or Farmland of Statewide Importance. Thus, the proposed project would not result in impacts related to conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The project site has an existing zoning designation of Residential 5 District (R5). The project site is not zoned for agricultural use and is not subject to a Williamson Act contract. Thus, the proposed project would not result in impacts related to conflict with an existing agricultural zoning or Williamson Act contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. No forest land exists on or adjacent to the project site. The project site has a zoning designation for residential and is not zoned for forest land or timberland uses. Thus, the proposed project would not result in impacts related to conflict with an existing forest land or timberland zoning.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. No forest land exists on the project site. Thus, the proposed project would not result in the loss of forest land or conversion of forest land to non-forest use, and impacts would not occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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No Impact. As described in the responses above, the project area does not include farmland or forest land; thus, implementation of the proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use. Impacts would not occur.

Existing Plans, Programs, or Policies

None.

Mitigation Measure

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 7 – Conservation Element – Section 7.7 – Agricultural Resources
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.8 – Agricultural Resources
 - Figure 4.8-1 – Important Farmlands
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. California Department of Conservation, Important Farmland Finder. 2016. Available: <https://maps.conservation.ca.gov/dlrp/ciff/> (Accessed February 22, 2021).

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. **Would the project:**

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact. The project site is located in the South Coast Air Basin (SCAB), which is under the jurisdictional boundaries of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. In preparation of the AQMP, SCAQMD and SCAG uses regional growth projections to forecast, inventory, and allocate regional emissions from land use and development-related sources.

As described in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD’s CEQA Air Quality Handbook (1993), for purposes of analyzing consistency with the AQMP, if a proposed project would result in growth that is substantially greater than what was anticipated, then the proposed project would conflict with the AQMP. On the other hand, if a project’s density is within the anticipated growth of a jurisdiction, its emissions would be consistent with the assumptions in the AQMP, and the project would not conflict with SCAQMD’s attainment plans. In addition, the SCAQMD considers projects consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

The proposed project is a residential development project on a currently vacant site. The site is located within a residential area of Moreno Valley. The proposed project would develop 37 single-family residences on the site. As further described in Section 14, Population and Housing, would result in the addition of approximately 143 new residents, which would represent a population increase of approximately 0.07 percent and a 0.06 percent increase in residential units within the City. This limited level of growth on a site that has been previously developed would not exceed growth projections and would be consistent with the assumptions in the AQMP.

In addition, emissions generated by construction and operation of the proposed project would not exceed thresholds. As described in the analysis below, the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation. Therefore, impacts related to conflict with the AQMP from the proposed project would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:
Less Than Significant Impact. The SCAB is in a non-attainment status for federal ozone standards, federal carbon monoxide standards, and state and federal particulate matter standards. Any development in the SCAB, including the proposed project, could cumulatively contribute to these pollutant violations. The methodologies from the SCAQMD CEQA Air Quality Handbook are used in evaluating project impacts. SCAQMD has established daily mass thresholds for regional pollutant emissions, which are shown in Table AQ-1. Should construction or operation of the proposed project exceed these thresholds a significant impact could occur; however, if estimated emissions are less than the thresholds, impacts would be considered less than significant.

Table AQ-1: SCAQMD Regional Daily Emissions Thresholds

Pollutant	Construction (lbs/day)	Operations (lbs/day)
NOx	100	55
VOC	75	55
PM-10	150	150
PM-2.5	55	55
SOx	150	150
CO	550	550

Source: CalEEMod Emission Summary (Appendix A)

Construction

Construction activities associated with the proposed project would generate pollutant emissions from the following: (1) demolition and removal of the existing onsite improvements and recycling debris; (2) grading and excavation; (3) construction workers traveling to and from project site; (4) delivery and hauling of construction supplies to, and debris from, the project site; (5) fuel combustion by onsite construction equipment; (6) building construction; application of architectural coatings; and paving. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring.

It is mandatory for all construction projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM-10, and PM-2.5 emissions from construction activities. Rule 403 requirements include, but are not limited to: applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas. Compliance with Rule 403 was accounted for in the construction emissions modeling for the project. In addition, implementation of SCAQMD Rule 1113 that governs the VOC content in architectural coating, paint, thinners, and solvents, was accounted for in the construction emissions modeling for the project. As shown in Table AQ-2, CalEEMod results indicate that construction emissions generated by the proposed project would not exceed SCAQMD regional thresholds.^{1,2} Therefore, emissions from construction activities would be less than significant.

¹ It should be noted the air quality analysis analyzed 38 dwelling units based on an earlier iteration of the project's site plan. As the project proposes 37 dwelling units, the project-generated emissions calculated in the air quality analysis are therefore highly conservative.

² It should be noted that the air quality analysis was modeled using CalEEMod Version 2020.4 (V2020.4). The latest version of CalEEMod, V2022.1, was run for the project using 11th Edition Trip rates and found that impacts from construction & operation would continue to be less than significant utilizing the latest CalEEMod version.

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Table AQ-2: Construction Emissions Summary

Construction Activity	Maximum Daily Regional Emissions ⁽¹⁾ (pounds/day)					
	ROG	NO _x	CO	SO _x	PM-10	PM-2.5
2021						
Site Preparation	5.4	60.8	22.6	0.1	7.5	5.1
Grading	4.1	67.5	20.6	0.1	5.8	3.2
Building Construction	2.2	18.9	18.4	0.0	1.6	1.0
Maximum Daily Emission	5.4	67.5	22.6	0.1	7.5	5.1
2022						
Paving	1.3	9.5	12.9	0.0	0.7	0.6
Architectural Coating	49.1	1.4	2.1	0.0	0.2	0.1
Maximum Daily Emission	49.1	9.5	12.9	0.0	0.7	0.8
2021 to 2022 Maximum Daily Emissions	49.1	67.5	22.6	0.1	7.5	5.1
SCAQMD Significance Thresholds	75	100	550	150	150	55
Emissions Exceed Thresholds?	No	No	No	No	No	No
Notes: ROG = reactive organic gases NO _x = oxides of nitrogen PM-10 = particulate matter 10 microns or less in diameter PM-2.5 = particulate matter 2.5 microns or less in diameter CO = carbon monoxide SO _x = sulfur oxides PM emissions reflect SCAQMD Rule 403 reductions Source: see CalEEMod model output						

Source: CalEEMod Emission Summary (Appendix A)

Operation

Operation of the 37 single-family residences would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products. However, vehicular emissions would generate a majority of the operational emissions from the project.

Operational emissions associated with the proposed project were modeled using CalEEMod and are presented in Table AQ-3. As shown, the proposed project would result in long-term regional emissions of the criteria pollutants that would be below the SCAQMD's applicable thresholds. Therefore, operation of the project would not result in a cumulatively considerable net increase of any criteria pollutant impacts, and operational impacts would be less than significant.

Table AQ-3: Summary of Peak Operational Emissions

Operational Activity	Maximum Daily Regional Emissions (pounds/day)				
	ROG	NO _x	CO	PM-10	PM-2.5
Area	3.1	0.0	3.3	0.0	0.0
Energy	0.0	0.3	0.1	0.0	0.0
Mobile	0.7	5.4	8.9	2.9	0.8
Total Project Operational Emissions	3.9	5.7	12.3	2.9	0.8
SCAQMD Significance Threshold	55	55	550	150	55

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ISSUES & SUPPORTING INFORMATION SOURCES:				Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Exceed Threshold? No No No No No							
Notes: NOx = oxides of nitrogen PM-10 = particulate matter 10 microns or less in diameter ROG = reactive organic gases PM-2.5 = particulate matter 2.5 microns or less in diameter CO = carbon monoxide Source: see CalEEMod model output Source: CalEEMod Emission Summary (Appendix A)							

c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The SCAQMD's *Final Localized Significance Threshold Methodology* (SCAQMD 2008) recommends the evaluation of localized NO₂, CO, PM-10, and PM-2.5 construction-related impacts to sensitive receptors in the immediate vicinity of the project site. Such an evaluation is referred to as a localized significance threshold (LST) analysis. According to the SCAQMD's *Final Localized Significance Threshold Methodology*, "off-site mobile emissions from the project should not be included in the emissions compared to the LSTs" (SCAQMD 2008). SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of NOx, CO, PM-10, and PM-2.5 pollutants for each of the 38 source receptor areas (SRAs) in the SCAB. The project site is located within SRA 24, Perris Valley. The LSTs for this SRA were applied to the project.

Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. The nearest sensitive receptors are existing residences are located adjacent to the project site. The distance between the project site boundary and the closest existing residential structure is located north of the project site boundary approximately 10-feet from the property line. Therefore, the distance for sensitive receptors in the LST assessment was set at 25 meters, the shortest distance contained in the SCAQMD LST emission look-up tables (AQ 2020).

Construction

The localized thresholds from the mass rate look-up tables in SCAQMD's Final Localized Significance Threshold Methodology document, were developed for use on projects that are less than or equal to 5-acres in size or have a disturbance of less than or equal to 5 acres daily. The project site is approximately 4.81 acres. Therefore, the use of the LSTs for a 5-acre project were used in the Air Quality Assessment (AQ 2020).

Table AQ-4 identifies the localized impacts at the nearest receptor location in the vicinity of the project. As shown, project construction-source emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria pollutant. Thus, implementation of the project would not result in a localized air quality impact.

Table AQ-4: Localized Significance Summary of Construction

Construction Activity	Maximum Daily Localized Emissions (pounds/day)			
	NO _x	CO	PM-10	PM-2.5
2021				
Site Preparation	60.8	21.9	7.3	5.0
Grading	40.0	16.4	3.3	2.4
Building Construction	17.4	16.6	1.0	0.9
Maximum Daily Emission	60.8	21.9	7.3	5.0
2022				
Paving	9.5	12.2	0.5	0.5
Architectural Coating	1.4	1.4	0.1	0.1
Maximum Daily Emission	9.5	12.2	0.5	0.5

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ISSUES & SUPPORTING INFORMATION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2021 to 2022 Maximum Daily Emissions	60.8	21.9	7.3	5.0	
SCAQMD Significance Thresholds	224	1,250	10	6	
Emissions Exceed Thresholds?	No	No	No	No	
Notes: NO _x = oxides of nitrogen PM-10 = particulate matter 10 microns or less in diameter PM-2.5 = particulate matter 2.5 microns or less in diameter CO = carbon monoxide PM emissions reflect SCAQMD Rule 403 emission reductions Source: see CalEEMod model output					

Source: CalEEMod Emission Summary (Appendix A)

As described in Response 4.3(b), the proposed project would not significantly increase long-term emissions within the project area. Construction of the proposed project may expose nearby residential sensitive receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD’s standard construction practices (Rules 402 and 403, as included as PPP AQ-1 and PPP AQ-2). Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during construction, and impacts would be less than significant.

Operation

For operational LSTs, onsite passenger car and truck travel emissions were modeled. The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state Ambient Air Quality Standards. As shown on Table AQ-5, operational emissions would not exceed the SCAQMD’s localized significance thresholds for any criteria pollutant at the nearest sensitive receptor. Therefore, localized air quality impacts from operational activities would be less than significant.

Table AQ-5: Localized Significance Summary of Operations

Operational Activity	Maximum Daily Localized Emissions (pounds/day)			
	NO _x	CO	PM-10	PM-2.5
Area	0.0	3.3	0.0	0.0
Energy	0.3	0.1	0.0	0.0
Mobile	3.2	1.5	0.1	0.0
Total Project Operational Emissions	3.6	5.0	0.1	0.1
SCAQMD Significance Threshold	270	1,577	4	2
Exceed Threshold?	No	No	No	No
Notes: NO _x = oxides of nitrogen PM-10 = particulate matter 10 microns or less in diameter PM-2.5 = particulate matter 2.5 microns or less in diameter CO = carbon monoxide Source: see CalEEMod model output				

Source: CalEEMod Emission Summary (Appendix A)

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>No Impact. The proposed project would not emit other emissions, such as those generating objectionable odors, that would affect a substantial number of people. The threshold for odor is identified by SCAQMD Rule 402, Nuisance, which states:</p> <p><i>A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.</i></p> <p>The type of facilities that are considered to result in other emissions, such as objectionable odors, include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities.</p> <p>The proposed project would implement residential development within the project area that does not involve the types of uses that would emit objectionable odors affecting a substantial number of people. In addition, odors generated by non-residential land uses are required to be in compliance with SCAQMD Rule 402, which would prevent nuisance odors.</p> <p>During construction, emissions from construction equipment, architectural coatings, and paving activities may generate odors. However, these odors would be temporary, intermittent in nature, and would not affect a substantial number of people. The noxious odors would be confined to the immediate vicinity of the construction equipment. Also, the short-term construction-related odors would cease upon the drying or hardening of the odor-producing materials. Therefore, impacts associated with other emissions, such as odors, would not adversely affect a substantial number of people and impacts would be less than significant.</p>				
<p><u>Existing Plans, Programs, or Policies</u></p> <p>PPP AQ-1: Rule 402. The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p> <p>PPP AQ-2: Rule 403. The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day. • The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less. <p>PPP AQ-3: Rule 1113. The project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>				
<p><u>Mitigation Measure</u> None.</p>				
<p>Sources:</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 5 – Circulation Element • Chapter 6 – Safety Element – Section 6.6 – Air Quality 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.3 – Air Quality <ul style="list-style-type: none"> - Figure 4.3-1 – South Coast Air Basin • Appendix C – Air Quality Analysis, P&D Consultants, July 2003 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code <ul style="list-style-type: none"> • Section 9.10.050 – Air Quality of the Moreno Valley Municipal Code • Section 9.10.150 – Odors of the Moreno Valley Municipal Code • Section 9.10.170 – Vibration of the Moreno Valley Municipal Code 4. Moreno Valley Municipal Code Section 12.50.040 – Limitations on Engine Idling 5. Summary of CalEEMod Model Runs and Output for the Moreno Valley Residential Project. March 24, 2020. Prepared by Vince Mirabella (Appendix A). 6. South Coast Air Quality Management District Final Localized Significance Threshold Methodology (SCAQMD 2008). Accessed: http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-1st-methodology-document.pdf (Accessed May 26, 2021). 				

IV. BIOLOGICAL RESOURCES – Would the project:

<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact with Mitigation Incorporated. The project site is vacant and undeveloped and has been previously disturbed. A Biological Habitat Assessment was prepared for the proposed project, which included a literature search to identify special status plants, wildlife, and habitats known to occur in the vicinity of the project site. General plant and wildlife surveys were also conducted to identify any biological resources on or adjacent to the project site. The project site is within the Western Riverside County MSHCP (Multiple Species Habitat Conservation Plan) Reche Canyon/Badlands Area Plan.

The Habitat Assessment identified 8 special-status plant species that to have the potential to occur within the project vicinity; however, only the Woven-Spored Lichen (*Texosporium sancti-jacobi*) was determined to have a low potential for occurrence and was not observed during surveys. The remaining seven special-status plant species were determined to have no potential and be absent from the project site (Gonzalez 2020).

The Habitat Assessment identified 30 special-status wildlife species that to have the potential to occur within the project vicinity, one species (Stephens’ kangaroo rat (*Dipodomys stephensi*)) was assumed to be present. However, wildlife species that are covered and adequately conserved by the MSHCP do not include Stephens’ Kangaroo rat. Stephens’ Kangaroo rat (SKR) is covered under the SKR Habitat Conservation Plan. As a covered species, participation in the SKR Habitat Conservation Plan would provide “take” for SKR species and no additional mitigation except payment of an SKR fee, included as Mitigation Measure BIO-1, would be required (Gonzalez 2020).

It was determined that potentially suitable habitat for burrowing owls (*Athene cunicularia*) is present onsite. The burrowing owl is a state species of special concern and MSHCP Group 3 species that is commonly found in open, dry grasslands, agricultural and range lands, as well as desert habitats with low-growing vegetation. The burrowing owl resides in burrows primarily created, then abandoned, by species such as California ground squirrels (*Spermophilus beecheyi*) and coyotes (*Canis latrans*). Therefore, protocol burrowing owl surveys were conducted to determine the presence and use of the site by burrowing owls.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Burrowing owl habitat assessment surveys and focused surveys were conducted in 2020 according to the Burrowing Owl Survey Instructions for the *Western Riverside Multiple Species Habitat Conservation Plan Area*. The surveys were completed in three steps; Habitat Assessment (Step 1), Focused Burrow Surveys (Step 2A), and Focused Owl Surveys (Step 2B).

In Step 1, habitat within the project area was assessed for burrowing owl presence, use, and potential use. Areas with potential burrowing owl habitat, including pasture and debris piles were surveyed by Gonzales Environmental Consulting, LLC for potential burrows. Biologists walked areas of potential habitat while searching for the presence of burrowing owls, potential and active burrows, and owl sign, such as feathers, pellets, and prey items. The survey area included a 150-meter (500-foot) buffer zone outside of the project site. Step 1 of the survey identified suitable burrowing owl habitat on-site due to the presence of low-growing vegetation.

In Step 2A, focused burrow surveys were conducted, which included surveys of natural burrows or suitable debris piles. Transect surveys for burrows, including owl signs, were conducted by walking or being escorted through suitable habitat over the entire survey area. The locations of all potential owl burrows, observed owl sign, and observed burrowing owls were recorded and mapped with a GPS device.

In Step 2B, focused burrowing owl surveys consisted of seven site visits covering all project areas and adjacent areas. Surveys were conducted in the morning 1 hour before sunrise to 2 hours after sunrise and 1 hour before sunset to 2 hours after sunset. Upon arrival at the survey area and prior to initiating the walking surveys, surveyors used binoculars and/or spotting scopes to scan all suitable habitats, as well as the location of mapped burrows, owl sign, and owls, including perch locations to ascertain owl presence. A survey for owls and owl sign was then conducted by walking through suitable habitat over the entire project site and within the adjacent 150-meter (500-foot) buffer zone. Results of the Step 2A surveys found no owl burrows on the proposed project site or in adjacent areas. In addition, Step 2B found no burrowing owls on the proposed project site or adjacent to the project site (Gonzalez 2020). Although no impacts to this species are anticipated as a result of construction activities, Mitigation Measure BIO-2 has been included to require a preconstruction burrowing owl survey to be conducted prior to the start of ground disturbance activities. With implementation of Mitigation Measures BIO-2, impacts related to burrowing owls would be less than significant.

The Habitat Assessment performed by Gonzales Environmental Consulting, LLC identified suitable habitat and substrate for raptors that are protected under the MSHCP, as well as migratory birds that are protected under the Migratory Bird Treaty Act and Section 3503.5 of the California Department of Fish and Wildlife (CDFW) code (Gonzalez 2020). Mitigation Measure BIO-3 has been included to require a qualified biologist to survey the project impact area for the presence of any active raptor nests seven days prior to the onset of construction activities during the raptor nesting season. Mitigation Measure BIO-4 has been included to require pre-construction nesting bird surveys, as well as recommendations for vegetation removal outside of the nesting bird season. With implementation of Mitigation Measure BIO-3 and Mitigation Measure BIO-4, impacts related to protected bird species would also be reduced to a less than significant level.

The Habitat Assessment further describes that the special-status wildlife and plant species with the potential to occur on the project site are covered by compliance with the MSHCP, which requires payment of fees, included as existing Plans, Programs, or Policies “PPP BIO-1”.

Thus, through adherence to the recommendations provided in the Habitat Assessment, payment of the MSHCP mitigation fees (included as PPP BIO-1), and implementation of pre-construction nesting bird surveys, the project would be fully consistent with the MSCHP, CDFW, and USFWS, and impacts would be less than significant with implementation of MM BIO-1, MM BIO-2, MM BIO-3, and MM BIO-4.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The project site consists of vacant land that has been heavily disturbed by grading. The assessment done by Gonzales Environmental identified there are no state or federal streambed resources on the project site. In addition,

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>MSHCP Section 6.12 riverine resources are not located on the project site, and as such the project does not require permits from Army Corps of Engineers, California Department of Fish and Wildlife, or the Regional Water Quality Control Board. In addition, the project does not contain any vernal pools, wetland habitats, creeks, or rivers (Gonzalez 2020). Thus, impacts to riparian habitat or other sensitive natural community would not occur from implementation of the proposed project.</p>				
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. As described in the response above, the project site does not contain any drainages, creeks, rivers, or other wetland areas (Gonzalez 2020). The project site does not contain any jurisdictional areas that would be subject to Section 404 of the Clean Water Act, and the proposed project does not involve any hydrological interruption on any existing water resources. Thus, impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act would not occur from implementation of the proposed project.</p>				
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less Than Significant Impact with Mitigation Incorporated. The project site is vacant and undeveloped but is adjacent to roadways, disturbed, and developed land uses. Due to the existing conditions of the project site and the surrounding land uses, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors (Gonzalez 2020). There are no native wildlife nursery sites. However, as described previously, the site includes areas that are suitable for nesting birds that are protected under the Migratory Bird Treaty Act and Section 3503.5 of the CDFW code. Therefore, Mitigation Measure BIO-4 has been included to require pre-construction nesting bird surveys. With implementation of Mitigation Measure BIO-4, impacts to native wildlife nursery sites would not occur and impacts would be less than significant.</p>				
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. There are no local biological related policies or ordinances, such as a tree preservation policy or ordinance that is applicable to the proposed project. The project site is adjacent to existing non-native ornamental trees that are on the right-of-way on Cactus Avenue, adjacent to the single-family residential areas to the north, and are not subject to any ordinances. The project site contains non-protected native shrubs and herbs as well as non-native grasses and shrubs and one nonnative palm tree. Therefore, implementation of the proposed project would not conflict with local polices or ordinances protecting trees and no impact would occur.</p>				
<p>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant Impact. The project site occurs within the Western Riverside County MSHCP. As described previously, the project site is located within the Reche Canyon/Badlands Area Plan of the MSHCP, but is not located within a Criteria Area Cell, Core, or Linkage. Furthermore, a habitat survey and surveys for burrowing owl have been conducted as outlined in response 4(a) and further preconstruction surveys and payment of fees would be conducted prior to construction as required by Mitigation Measures BIO-1 through BIO-4. Additionally, the project is required to pay applicable MSHCP fees prior to grading permit approval as outlined in PPP BIO-1. With implementation of PPP BIO-1 and MMs BIO-1 through BIO-4, development of the project site would not conflict with local, regional, or state resource</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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preservation and/or conservation policies. Therefore, no significant impacts would occur as a result of project implementation.

Existing Plans, Programs, or Policies

PPP BIO-1: MSHCP Development Impact Fees. Prior to issuance of a grading or building permit, the project applicant will be required to pay relevant City of Moreno Valley mitigation fees to the City.

Mitigation Measures

Mitigation Measure BIO-1: Payment of SKR Fees. Prior to the issuance of a grading permit, the project applicant shall pay all relevant Stephen's kangaroo rat mitigation fees.

Mitigation Measure BIO-2: Preconstruction Burrowing Owl Surveys. Pursuant to the MSHCP Objective 6, for burrowing owl, a preconstruction burrowing owl survey shall be conducted prior to issuance of a grading permit to verify the presence/absence of the owl on the Project site. Within thirty days of the onset of construction activities, a qualified biologist shall survey within 500 feet of the Project site for the presence of any active owl burrows. Any active burrow found during survey efforts shall be mapped on the construction plans. If no active burrows are found, no further mitigation would be required. Results of the surveys shall be provided to the City of Moreno Valley. If nesting activity is present at an active burrow, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for burrowing owl in the region normally occurs between March and August. To protect the active burrow, the following restrictions to construction activities shall be required until the burrow is no longer active as determined by a qualified biologist: (1) clearing limits shall be established within a 500-foot buffer around any active burrow, unless otherwise determined by a qualified biologist, and (2) access and surveying shall be restricted within 300 feet of any active burrow, unless otherwise determined by a qualified biologist. Any encroachment into the buffer area around the active burrow shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified biologist has determined that fledglings have left the nest. If an active burrow is observed during the non-nesting season, the nest site shall be monitored by a qualified biologist, and when the raptor is away from the nest, the biologist will either actively or passively relocate the burrowing owl based on direction from the WRC RCA. The biologist shall then remove the burrow so the burrowing owl cannot return to the burrow. Therefore, based on the described construction activities and implementation of mitigation measures as identified, impacts to BUOW would not be significant.

Mitigation Measure BIO-3: Preconstruction Raptor Surveys. Seven days prior to the onset of construction activities during the raptor nesting season (February 1 to June 30), a qualified biologist shall survey within 500 feet of the project impact area for the presence of any active raptor nests (common or special status). Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the CDFW. If nesting activity is present at any raptor nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. To protect any nest site, the following restrictions to construction activities are required until nests are no longer active as determined by a qualified biologist: (1) clearing limits shall be established within a 500-foot buffer around any occupied nest, unless otherwise determined by a qualified biologist, and (2) access and surveying shall be restricted within 300 feet of any occupied nest, unless otherwise determined by a qualified biologist. Any encroachment into the buffer area around the known nest shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified biologist has determined that fledglings have left the nest. If an active nest is observed during the non-nesting season, the nest site shall be monitored by a qualified biologist, and when the raptor is away from the nest, the biologist will flush any raptor to open space areas. A qualified biologist, or construction personnel under the direction of the qualified biologist, shall then remove the nest site so raptors cannot return to a nest.

Mitigation Measure BIO-4: Preconstruction Nesting Bird Surveys. If construction is to occur during the MBTA nesting cycle (February 1-September 15) than a nesting bird survey should be conducted by a qualified biologist. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or imprisonment. Active bird nests should be mapped utilizing a hand-held global positioning system (GPS) and a 300' buffer will be flagged around the nest (500' buffer for raptor nests). Construction should not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.).

Sources:

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 7 – Conservation Element – Section 7.1 – Biological Resources 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.9 – Biological Resources <ul style="list-style-type: none"> - Figure 4.9-1 – Planning Area Biological Geographic Sections - Figure 4.9-2 – Planning Area Vegetation Community - Figure 4.9-3 – Project Site Location within the MSHCP Area - Figure 4.9-4 – Reche Canyon/Badlands Area Plan • Appendix E – Biological Resources Study, Appendix E 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code <ul style="list-style-type: none"> • Section 9.17.030 G – Heritage Trees 4. Moreno Valley Municipal Code Chapter 8.60 – Threatened and Endangered Species 5. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), http://www.wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/ 6. Stephens’ Kangaroo Rat Habitat Conservation Plan (SKRHCP), Governing Documents RCHCA, CA 7. Habitat Assessment & Focused Surveys for Burrowing Owl. June 17, 2020. Prepared by Gonzalez Environmental Consulting, LLC (Appendix B). 				

V. CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 ?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. According to the *State CEQA Guidelines*, a historical resource is defined as something that meets one or more of the following criteria:

- 1) Listed in, or determined eligible for listing in, the California Register of Historical Resources;
- 2) Listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k);
- 3) Identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or
- 4) Determined to be a historical resource by the project’s Lead Agency.

As described previously, the project site is currently vacant. Historic aerial photographs and maps of the project site showed no development in the general vicinity of the project area until after 1976. All improvements, therefore, are less than 45 years of age and considered modern and of no historical consequence (McKenna 2020). Therefore, the project would not cause a substantial adverse change in the significance of a historical resource, and no impact would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant Impact with Mitigation Incorporated. The Phase I Cultural Resources Investigation and Paleontological Overview prepared for the project site included an archaeological records search that was completed at the University of California, Riverside, Eastern Information Center (UCR-EIC). The UCR-EIC is the countywide clearing house/repository for all archaeological and cultural studies completed within the Riverside County. All pertinent data was researched, including previous studies for a one mile radius surrounding the project area and the identification of recorded resources within one mile. In addition, the research included review of the current listings (federal, state, and local) for evaluated resources and reviewed historic maps. The records search indicated that the nearest recorded resources are located more than one-half mile from the project site. There are no known significant cultural resources within the project area and any future development will not adversely impact any significant resources (McKenna 2020).

As required for compliance with CEQA guidelines and the data requirements of the Office of Historic Preservation (OHP), an intensive field survey was conducted to adequately identify, describe, report, and, if possible, evaluate any cultural resources identified within the project area boundaries. This intensive field survey was conducted on March 7, 2020. No evidence of any prehistoric archaeological sites, prehistoric isolates, historic archaeological sites and/or historic isolates was found within the project area boundaries. In addition, no historic landscape or suggestion of ethnic resources or

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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associations were found. Overall, the property was clear of any evidence of surface cultural resources and the potential for buried resources was determined to be extremely low to nonexistent (McKenna 2020).

Based on the negative findings presented above, there are no known cultural resources, significant or not, within or adjacent to the project area. In addition, as discussed previously, based on the results of the cultural resources search and survey, evidence of surface cultural resources and the potential for buried resources was determined to be extremely low to nonexistent (McKenna 2020). Nevertheless, due to archaeological sensitivity in the City and project vicinity, Mitigation Measures CR-1 through CR-5 would be implemented by the project and require archaeological monitoring, a Cultural Resource Monitoring Plan (CRMP), measures for inadvertent finds, and Archeology Reports. With implementation of Mitigation Measures CR-1 through CR-5, impacts to archaeological resources would be less than significant.

c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant Impact with Mitigation Incorporated. The project site has not been previously used as a cemetery. Thus, human remains are not anticipated to be uncovered during project construction. In addition, procedures of conduct following the discovery of human remains on non-federal lands have been mandated by California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98, which has been included as Mitigation Measure CR-6. Specifically, California Health and Safety Code Section 7050.5 requires that if human remains are discovered, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Thus, with compliance with Mitigation Measure CR-6, no impacts would occur.

Existing Plans, Programs, or Policies
 None.

Mitigation Measures

Mitigation Measure CR-1: Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Indians, the contractor, and the City, shall develop a CRMP as defined in Mitigation Measure CR-2. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.

Mitigation Measure CR-2: Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project description and location
- b. Project grading and development scheduling;
- c. Roles and responsibilities of individuals on the Project;
- d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
- e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.</p> <p>g. Contact information of relevant individuals for the Project;</p> <p>Mitigation Measure CR-3: The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p> <p>Mitigation Measure CR-4: Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in Mitigation Measure CR-1 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p> <p>Mitigation Measure CR-5: Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p> <p>Mitigation Measure CR-6: Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 7 – Conservation Element – Section 7.2 – Cultural and Historical Resources 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.10 – Cultural Resources <ul style="list-style-type: none"> - Figure 4.10-1 – Locations of Listed Historic Resource Inventory Structures - Figure 4.10-2 – Location of Prehistoric Sites - Figure 4.10-3 – Paleontological Resource Sensitive Areas • Appendix F – Cultural Resources Analysis, Study of Historical and Archaeological Resources for the Revised General Plan, City of Moreno Valley, Archaeological Associates, August 2003. 				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 4. Moreno Valley Municipal Code Title 7 – Cultural Preservation 5. Cultural Resources Inventory for the City of Moreno Valley, Riverside County, California, prepared by Daniel F. McCarthy, Archaeological Research Unit, University of California, Riverside, October 1987 (<i>This document cannot be provided to the public due to the inclusion of confidential information pursuant to Government Code Section 6254.10.</i>) 6. Phase I Cultural Resources Investigation and Paleontological Overview for Tentative Tract Map No. 37858, City of Moreno Valley, Riverside County, California. March 18, 2020. Prepared by McKenna et al. (Appendix C).				

VI. ENERGY – Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less Than Significant Impact. The project site is currently vacant. The Southern California Gas Company provides natural gas to the surrounding area. Additionally, Southern California Edison currently provides electricity services to the surrounding area. The proposed project would install onsite electrical and natural gas infrastructure that would connect to the existing offsite lines.

Construction

During construction of the proposed project, energy would be consumed in three general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the project sites, construction worker travel to and from the project sites, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction activities related to the proposed building and the associated infrastructure would not be expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in southern California. In addition, the extent of construction activities that would occur is limited to a 12-month period, and the demand for construction-related electricity and fuels would be limited to that time frame.

Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment as part of the City’s construction permitting process. In addition, compliance with existing CARB idling restrictions would reduce fuel combustion and energy consumption. The energy modeling shows that project construction electricity usage over the 12-month construction period is estimated to use 14,517 gallons of diesel fuel, as shown in Table E-1.

Table E-1: Estimated Construction Equipment Diesel Fuel Consumption

Activity	Equipment	Project Number	Project Hours per day	Default Horsepower	Default Load Factor	Days of Construction	Total Horsepower-hours	Fuel Rate (gal/hp-hr)	Fuel Use (gallons)
Site Preparation	Rubber Tired Dozer	3	8	247	0.4	10	23,712	0.020461	485
	Crawler Tractor	4	8	212	0.43	10	29,171	0.022173	647
Grading	Excavators	1	8	158	0.38	30	28,819	0.019763	570
	Graders	1	8	187	0.41	30	18,401	0.021143	389
	Rubber Tired Dozers	1	8	247	0.4	30	23,712	0.020461	485
	Crawler Tractor	3	8	212	0.43	30	65,635	0.022173	1,455
Building Construction	Crane	1	7	231	0.29	200	93,786	0.014896	1,397
	Forklifts	3	8	89	0.2	200	85,440	0.019105	1,632
	Tractors/Loaders/Backhoes	3	7	97	0.37	200	150,738	0.023965	3,612
	Welders	1	8	46	0.45	200	33,120	0.023965	794
	Generator Set	1	8	84	0.74	200	99,456	0.023965	2,383
Paving	Pavers	2	8	130	0.42	20	17,472	0.021525	376

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ISSUES & SUPPORTING INFORMATION SOURCES:					Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
	Paving Equipment	2	8	132	0.36	20	15,206	0.018334	279
	Rollers	2	8	80	0.38	20	9,728	0.019412	189
Architectural Coating	Air Compressor	1	6	78	0.48	20	4,493	0.023965	108
TOTAL								14,517	

Source: CalEEMod Emission Summary (Appendix A)

Table E-2 shows that construction workers would use approximately 5,278 gallons of fuel to travel to and from the project site, and haul trucks and vendor trucks would use approximately 5,254 gallons of diesel fuel.

Table E-2: Estimated Construction Vehicle Trip Related Fuel Consumption

Construction Source	Gallons of Diesel Fuel	Gallons of Gasoline Fuel
Haul Trucks	2,902	0
Vendor Trucks	2,352	0
Worker Vehicles	0	5,278
Construction Vehicles Total	5,254	5,278

Source: CalEEMod Emission Summary (Appendix A)

Overall, construction activities would comply with all existing regulations, and would therefore not be expected to use fuel in a wasteful, inefficient, and unnecessary manner. Thus, impacts related to construction energy usage would be less than significant.

Operation

Once operational, the project would generate demand for electricity, natural gas, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of the residences, water heating, operation of electrical systems and plug-in appliances, and outdoor lighting, and the transport of electricity, natural gas, and water to the residences where they would be consumed. This use of energy is typical for urban development, no additional energy infrastructure would be required to be built to operate the project, and no operational activities would occur that would result in extraordinary energy consumption.

The proposed project would be required to meet the current Title 24 energy efficiency standards. The City's administration of the Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. Typical Title 24 measures include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; and incorporation of skylights, etc. In complying with the Title 24 standards, impacts to peak energy usage periods would be minimized, and impacts on statewide and regional energy needs would be reduced. As detailed in Table E-3, operation of the proposed project is estimated to result in the annual use of approximately 47,536 gallons of fuel, approximately 348,659 kilowatt-hour (kWh) of electricity, and approximately 1,223,850 thousand British thermal units (kBTU) of natural gas. Thus, operation of the project would not use large amounts of energy or fuel in a wasteful manner, and operational energy impacts would be less than significant.

Table E-3: Estimated Annual Operational Energy Consumption

Operational Source (value per year)		
Energy Source	Annual VMT	Gallons of Gasoline Fuel
Transportation – Project	1,283,482	47,536 ⁽¹⁾

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	Thousands Kilowatt-Hours			
Electricity – Project	348,659			
	Thousands British Thermal Units			
Natural Gas – Project	1,223,850			
<p>Note: ⁽¹⁾ Based on an average fleet fuel consumption rate of 27 mile/gallon based on EMFAC2017 fuel use and CalEEMod fleet miles. Source: see Fuel Usage Spreadsheet and CalEEMod output Source: CalEEMod Emission Summary (Appendix A)</p>				

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. The proposed project would be required to meet the CalGreen energy efficiency standards in effect during permitting of the project. The City’s administration of the requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. As discussed, the project proposes to use photovoltaic (PV) solar panels on each of the residences to offset their energy demand in accordance with Title 24. As such, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would not occur.

Existing Plans, Programs, or Policies

PPP GHG-1: CalGreen Compliance, provided in Section 8, *Greenhouse Gas Emissions*.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 7 – Conservation Element – Section 7.6 – Energy Resources
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Summary of CalEEMod Model Runs and Output for the Moreno Valley Residential Project. March 24, 2020. Prepared by Vince Mirabella (Appendix A).
5. City of Moreno Valley Energy Efficiency and Climate Action Strategy. Accessed at: <http://www.moval.org/pdf/efficiency-climate112012nr.pdf> (Accessed May 27, 2021).

VII. GEOLOGY AND SOILS – Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to https://www.conservation.ca.gov/cgs/Documents/SP_042.pdf	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:
No Impact. The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone or County of Riverside Fault zone. As described by the Preliminary Soil Investigation prepared for the proposed project, the nearest known active fault zone is the San Jacinto fault zone located approximately 2.78 miles from the project site (GEO 2020). Thus, the proposed project would not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault that is delineated on an Alquist-Priolo Earthquake Fault Zoning Map, and impacts would not occur.

ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The project site is located within a seismically active region of Southern California. As mentioned previously, the San Jacinto Fault is located approximately 2.78 miles from the site (GEO 2020). Thus, moderate to strong ground shaking can be expected at the site. The amount of motion can vary depending upon the distance to the fault, the magnitude of the earthquake, and the local geology. Greater movement can be expected at sites located closer to an earthquake epicenter, that consists of poorly consolidated material such as alluvium, and in response to an earthquake of great magnitude.

Structures built in the City are required to be built in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), included in the Municipal Code as Chapter 8.20. In addition, PPP GEO-1 has been included to provide provisions for earthquake safety based on factors including occupancy type, the types of soils onsite, and the probable strength of the ground motion. Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structures so that it would withstand the effects of strong ground shaking. Because the proposed project would be constructed in compliance with the CBC, the proposed project would result in a less than significant impact related to strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. Soil liquefaction is a phenomenon in which saturated, cohesionless soils layers, located within approximately 50 feet of the ground surface, lose strength due to cyclic pore water pressure generation from seismic shaking or other large cyclic loading. During the loss of stress, the soil acquires “mobility” sufficient to permit both horizontal and vertical movements. Soil properties and soil conditions such as type, age, texture, color, and consistency, along with historical depths to ground water are used to identify, characterize, and correlate liquefaction susceptible soils.

Soils that are most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands that lie below the groundwater table within approximately 50 feet below ground surface. Lateral spreading is a form of seismic ground failure due to liquefaction in a subsurface layer.

According to the Preliminary Soil Investigation for the proposed project, the site is located within an area of moderate liquefaction potential. Liquefaction is a process in which strong ground shaking causes saturated soils to lose their strength and behave as a fluid. The potential for and magnitude of lateral spreading is dependent upon many conditions, including the presence of a relatively thick, continuous, potentially liquefiable sand layer and high slopes. Subsurface information obtained from the Preliminary Soil Investigation indicates that after compaction onsite soils, indicated settlement of saturated sands is 0 inches and unsaturated sands is 1.14 inches. Based on currently available procedures, the site does not appear to be susceptible to lateral spread during a moderate seismic event. In addition, the Preliminary Soil Investigation determined that groundwater, seepage or wet soils were not encountered in exploratory borings drilled to a maximum depth of 50 feet (GEO 2020).

In addition, as described previously, structures built in the City are required to be built in compliance with the CBC, as included in the City’s Municipal Code as Chapter 8.20 (and herein as PPP GEO-1), which implements specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. Compliance with the CBC, as included as PPP GEO-1, would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that project structures would withstand the effects of seismic ground movement, including liquefaction and settlement. Compliance with the

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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requirements of the CBC and City’s municipal code for structural safety (included as PPP GEO-1) would reduce hazards from seismic-related ground failure, including liquefaction and settlement to a less than significant level.

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. Landslides and other slope failures are secondary seismic effects that are common during or soon after earthquakes. Areas that are most susceptible to earthquakes induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits.

As described above, the project site is located in a seismically active region subject to strong ground shaking. However, the project site is flat and does not contain any hills or any other areas that could be subject to landslides. In addition, the local vicinity is flat and does not contain any hills. Therefore, the project would not cause potential substantial adverse effects related to slope instability or seismically induced landslides.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. Construction of the project has the potential to contribute to soil erosion and the loss of topsoil. Grading and excavation activities that would be required for the proposed project would expose and loosen topsoil, which could be eroded by wind or water.

The City’s Municipal Code Section 8.21.170 implements all applicable requirements of the State Water Resources Control Board (SWRCB) and the Santa Ana Regional Water Quality Control Board (SARWQCB), and all projects in the City are required to conform to the permit requirements. This includes installation of Best Management Practices (BMPs) in compliance with the NPDES permit, which establishes minimum stormwater management requirements and controls that are required to be implemented for the proposed project. To reduce the potential for soil erosion and the loss of topsoil, a Stormwater Pollution Prevention Plan (SWPPP) is required by the Regional Water Quality Control Board (RWQCB) regulations to be developed by a QSD (Qualified SWPPP Developer). The SWPPP is required to address site-specific conditions related to specific grading and construction activities such as, potential sources of erosion and sedimentation loss of topsoil during construction, and identification of erosion control BMPs to reduce or eliminate the erosion and loss of topsoil, such as use of silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, hydroseeding. With compliance with the City’s Municipal Code, RWQCB requirements, and the BMPs in the SWPPP that are required to be prepared to implement the project (included as PPP WQ-1), construction impacts related to erosion and loss of topsoil would be less than significant.

In addition, the proposed project includes installation of landscaping, such that during operation of the project substantial areas of loose topsoil that could erode would not exist. In addition, as described in Section 10, *Hydrology and Water Quality*, the onsite drainage features that would be installed by the project have been designed to slow, filter, and slowly discharge stormwater into the offsite drainage system, which would also reduce the potential for stormwater to erode topsoil during project operations. Furthermore, implementation of the project requires City approval of a site specific Water Quality Management Plan (WQMP), which would ensure that the City’s Municipal Code, RWQCB requirements, and appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. As a result, potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. As described above, the project site is flat, and does not contain nor is adjacent to any slope or hillside area. The project would not create slopes. Thus, on or off-site landslides would not occur from implementation of the project.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Lateral spreading, a phenomenon associated with seismically induced soil liquefaction, is a display of lateral displacement of soils due to inertial motion and lack of lateral support during or post liquefaction. It is typically exemplified by the formation of vertical cracks on the surface of liquefied soils, and usually takes place on gently sloping ground or level ground with nearby free surface such as drainage or stream channel. According to the Preliminary Soil Investigation, subsurface information indicates that high slopes are not anticipated. In addition, based on currently available procedures, the site does not appear to be susceptible to (lateral spread) ground surface disruption during a moderate seismic event (GEO 2020). Thus, the soils are not susceptible to lateral spreading and impacts related to liquefaction and lateral spreading would be less than significant.

Differential settlement or subsidence could occur if buildings or other improvements are built on low-strength foundation materials (including imported fill) or if improvements straddle the boundary between different types of subsurface materials (e.g., a boundary between native material and fill). Although differential settlement generally occurs slowly enough that its effects are not dangerous to inhabitants, it can cause building damage over time. Seismic settlement in dry soils generally occurs in loose sands and silty sands, with cohesive soils being less prone to significant settlement. The Preliminary Soil Investigation determined that overexcavation and recompaction of loose surficial soils are anticipated to provide adequate and uniform support for the proposed structures (GEO 2020). Project design and implementation would comply with the recommendations of the required Preliminary Soil Investigation prepared for the project site, which would ensure impacts related to settlement and subsidence would be less than significant.

In summary, with implementation of the recommendations in the project's Preliminary Soil Investigation, potentially significant impacts related to unstable soils or geologic units that would become unstable as a result of the project, resulting in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse, would be reduced to a less than significant level, and no mitigation would be required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. Expansive soils contain certain types of clay minerals that shrink or well as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experiences, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

The Preliminary Soil Investigation performed an evaluation of the potential for expansive soils at the site, which determined that the expansion potential of onsite near surface silty sands is expected to be very low (EI<20) (GEO 2020). However, as described previously, compliance with the CBC, included as PPP GEO-1, would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that project structures would withstand the effects of related to ground movement, including expansive soils. Thus, impacts would be less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The project would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils. Furthermore, the proposed project would connect to existing public wastewater infrastructure. Therefore, the project would not result in any impacts related to septic tanks or alternative wastewater disposal methods.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant Impact with Mitigation Incorporated. The Phase 1 Cultural and Paleontological Resources Assessment prepared for the project included a locality search through the Natural History Museum of Los Angeles County (LACM) to identify any previously identified paleontological resources near the project site.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The Phase 1 Cultural and Paleontological Overview determined that the project area consists of surficial deposits of younger Quaternary deposits overlying older Quaternary deposits. The younger deposits are not conducive to yielding paleontological specimens. However, the deeper, older alluvial deposits may, in fact, yield such resources. The project area should be considered sensitive for buried paleontological resources (McKenna 2020).

Therefore, based on the results of the Phase I Paleontological Resources Assessment, the project area is considered to have high sensitivity for the potential to impact paleontological resources during construction activities at or below 5 feet in undisturbed sedimentary deposits. McKenna recommends preparation of a Paleontological Resources Impact Mitigation Plan (PRIMP) prior to construction excavation. Thus, Mitigation Measure PAL-1 has been included to require preparation of a PRMP and that a professional paleontologist be hired to oversee monitoring. With implementation of Mitigation Measure PAL-1, impacts to paleontological resources would be less than significant.

Existing Plans, Programs, or Policies

PPP GEO-1: California Building Code. The project is required to comply with the California Building Code as included in the City’s Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading plans and specifications as a condition of project approval.

PPP WQ-1: Stormwater Pollution Prevention Plan, provided in Section 10, *Hydrology and Water Quality*.

PPP WQ-2: Water Quality Management Plan, provided in Section 10, *Hydrology and Water Quality*.

Mitigation Measures

Mitigation Measure PAL-1: Paleontological Resources. A paleontologist selected from the roll of qualified paleontologists maintained by the City shall be retained to provide spot-check monitoring services for the project. The paleontologist shall develop a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite. The PRIMP shall require that the paleontologist be present at the pre-grading conference to establish procedures for paleontological resource surveillance. The PRIMP shall require paleontological spot-check monitoring of excavation that exceeds depths of 5 feet. The PRIMP shall state that the project paleontologist shall re-evaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations deeper than 5 feet have been completed.

In the event that paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered.

Criteria for discard of specific fossil specimens will be made explicit. If a qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the applicant’s expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 6 – Safety Element – Section 6.5 – Geologic Hazards
 - Figure 5-3 – Geologic Faults & Liquefaction
 - Chapter 7 – Conservation Element – Section 7.4 -- Soils
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.6 – Geology and Soils
 - Figure 4.6-1 – Geology
 - Figure 4.6-2 – Seismic Hazards

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ol style="list-style-type: none"> 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 4. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations 5. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf <ul style="list-style-type: none"> • Chapter 4 – Earthquake <ul style="list-style-type: none"> - Figure 3-1 – Right-Lateral Strike -Slip Fault - Figure 3-1.1 – Moreno Valley Geologic Faults and Liquefaction 2016 - Figure 3-1.2 – Moreno Valley Area Ground Shaking Map • Chapter 8 – Landslide <ul style="list-style-type: none"> - Figure 7-1 – Moreno Valley Slope Analysis 2016 6. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf <ul style="list-style-type: none"> • Threat Assessment 1 – Major Earthquakes <ul style="list-style-type: none"> - Figure 8 – Types of Faults - Figure 9 – Earthquake Faults - Figure 11 – Comparison of Richter Magnitude and Modified Mercalli Intensity - Figure 12 – Magnitude 4.5 or Greater Earthquake Map - Figure 13 – Geologic Faults and Liquefaction 7. Phase I Cultural Resources Investigation and Paleontological Overview for Tentative Tract Map No. 37858, City of Moreno Valley, Riverside County, California. March 18, 2020. Prepared by McKenna et al. (Appendix D). 8. Preliminary Soil Investigation, Infiltration Test and Liquefaction Evaluation Report, Proposed Residential Development Site (41 Lots), Cactus Avenue and Bradshaw Circle (APN 478-090-018, -024 and -025), City of Moreno Valley, California. January 21, 2020. Prepared by Soil Exploration Company, Inc. (Appendix E). 				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. GREENHOUSE GAS EMISSIONS – Would the project:

GHG Thresholds

The City of Moreno Valley has not adopted a numerical significance threshold to evaluate greenhouse gas (GHG) impacts. SCAQMD does not have approved thresholds; however, it does have draft thresholds that provides a tiered approach to evaluate GHG impacts, which includes the following:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project’s construction emissions are averaged over 30 years and are added to the project’s operational emissions. If a project’s emissions are below one of the following screening thresholds, then the project is less than significant:
 - Residential and Commercial land use: 3,000 MTCO₂e per year
 - Industrial land use: 10,000 MTCO₂e per year
 - Based on land use type: residential: 3,500 MTCO₂e per year; commercial: 1,820 MTCO₂e per year; or mixed use: 3,000 MTCO₂e per year

The SCAQMD’s draft threshold uses the Executive Order S-3-05 year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order’s objective would contribute to worldwide efforts to cap CO₂ concentrations at 450 ppm, thus stabilizing global climate. Therefore, for purposes of examining potential GHG impacts from implementation of the proposed project, and to provide a conservative analysis of potential impacts, the Tier 3 screening level for all land use projects of 3,000 MTCO₂e was selected as the significance threshold (AQ 2020).

In addition, SCAQMD methodology for project’s construction are to average them over 30-years and then add them to the project’s operational emissions to determine if the project would exceed the screening values listed above (AQ 2020).

Climate Action Plan

The City of Moreno Valley adopted an Energy Efficiency and Climate Action Strategy document in 2012. The Energy Efficiency and Climate Action Strategy is a policy document which identifies ways that the City can reduce energy and water consumption and GHG emissions as an organization (its employees and the operation of its facilities) and outlines the actions that the City can encourage and community members can employ to reduce their own energy and water consumption and GHG emissions. The project involves the construction and operation of 37 single-family residences that would fall under the scope of these policies.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact. Construction activities produce GHG emissions from various sources, such as site excavation, grading, utility engines, heavy-duty construction vehicles onsite, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew.

In addition, operation of the proposed residences would result in area and indirect sources of operational GHG emissions that would primarily result from vehicle trips, electricity and natural gas consumption, water transport (the energy used to pump water), and solid waste generation. GHG emissions from electricity consumed by the residences would be generated off-site by fuel combustion at the electricity provider. GHG emissions from water transport are also indirect emissions resulting from the energy required to transport water from its source.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The estimated operational GHG emissions that would be generated from implementation of the proposed project are shown in Table GHG-1.³ Additionally, in accordance with SCAQMD recommendation, the project’s amortized construction related GHG emissions are added to the operational emissions estimate in order to determine the project’s total annual GHG emissions.

Table GHG-1: Greenhouse Gas Emissions

Activity	Annual GHG Emissions (MTCO _{2e})
Project Operational Emissions	0
Area	150
Energy	585
Mobile	24
Waste	16
Water	775
Total	790
Project Construction Emissions	15
Project Construction and Operation	790
Significance Threshold	3,000
Project Exceeds Threshold?	No

Source: CalEEMod, Appendix A

As shown on Table GHG-1, the combined construction and operation of the project would result in a total increase in GHG emissions of 790 MTCO_{2e} per year, which would not exceed the significance threshold of 3,000 MTCO_{2e} per year.⁴ Therefore, impacts related to greenhouse gas emissions would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The proposed project would redevelop the site with single-family residences that would comply with state programs that are designed to be energy efficient. The proposed project would comply with all mandatory measures under the California Title 24, California Energy Code, and the CalGreen Code, which would provide efficient energy and water consumption. The City’s administration of the requirements includes review of the energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the project includes photovoltaic (PV) solar panels to offset the energy demand. Therefore, the proposed project would not conflict with existing plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gas.

Existing Plans, Programs, or Policies
PPP GHG-1: CalGreen Compliance. The project is required to comply with the CalGreen Building Code as included in the City’s Municipal Code to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.

³ It should be noted the GHG analysis analyzed 38 dwelling units based on an earlier iteration of the project’s site plan. As the project proposes 37 dwelling units, the project-generated emissions calculated in the GHG analysis are therefore highly conservative.

⁴ It should be noted that the air quality analysis was modeled using CalEEMod Version 2020.4 (V2020.4). The latest version of CalEEMod, V2022.1, was run for the project using 1st Edition Trip rates and found that GHG impacts from construction & operation would continue to be less than significant utilizing the latest CalEEMod version.

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

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. California’s 2017 Climate Change Scoping Plan, prepared by the California Air Resources Board, November 2017, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, (Accessed May 27, 2021)
5. Summary of CalEEMod Model Runs and Output for the Moreno Valley Residential Project. March 24, 2020. Prepared by Vince Mirabella (Appendix A).
6. City of Moreno Valley Energy Efficiency and Climate Action Strategy. Accessed at: <http://www.moval.org/pdf/efficiency-climate112012nr.pdf> (Accessed May 27, 2021)

IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact. A hazardous material is defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and any material that regulatory agencies have a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the home, workplace, or environment. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment.

Construction

The proposed construction activities would involve the routine transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking during construction activities. In addition, hazardous materials would routinely be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state regulations that are implemented by the City during building permitting for construction activities. Construction would also include temporary dewatering during excavation for utility installations if the excavation is deep enough to encounter groundwater. If such excavations are in the vicinity of the impacted groundwater in the northeast portion of the site, the water would either be contained and transported to a licensed off-site treatment facility or treated on site before discharge under a county permit to the sanitary sewer. As a result, construction of the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

Operation

The project involves operation of 37 new single-family residences. Residential uses typically do not present a hazard associated with the accidental release of hazardous substances into the environment because residents are not anticipated to use, store, dispose, or transport large volumes of hazardous materials. Hazardous substances associated with residential uses are typically limited in both amount and use. Project operation would involve the use of potentially hazardous materials (e.g., solvents, cleaning agents, paints, fertilizers, and pesticides) typical of residential uses that, when used correctly and in compliance with existing laws and regulations, would not result in a significant hazard to people in the vicinity of the proposed project. Therefore, impacts associated with the disposal of hazardous materials and/or the potential release of hazardous materials that could occur with the implementation of the proposed project would be less than significant.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. A Phase I ESA was prepared by Robin Environmental Management (REM) in April 2020 for the project site. The purpose of the Phase I analysis was to evaluate the project site for potential Recognized Environmental Concerns (RECs) that may be present, off-site conditions that may impact the subject property, and/or conditions indicative of releases or threatened releases of hazardous substances on, at, in, or to the project site. ASTM defines a Recognized Environmental Condition (REC) as "the presence or likely presence of an hazardous substance or petroleum products in, on, or at a property: 1) due to release to the environment; 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment."
 The Phase I ESA was performed in conformance with the scope and limitations of ASTM Practice E-1527-13 with a field survey of the subject site and adjacent properties on April 15, 2020.
 According to the Phase I, the subject property was not recognized being listed on the following environmental regulatory database record research (NETR database): NPL, RCRA-TSD, CERCLIS, NFRAP, RCRA-G, ERNS, CORRACTS, CORTESE, CALSITES, LUST, UST, and SWF (Phase I 2020). In addition, based on the conducted government records search, there is one Emergency Response Notification System site (the 22520 Cactus Ave site) shown as a potential environmental concern within the vicinity of the project site. However, the Phase I checked the location of 22520 Cactus Avenue site, a Chevron gas station, via internet search and concluded that the 22520 Cactus Avenue site is actually located in the southwestern portion of the City of Moreno Valley, several miles to the west of the subject property, and was misplaced by the conducted government records search as nearby site with environmental concern (Phase I 2020). Thus, there are no records of potential environmental concerns within the vicinity of the project site.
 Based on site observations, interviews and review of available documents and the database records search, the Phase I concluded that there is no evidence of recognized environmental conditions in connection with the property and no Phase II (subsurface investigation) environmental assessment would be required (Phase I 2020). Thus, the proposed project would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment and impacts would be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The proposed residential project would not produce hazardous emissions or handle acutely hazardous materials, substances, or wastes. The nearest school to the project site is Ridge Crest Elementary School, which is located approximately 0.3 miles southeast of the project site. Thus, the proposed project is not within one-quarter mile of an existing school. In addition, the proposed project is not anticipated to release hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes in significant quantities. Construction activities associated with the proposed project would use a limited amount of hazardous and flammable substances/oils during heavy equipment operation for site excavation, grading, and construction. The amount of hazardous chemicals present during construction is limited and would be contained in compliance with existing government regulations. Residences would not require the use, storage, disposal, or transport of large volumes of hazardous materials that could cause serious environmental damage in the event of an accident. Although hazardous substances would be present and utilized at these residences, such substances are generally present now in the existing development, are typically found in small quantities, and can be cleaned up without affecting the environment. Therefore, impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within one-quarter mile of an existing or proposed school would be less than significant.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: No Impact. The Phase I Environmental Site Assessment (Phase I 2020) prepared for the project conducted a database search to determine if the project site or any nearby properties are identified as having hazardous materials. The Phase I record search determined that the project site was not recognized being listed on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Phase I 2020). As a result, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from implementation of the proposed project.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Response: Less than Significant Impact. The project site is not within 2 miles of an airport. The nearest airport is the March Air Reserve Base that is located approximately 5.2 miles west of the project site. According to the March Air Reserve Base Land Use Compatibility Plan, the proposed project is not located in a compatibility zone. Additionally, the residential development would not be of a sufficient height to require modifications to the existing air traffic patterns at the airport and, therefore, would not affect aviation traffic levels or otherwise result in substantial aviation-related safety risks. Therefore, the proposed project would not result in impacts to an airport land use plan, or where such a plan has not been adopted, and would not result in a safety hazard or excessive noise for people residing or working in the project area. As such, impacts would be less than significant.				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Response: Less Than Significant Impact. The proposed project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Construction Short-term construction activities would occur within the project site and would not restrict access of emergency vehicles to the project site or adjacent areas. In addition, travel along surrounding roadways would remain open and would not interfere with emergency access in the site vicinity. Any temporary lane closures needed for utility connections to Bradshaw Circle or Cactus Avenue, or driveway access construction would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014), as incorporated into the construction permits. Thus, impacts related to an emergency response or evacuation plan during construction would be less than significant. Operation Direct access to the project site would be provided from Bradshaw Circle by two driveways. The project is required to provide internal streets and fire suppression facilities (e.g., hydrants and sprinklers) that conform to the California Fire Code requirements, included as Municipal Code Chapter 8.36, as verified through the City's permitting process. As such, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.				
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: No Impact. The project site is not within an area identified as a Fire Hazard Area that may contain substantial fire risk or a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2020). Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires and impacts would not occur.				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Existing Plans, Programs, or Policies				
None.				
Mitigation Measures				
None.				
Sources:				
<ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 6 – Safety Element – Section 6.2.8 – Wildland Urban Interface • Chapter 6 – Safety Element – Section 6.9 – Hazardous Materials • Chapter 6 – Safety Element – Section 6.10 – Air Crash Hazards <ul style="list-style-type: none"> - Figure 5-5 – Air Crash Hazards 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.5 – Hazards and Hazardous Materials <ul style="list-style-type: none"> - Figure 4.5-1 – Hazardous Materials Sites - Figure 4.5-2 – Floodplains and High Fire Hazard Areas - Figure 4.5-3 – City Areas Affected by Aircraft Hazard Zones 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 4. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700) 5. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf <ul style="list-style-type: none"> • Chapter 5 – Wildland and Urban Fires <ul style="list-style-type: none"> - Figure 4-2 – Moreno Valley High Fire Area Map 2016 • Chapter 12 – Dam Failure/Inundation <ul style="list-style-type: none"> - Figure 12-2 Moreno Valley Evacuation Routes Map 2015 • Chapter 13 – Pipeline <ul style="list-style-type: none"> - Figure 13-1 – Moreno Valley Pipeline Map 2016 • Chapter 14 – Transportation <ul style="list-style-type: none"> - Figure 14-1.1 – Moreno Valley Air Crash Hazard Area Map 2016 • Chapter 16 – Hazardous Materials Accident <ul style="list-style-type: none"> - Moreno Valley Hazardous Materials Site Locations Map 2016 6. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf <ul style="list-style-type: none"> • Hazard Mitigation and Hazard Analysis • Threat Assessment 2 – Hazardous Materials • Threat Assessment 3 – Wildfire • Threat Assessment 6 – Transportation Emergencies <ul style="list-style-type: none"> - Figure 17 – Air Crash Hazards 7. California Department of Forestry and Fire Protection (CAL FIRE). 2020. Fire Hazard Severity Zone Map. Accessed: https://forestwatch.maps.arcgis.com/apps/Style/index.html?appid=5e96315793d445419b6c96f89ce5d153 (Accessed May 26, 2021). 8. Phase I Environmental Site Assessment, APN 478-090-018, 024, & 025, Moreno Valley, CA. April 30, 2020. Prepared by Robin Environmental Management (REM) (Appendix F). 9. March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. November 13, 2014. Adopted by the Riverside County Airport Land Use Commission (RCALUC). Accessed: http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf (Accessed May 26, 2021). 				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. HYDROLOGY AND WATER QUALITY – Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact.
Construction

Implementation of the proposed project includes site preparation, construction of new buildings, and infrastructure improvements. Grading, stockpiling of materials, excavation, construction of new structures, and landscaping activities would expose and loosen sediment and building materials, which would have the potential to mix with stormwater and urban runoff and degrade surface and receiving water quality.

Additionally, construction generally requires the use of heavy equipment and construction-related materials and chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. In the absence of proper controls, these potentially harmful materials could be accidentally spilled or improperly disposed of during construction activities and could wash into and pollute surface waters or groundwater, resulting in a significant impact to water quality.

Pollutants of concern during construction activities generally include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. In addition, chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction, which would have the potential to be transported via storm runoff into nearby receiving waters and eventually may affect surface or groundwater quality. During construction activities, excavated soil would be exposed, thereby increasing the potential for soil erosion and sedimentation to occur compared to existing conditions. In addition, during construction, vehicles and equipment are prone to tracking soil and/or spoil from work areas to paved roadways, which is another form of erosion that could affect water quality.

However, the use of BMPs during construction implemented as part of a SWPPP as required by the NPDES General Construction Permit and included as PPP WQ-1 would serve to ensure that project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Furthermore, an Erosion and Sediment Transport Control Plan prepared by a qualified SWPPP developer (QSD) is required to be included in the SWPPP for the project, and typically includes the following types of erosion control methods that are designed to minimize potential pollutants entering stormwater during construction:

- Prompt revegetation of proposed landscaped areas;
- Perimeter gravel bags or silt fences to prevent off-site transport of sediment;
- Storm drain inlet protection (filter fabric gravel bags and straw wattles), with gravel bag check dams within paved roadways;
- Regular sprinkling of exposed soils to control dust during construction and soil binders for forecasted wind storms;
- Specifications for construction waste handling and disposal;
- Contained equipment wash-out and vehicle maintenance areas;
- Erosion control measures including soil binders, hydro mulch, geotextiles, and hydro seeding of disturbed areas ahead of forecasted storms;
- Construction of stabilized construction entry/exits to prevent trucks from tracking sediment on City roadways;
- Construction timing to minimize soil exposure to storm events; and
- Training of subcontractors on general site housekeeping.

Therefore, compliance with the Statewide General Construction Activity Stormwater Permit requirements, included as PPP WQ-1, which would be verified during the City’s construction permitting process, would ensure that project impacts related to construction activities resulting in a degradation of water quality would be less than significant.

Operation

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project includes operation of single-family residential uses. Potential pollutants associated with the proposed uses include various chemicals from cleaners, pathogens from pet wastes, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. If these pollutants discharge into surface waters, it could result in degradation of water quality.

In the existing condition, site drainage sheet flows across the property to the west towards Bradshaw Circle. A portion of the site’s drainage, identified as Area 1, flows southerly to Cactus Avenue where it is collected by a series of catch basins within Cactus Avenue, and is ultimately directed into an offsite storm drain. Onsite drainage flows within Area 2 flow offsite towards Bradshaw Circle and Cactus Avenue where the flows are collected by a series of existing catch basins along Cactus Avenue. (Hydrology 2021)

In the developed condition, onsite flows would be conveyed to one of two onsite bioretention basins (Lots A and B), and these basins would connect to a new 24-inch diameter storm drain in Bradshaw Circle which would connect to the existing RCFC Storm Drain Line F-4 in Cactus Avenue. The project would result in a net incremental increase of 0.49 cubic feet per second of flow to the storm drain in Cactus Avenue; however, the storm drain would be able to accommodate this increase without impact nor would offsite properties be impacted. (Hydrology 2021)

As described previously, the WQMP is required to be approved prior to the issuance of a building or grading permit. The project’s WQMP would be reviewed and approved by the City to ensure it complies with the Santa Ana RWQCB MS4 Permit regulations. In addition, the City’s permitting process would ensure that all BMPs in the WQMP would be implemented with the project. Overall, implementation of the WQMP pursuant to the existing regulations (included as PPP WQ-2), would ensure that operation of the proposed project would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality; and impacts would be less than significant.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. EMWD’s 2015 Urban Water Management Plan (UWMP) describes that EMWD’s local supplies include groundwater, desalinated groundwater, and recycled water.⁵ Groundwater is pumped from the Hemet/San Jacinto and West San Jacinto areas of the San Jacinto Groundwater Basin. Groundwater in portions of the West San Jacinto Basin is high in salinity and requires desalination for potable use. EMWD owns and operates two desalination plants that convert brackish groundwater from the West San Jacinto Basin into potable water. EMWD also owns, operates, and maintains its own recycled water system that consists of four Regional Water Reclamation Facilities and several storage ponds spread throughout EMWD’s service area that are all connected through the recycled water system.
 As detailed on Table WQ-1, the EMWD’s 2015 Urban Water Management Plan (UWMP) shows that the anticipated production of groundwater would remain the same between 2020 and 2040, however, the anticipated production of desalinated groundwater would increase by 3,100 acre-feet per year (AFY) between 2020 and 2040. In 2040, groundwater and desalinated groundwater would provide 11.4 percent of the District’s water supply.

Table WQ-1: Total Retail Water Supply (AFY)

Source	2015	2020	2025	2030	2035	2040	2040 Percentage
Imported Water	56,397	81,197	89,097	100,497	111,597	122,097	61.7%
Groundwater	15,252	12,303	12,303	12,303	12,303	12,303	6.3%
Desalinated Groundwater	7,288	7,000	10,100	10,100	10,100	10,100	5.1%
Recycled Water	44,150	45,245	48,334	50,017	51,800	53,300	26.9%

⁵ As of May 2021, EMWD’s 2020 UWMP has not been adopted.

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Total Retail Supply	123,087	145,745	159,834	172,917	185,800	197,800	100%
Source: 2015 UWMP							

As detailed in Section 19, *Utilities and Service Systems*, the supply of water listed in Table WQ-1 would be sufficient during both normal years and multiple dry year conditions between 2020 and 2040 to meet all of the City’s estimated needs, including the proposed project. Therefore, the project would not result in changes to the projected groundwater pumping that would decrease groundwater supplies. Thus, impacts related to groundwater supplies would be less than significant.

Based on low soil infiltration test results at the project site, onsite bioretention basins are proposed as the preferred method for treating onsite flows. After completion of project construction, the project would convey stormwater drainage into landscaped areas and the two onsite water quality bioretention basins, which would route runoff to a new 24-inch diameter storm drain in Bradshaw Circle that connects to RCFC Storm Drain Line F-4 in Cactus Avenue. The project would result in a net incremental increase of 0.49 cubic feet per second of flow to the storm drain in Cactus Avenue; however, the storm drain would be able to accommodate this increase without impact nor would offsite properties be impacted (Hydrology 2021). Therefore, impacts related to interference with groundwater recharge would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site?

Response:
Less than Significant Impact.

Construction

Construction of the project would require grading and excavation of soils, which would loosen sediment and could result in erosion or siltation. However, the project site does not include any slopes, which reduces the erosion potential and the large majority of soil disturbance would be related to excavation and backfill for installation of building foundations and underground utilities.

The NPDES Construction General Permit requires preparation and implementation of a SWPPP by a Qualified SWPPP Developer for the proposed construction activities (included as PPP WQ-1). The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities.

In addition, a Qualified SWPPP Practitioner (QSP) is required to ensure compliance with the SWPPP through regular monitoring and visual inspections during construction activities. The SWPPP would be amended and BMPs revised, as determined necessary through field inspections, in order to protect against substantial soil erosion, the loss of topsoil, or alteration of the drainage pattern. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP WQ-1) would prevent construction-related impacts related to potential alteration of a drainage pattern or erosion from development activities. With implementation of the existing construction regulations that would be verified by the City during the permitting approval process, impacts related to alteration of an existing drainage pattern during construction that could result in substantial erosion, siltation, and increases in stormwater runoff would be less than significant.

Operation

After completion of project construction, impervious area would increase on the project site. However, the impervious areas would not be subject to erosion and the pervious areas would be landscaped with groundcovers that would inhibit erosion.

As discussed previously, in the existing condition, site drainage sheet flows across the property to the west towards Bradshaw Circle. A portion of the site’s drainage, identified as Area 1, flows southerly to Cactus Avenue where it is collected by a series of catch basins within Cactus Avenue, and is ultimately placed into an offsite storm drain. Onsite

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drainage flows within Area 2 flow offsite towards Bradshaw Circle and Cactus Avenue, where the flows are collected by a series of existing catch basins along Cactus Avenue (Hydrology 2021).

In the developed condition, onsite flows would be conveyed to one of two onsite bioretention basins (Lots A and B), and these basins would connect to a new 24-inch diameter storm drain in Bradshaw Circle which would connect to the existing RCFC Storm Drain Line F-4 in Cactus Avenue. The project would result in a net incremental increase of 0.49 cubic feet per second of flow to the storm drain in Cactus Avenue; however, the storm drain would be able to accommodate this increase without impact nor would offsite properties be impacted. (Hydrology 2021).

Additionally, the MS4 permit requires new development projects to prepare a WQMP (included as PPP WQ-2) that is required to include BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs. A Preliminary WQMP has been completed and included as Appendix H. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City's Engineering Division to ensure that the site-specific design limits the potential for erosion and siltation. Overall, the proposed drainage system and adherence to the existing regulations would ensure that project impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact.
 The project site does not include, and is not adjacent to, a stream or river. Implementation of the project would not alter the course of a stream or river.

Construction
 Construction of the project would require grading and excavation of soils. These activities could temporarily alter the existing drainage pattern of the site and change runoff flow rates. However, as described previously, implementation of the project requires a SWPPP (included as PPP WQ-1) that would address site specific drainage issues related to construction of the project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP WQ-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to potential alteration of a drainage pattern or flooding on or off-site from development activities. Therefore, construction impacts would be less than significant.

Operation
 As described previously, the proposed project would result in an increase of impervious surfaces that would result in an increase of stormflows. The project would maintain the existing drainage pattern and convey runoff to bioretention basins which connect to a new 24-inch diameter storm drain in Bradshaw Circle, which then connects to the existing RCFC Storm Drain Line F-4 in Cactus Avenue. The project would result in a net incremental increase of 0.49 cubic feet per second of flow to the storm drain in Cactus Avenue; however, the storm drain would be able to accommodate this increase without impact nor would offsite properties be impacted. (Hydrology 2021) Moreover, as part of the permitting approval process, the proposed preliminary drainage design and engineering plans would be reviewed by the City's Engineering Division to ensure that the proposed drainage would accommodate the appropriate design flows. Overall, the proposed drainage system and adherence to the existing MS4 permit regulations would ensure that project impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact.
 As described previously, the project site does not include, and is not adjacent to, a stream or river. Implementation of the project would not alter the course of a stream or river.

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Construction

As described in the previous response, construction of the proposed project would require grading and excavation activities that could temporarily alter the existing drainage pattern of the site and could result in increased runoff and polluted runoff if drainage is not properly controlled. However, implementation of the project requires a SWPPP (included as PPP WQ-1) that would address site specific pollutant and drainage issues related to construction of the project and include BMPs to eliminate the potential of polluted runoff and increased runoff during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP WQ-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to increases in run-off and pollution from development activities. Therefore, impacts would be less than significant.

Operation

As described previously, the proposed project would result in an increase of impervious surfaces that would generate increased runoff. However, the project would manage the increased flow with bioretention basins that route runoff to a new 24-inch diameter storm drain in Bradshaw Circle which then connects to the existing RCFC Storm Drain Line F-4 on Cactus Avenue. The project would result in a net incremental increase of 0.49 cubic feet per second of flow to the storm drain in Cactus Avenue; however, the storm drain would be able to accommodate this increase without impact nor would offsite properties be impacted. (Hydrology 2021)

Moreover, as part of the permitting approval process, the proposed preliminary drainage design and engineering plans would be reviewed by the City's Engineering Division to ensure that the proposed drainage would accommodate the appropriate design flows. The proposed project would increase the impervious surface area on the project site compared to the existing condition, and the proposed project would convey and treat all potential stormwater runoff from the project site. Therefore, the project would not create or contribute additional runoff water to the downstream storm drain system that would exceed the storm drain system's capacity, and impacts would be less than significant.

iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact. According to the Federal Emergency Management Agency (FEMA) Map 06065C0770G, the project site is designated as zone X, meaning it is in an area of minimal flood hazard (FEMA 2020). As detailed in the previous responses, implementation of the project would result in an increase of impermeable surfaces on the site. The project would maintain the existing drainage pattern, and drainage would be conveyed to onsite bioretention basins that would route runoff to a new 24-inch diameter storm drain in Bradshaw Circle which would connect to the existing RCFC Storm Drain Line F-4 in Cactus Avenue. The project would result in a net incremental increase of 0.49 cubic feet per second of flow to the storm drain in Cactus Avenue; however, the storm drain would be able to accommodate this increase without impact nor would offsite properties be impacted. (Hydrology 2021). Therefore, the project would not result in impeding or redirecting flood flows by the addition of the impervious surfaces. As detailed previously, the City's permitting process would ensure that the drainage system specifications adhere to the existing MS4 permit regulations, and compliance with existing regulations would ensure that impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. According to the Federal Emergency Management Agency (FEMA) Map 06065C0770G, the project site not within a flood zone (FEMA 2020). Thus, the project site is not located within a flood hazard area that could be inundated with flood flows and result in release of pollutants. Impacts related to flood hazards and pollutants would not occur from the project.

Tsunamis are generated ocean wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The proposed project is approximately 43 miles from the ocean shoreline. Based on the distance of the project site to the Pacific Ocean, the

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project site is not at risk of inundation from tsunamis. Therefore, the proposed project would not risk release of pollutants from inundation from a tsunami. No impact would occur.

Seiching is a phenomenon that occurs when seismic ground shaking induces standing waves (seiches) inside water retention facilities (e.g., reservoirs and lakes). Such waves can cause retention structures to fail and flood downstream properties. The project site is not located adjacent to any water retention facilities. For this reason, the project site is not at risk of inundation from seiche waves. Therefore, the proposed project would not risk release of pollutants from inundation from seiche. No impact would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. As described previously, use of BMPs during construction implemented as part of a SWPPP as required by the NPDES Construction General Permit and PPP WQ-1 would serve to ensure that project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Thus, construction of the project would not conflict or obstruct implementation of a water quality control plan.

Also, as described previously, new development projects are required to implement a WQMP (per PPP WQ-2) that would comply with the Santa Ana RWQCB MS4 Permit regulations. The WQMP and applicable BMPs are verified as part of the City's permitting approval process, and construction plans would be required to demonstrate compliance with these regulations. Therefore, operation of the proposed project would not conflict or obstruct with a water quality control plan.

In addition, as detailed previously, the EMWD manages basin water supply and the anticipated production of groundwater would remain steady from 2025 through 2040 (as shown in Table WQ-1). As described previously and further detailed in Section 19, *Utilities and Service Systems*, the City's supply of water listed in Table WQ-1 would be sufficient during both normal years and multiple dry year conditions between 2020 and 2040 to meet all of the City's estimated needs, including the proposed project. Therefore, the project would be consistent with the groundwater management plan and would not conflict with or obstruct its implementation. Thus, impacts related to water quality control plan or sustainable groundwater management plan would be less than significant.

Existing Plans, Programs, or Policies

PPP WQ-1: Stormwater Pollution Prevention Plan. Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) in accordance with the City's Municipal Code Chapter 8.10 and the Santa Ana Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Storm Water Permit Order No. R4-2012-0175 (MS4 Permit). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by the City of Moreno Valley staff or its designee to confirm compliance.

PPP WQ-2: Water Quality Management Plan. Prior to grading permit issuance, the project applicant shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The project shall comply with the City's Municipal Chapter 8.10 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the project.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 6 – Safety Element – Section 6.7 – Water Quality
 - Figure 5-4 – Flood Hazards
 - Chapter 7 – Conservation Element – Section 7.5 – Water Resources

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<ul style="list-style-type: none"> - Figure 6-1 Water Purveyor Service Area Map 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.5 – Hazards and Hazardous Materials <ul style="list-style-type: none"> - Figure 4.5-2 – Floodplains and High Fire Hazard Areas • Section 5.7 – Hydrology and Water Quality <ul style="list-style-type: none"> - Figure 4.7-1 – Storm Water Flows and Major Drainage Facilities - Figure 4.7-2 – Groundwater Basins 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code <ul style="list-style-type: none"> • Section 9.10.080 – Liquid and Solid Waste 4. Moreno Valley Municipal Code Chapter 8.12 – Flood Damage Prevention 5. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations 6. Eastern Municipal Water District (EMWD) Groundwater Reliability Plus, http://gwrplus.org/ 7. Eastern Municipal Water District (EMWD) 2015 Urban Water Management Plan 8. Preliminary Hydrology Report. April 15, 2020; Revised May 21, 2021. Prepared by Robert M. Beers (Appendix G). 9. Project Specific Water Quality Management Plan. June 2020. Prepared by Adkan Engineers (Appendix H). 10. FEMA Flood Map Service Center. 2021. Available at: https://msc.fema.gov/portal/search (Accessed May 26, 2021). 				

XI. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The project site is currently vacant and is surrounded by a roadway to the south followed by single-family residences; single-family residences to the north; vacant land to the east; and single-family residences and commercial uses to the west. The proposed project would redevelop the site to provide 37 single-family residential units, which are consistent with the existing single-family residences to the north, west, and south of the site. Therefore, the change of the project site from a vacant site to single-family residential would not physically divide an established community. In addition, the project would not change roadways or install any infrastructure that would result in a physical division. Thus, the proposed project would not result in impacts related to physical division of an established community.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. As described previously, the project site is currently vacant. The project would redevelop the project site to provide 37 new single-family residences, which would be similar to the single-family residential uses that are located adjacent to the west of the site, to the south of the site beyond Cactus Avenue, and to the north of the site.

General Plan
 The project site currently has a General Plan land use designation of has a land use designation of Residential: Max. 5 du/ac (R5), which does not have the purpose of avoiding or mitigating an environmental effect. The proposed project includes a General Plan Amendment to change the land use designation of the site to Low Residential: Max. 10 du/ac (R10), which would allow the proposed single-family residences at a density of 10 units per gross acre. The General Plan Land Use Element states that the Residential: Max. 10 du/ac (R10) designation allows for allows for development of residential uses to a maximum density of 10 dwelling units per acre. As the project would develop residences at a density of 7.9 units per gross acre, it would be consistent with the proposed land use designation, and the proposed change in land use would be less than significant.

Zoning

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The project site is currently zoned Residential 5 District (R5). The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for development of single-family residential and mobile home subdivisions at a maximum allowable density of five DUs per net acre, as indicated in Section 9.03.020 of the Municipal Code. implement the proposed single-family residential uses. As described previously, the project would develop single-family residences at a density of 7.9 units per gross acre and would require a zone change to Residential Single-Family 10 (RS10) District. In addition, the project is requesting approval of a Conditional Use Permit (CUP) for a Planned Unit Development (PUD), which allows for a development to establish unique criteria for such things as setbacks, lot width and depth, building separation, lot size, etc. This is allowed in exchange for a higher level of detail and amenities within the project than typically required for standard residential development. Thus, the proposed project would not conflict with any applicable zoning regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Existing Plans, Programs, or Policies

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 2 – Community Development Element – Section 2.1 – Land Use
 - Figure 1-1 – Neighboring Lands Uses
 - Figure 1-2 – Land Use Map
 - Chapter 8 – 2014 – 2021 Housing Element
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.12 – Population and Housing
 - Attachments #1 - #10 – Housing Sites Inventory
 - Exhibits A1 – A11, C, D, and E – Maps of Housing Sites
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

XII. MINERAL RESOURCES – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. The project site is located in Mineral Resource Zone 3 (MRZ-3), according to the Mineral Land Classification Map provided by the California Department of Conservation. The MRZ-3 zone within the Significant Mineral Aggregate Resource Area (SMARA) Study Area is defined as areas containing mineral deposits which the significance cannot be evaluated from available data.

The City’s General Plan EIR states that no locally, regionally, or statewide significant mineral resources are located within the City. Therefore, development of the site would not result in the loss of availability of a known mineral resource that would be of value to the region, and impacts would not occur.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. As described in the previous response, the City’s General Plan EIR states that no locally, regionally, or statewide significant mineral resources are located within the City. Therefore, implementation of the project would not result in the loss of locally important mineral resources, and impacts would not occur.

Existing Plans, Programs, or Policies

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None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 7 – Conservation Element – Section 7.9 – Mineral Resources
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.14 – Mineral Resources
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.02.120 – Surface Mining Permits
4. Moreno Valley Municipal Code Section 8.21.020 A 7 – Permits Required
5. The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796), <https://www.conservation.ca.gov/dmr/lawsandregulations>
6. California Department of Conservation. 2020. Mineral Land Classification. Accessed: <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc> (Accessed May 26, 2021).

XIII. NOISE – Would the project result in:

City of Moreno Valley Municipal Code

Sound level limits: Chapter 11.80.03 of the City’s Municipal Code establishes maximum noise levels permitted within the city, which are listed in Table N-1:

Table N-1: City of Moreno Valley Maximum Continuous Sound Levels

Duration per Day (Continuous Hours)	Sound Level [dBA]
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
.5	110
.25	115

Source: City of Moreno Valley Municipal Code

Sensitive Receptor Noise Levels: Chapter 11.80.30 of the City’s Municipal Code establishes the permissible noise level that may be received at nearby sensitive uses (e.g., residential). For noise-sensitive residential properties 200 feet from the source, the exterior noise level shall not exceed 60 dBA during daytime hours (8:00 a.m. to 10:00 p.m.) and shall not exceed 55 dBA during the nighttime hours (10:01 p.m. to 7:59 a.m.) (Municipal Code, Chapter 11.80).

Construction Noise: Section 8.14.082.E of the City’s Municipal Code also provides construction noise standards, which state that Any construction within the city shall only be completed between the hour of seven a.m. to eight p.m. Monday through Friday, excluding holidays, unless written approval is obtained from the city building official or city engineer.

Sensitive Receptors

The nearest existing sensitive receptors to the project site are the single-family homes located approximately 20 feet north of the project site. There are also single-family homes located approximately 75 feet to the west of the project site.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The nearest school to the project site is Ridge Crest Elementary School, which is located approximately 0.3 miles southeast of the project site.

Existing Ambient Noise Levels

To identify the existing ambient noise levels in the project area, noise level measurements were taken on and adjacent to the project site on March 20, 2020. As shown on Table N-2, the average noise levels in the project area range from 58.8 dBA to 88.8 dBA. Table N-2 also shows that the both the daytime and nighttime noise levels at the nearby sensitive receptors currently exceeds the City’s residential noise standards of 60 dBA Leq during the daytime and 55 dBA Leq during the nighttime.

Table N-2: Existing Ambient Noise Level Measurements

Site No.	Site Description	Average (dBA Leq)		1-hr Average (dBA Leq/Time)		Average (dBA CNEL)
		Daytime	Nighttime	Minimum	Maximum	
A	Located on a fence near the southwest corner of the project site, approximately 70 feet north of the Cactus Avenue centerline.	58.8	81.7	47.0 3:02 a.m.	62.2 3:55 p.m.	62.4
B	Located on a fence near the southeast corner of the project site, approximately 50 feet north of the Cactus Avenue centerline.	62.3	88.8	47.8 3:37 a.m.	66.8 3:54 p.m.	64.9

Source: NOI 2020

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact.

Construction

The construction activities for the proposed project are anticipated to include site preparation and grading of the project site, construction of the 37 single-family residences, paving of the onsite driveways and parking areas, and application of architectural coatings. Noise impacts from construction activities associated with the proposed project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. The nearest sensitive receptors to the project site are the single-family residences located approximately 20 feet north of the project site.

Table N-3 shows that the highest noise from construction would occur during the site preparation and grading phases when noise levels are anticipated to reach 80 dBA Leq at the nearest sensitive receptors (residences), which is below the City’s 8-hour noise threshold of 90 dBA (Municipal Code Chapter 11.80.03). In addition, the project would comply with the allowable construction times pursuant to the City’s Municipal Code, the construction-related noise levels would not exceed any standards. Therefore, construction noise impacts would be less than significant.

Table N-3: Construction Noise Levels at the Nearest Sensitive Receptor

Construction Phase	Construction Noise Level (dBA Leq) at:
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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	Nearest Homes to the North ¹	Nearest Homes to the West ²	Nearest Homes to the South ³
Site Preparation	81	77	71
Grading	81	78	71
Building Construction	74	75	68
Paving	69	76	65
Painting	71	69	60
City's Noise Threshold⁴	90	90	90
Exceed Thresholds?	No	No	No

¹ The nearest home is located as near as 20 feet north of the project site. In order to account for the existing 6-foot high wall on the north property line, 5 dB of shielding was added to the RCNM Model.

² The nearest home is located as near as 75 feet west of the project site.

³ The nearest home is located as near as 100 feet south of the project site. In order to account for the existing sound wall on the south side of Cactus Avenue, 5 dB of shielding was added to the RCNM Model.

⁴ City Noise Threshold obtained from Section 11.80.030(B) of the Municipal Code.

Source: NOI 2020

Operation

Development of the proposed project would generate approximately 28 trips during the a.m. peak hour, 38 trips during the p.m. peak hour, for a total of 359 daily trips.⁶ The noise generated from these vehicular trips has been identified through a comparison of noise generated by traffic volumes with and without the project, provided in Table N-3.

Table N-4: Project Traffic Noise Contributions

Roadway	Segment	dBA CNEL at Nearest Receptor ¹			Increase Threshold ²
		Existing	Existing Plus Project	Project Contribution	
Cactus Avenue	East of Moreno Beach Drive	61.7	62.1	0.4	+2 dBA

Source: NOI 2020

Objective 6.5 of the City's General Plan Noise Element requires the City to minimize noise impacts from significant noise generators including roadway noise impacts. However, neither the General Plan nor the CEQA Guidelines define what constitutes a "substantial permanent increase to ambient noise levels." Therefore, thresholds from the FTA *Transit Noise and Vibration Impact Assessment* (2018) have been utilized, which identifies noise impacts by comparing the existing noise levels and the future noise levels with the proposed project. Based on the FTA guidance, a substantial increase in ambient noise from vehicular traffic could occur when the noise levels at noise-sensitive land uses (e.g. residential, etc.) are less than 60 dBA CNEL and the project creates an increase of 3 dBA CNEL or greater noise level increase; or when noise levels range from 60 to 65 dBA CNEL and the project creates 2 dBA CNEL or greater noise level increase.

As shown in Table N-4 above, the project traffic would result in a maximum increase of 0.4 dBA, which is below the noise increase thresholds. Therefore, impacts related to operational noise would be less than significant.

Roadway Noise to Interior of Proposed Homes

The exterior noise level at the façade of the first and second floors were calculated based on using the Federal Highway Administration's Traffic Noise Prediction Model. As shown on Table N-5, with a "windows open" condition where the proposed homes to not have HVAC to provide cooling, the interior noise levels of the lots fronting Cactus Avenue would be above the City's dBA CNEL residential interior noise standard.

⁶ It should be noted the traffic and noise analyses analyzed 38 dwelling units based on an earlier iteration of the project's site plan. As the project proposes 37 dwelling units, the project-generated trip generation calculated in the traffic analysis, which are incorporated into the noise analysis are therefore highly conservative as well as the calculated operational noise results of noise analysis.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Table N-5: Proposed Homes Interior Noise Levels from Cactus Avenue

Lot Number	Roadway	Floor	Exterior Noise Level at Building Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)	
				Windows Open Unmitigated ¹	Windows Closed Mitigated ²
1	Cactus Avenue	1	60	48	35
		2	68	56	43
3	Cactus Avenue	1	61	49	36
		2	68	56	43
5	Cactus Avenue	1	60	48	35
		2	68	56	43

Notes:

¹ Unmitigated Interior noise levels based on 12 dBA of noise reduction.

² Mitigated Interior noise levels based on 25 dBA of noise reduction with implementation of Mitigation Measure 1.

FHWA RD-77-108 Model.

Source: NOI 2020

As such, Mitigation Measure NOI-1 is included to require installation of forced air conditioning and heating to achieve a “windows closed” condition. As shown in Table N-5, with implementation of MM NOI-1, interior noise levels would be below the City’s interior noise standard. Therefore, with implementation of Mitigation Measure NOI-1, impacts related to operational noise would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact.

Construction

Construction activities associated with the proposed project would require the operation of off-road equipment and trucks that are known sources of vibration. Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Vibrations at buildings could produce results that range from no perceptible effects at the low levels to damage at the highest levels. It should be noted that vibration is much more discernible in a sitting or laying down position, which typically only occur inside a home. As such, this analysis is based on the vibration levels at the nearest homes, instead of the nearest residential property lines.

Chapter 9.10 of the Municipal Code includes performance standards for proposed development projects that may impact the surrounding neighborhood and Section 9.10.030(B), which is part of this Chapter, exempts temporary construction activities from Section 9.10.170 that restricts the creation of vibration that can be felt at the property line, provided that construction activities occur between the hours of 7 a.m. and 7 p.m.. Since the City’s Municipal does not provide a quantifiable vibration level for construction activities, Caltrans guidance has been utilized, which defines the threshold of perception from transient sources at 0.25 inch per second PPV. Table N-6 shows the typical PPV and average vibration levels shown in vibration velocity in decibels (VdB) that are produced from some common construction equipment that would likely be utilized during construction of the proposed project (NOI 2020).

Table N-5: Typical Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second)	Approximate Vibration Level (L _v) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 (upper range)	105
	0.170 (typical)	93
Clam shovel drop (slurry wall)	0.202	94

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ISSUES & SUPPORTING INFORMATION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Vibratory Roller	0.210		94		
Hoe Ram	0.089		87		
Large bulldozer	0.089		87		
Caisson drill	0.089		87		
Loaded trucks	0.076		86		
Jackhammer	0.035		79		
Small bulldozer	0.003		58		

Source: NOI 2020

From the list of equipment shown in Table N-6, the primary source of vibration during construction would be from the operation of a bulldozer. A large bulldozer would create a vibration level of 87 VdB, which is equivalent to 0.089 inch per second rms at 25 feet. Based on typical propagation rates, the vibration level at the nearest homes (20 feet away from proposed construction activities) would be approximately 0.11 inch per second rms. The vibration level at the nearest offsite home is within the 0.25 inch per second PPV threshold detailed above. Therefore, vibration impacts would be less than significant from construction of the proposed project.

Operation

Operation of the proposed single-family uses would include heavy trucks for residents moving in and out of the residences, large deliveries, and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, typical vibration levels for the heavy truck activity at normal traffic speeds would be approximately 0.006 in/sec PPV, based on the FTA Transit Noise Impact and Vibration Assessment. Truck movements on site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receivers would be less than the vibration threshold of 0.08 in/sec PPV for fragile historic buildings and 0.04 in/sec PPV for human annoyance, and therefore, would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The proposed project would not expose people residing or working in the project area to excessive noise levels from aircraft. The nearest airport is March Air Reserve Base that is located approximately 5.2 miles west of the project site. The project site is located outside of the 60 dBA CNEL noise contours of the March Air Reserve Base (RCALUC). Thus, impacts would be less than significant.

Existing Plans, Programs, or Policies

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 6 – Safety Element – Section 6.4 – Noise
 - Figure 5-2 – Buildout Noise Contours
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.4 – Noise
 - Figure 4.4-1 – March Air Reserve Base Noise Impact Area
 - Figure 4.4-2 – Buildout Noise Contours – Alternative 1
 - Figure 4.4-3 -- Buildout Noise Contours – Alternative 2
 - Figure 4.4-4 -- Buildout Noise Contours – Alternative 3
 - Appendix D – Noise Analysis, Wieland Associates, Inc., June 2003.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.140 Noise and Sound
4. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations
5. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (<http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>)
6. Noise Impact Analysis, Tentative Tract Map No. 37858, City of Moreno Valley. December 31, 2020. Prepared by Vista Environmental (Appendix I).

XIV. POPULATION AND HOUSING – Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The project would construct 37 single-family residences on the project site. According to data from the California Department of Finance (CDF) published in May 2021, the City of Moreno Valley has a residential population of 209,426 persons and 57,725. Of these, 46,551 (approximately 81 percent) are single-family detached units. In addition, it is estimated that the City has an average of 3.86 persons per household.

Based on this information, the proposed project would result in a net increase of approximately 143 new residents. Therefore, the project would represent a population increase of approximately 0.07 percent and a 0.06 percent increase in residential units within the City. This limited level of growth on a site that has been previously developed would not constitute substantial growth.

The proposed project is located in an urbanized residential area of the City and is surrounded by residential and commercial uses and is already served by the existing roadways and infrastructure systems. No infrastructure would be extended or constructed to serve areas beyond the project site, which could reduce further population growth, and indirect impacts related to growth would not occur from implementation of the proposed project. Therefore, potential impacts related to inducement of unplanned population growth, either directly or indirectly, would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. As described above, the project site is vacant and undeveloped land and does not contain any housing or people on the project site. The proposed project would construct 37 new single-family residences and would not displace any existing housing or people and would not necessitate the construction of housing elsewhere. Thus, impacts would not occur.

Existing Plans, Programs, or Policies
 None.

Mitigation Measures
 None.

- Sources:**
1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 2 – Community Development Element – Section 2.1 – Land Use
 - Figure 1-1 – Neighboring Lands Uses
 - Figure 1-2 – Land Use Map
 - Chapter 8 – 2014 – 2021 Housing Element
 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.12 – Population and Housing
 - Attachments #1 - #10 – Housing Sites Inventory

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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<ul style="list-style-type: none"> - Exhibits A1 – A11, C, D, and E – Maps of Housing Sites 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 4. California Department of Finance. May 2021. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2021 with 2010 Census Benchmark. Accessed: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/ (Accessed May 26, 2021). 				
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XV. PUBLIC SERVICES – Would the project:				
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a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
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i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The City of Moreno Valley Fire Department provides fire protection to the project area. The City’s Fire Department is the primary response agency to fires, emergency medical service, hazardous materials incidents, traffic accidents, terrorist acts, catastrophic weather events, and technical rescues. Additionally, the City’s Office of Emergency Management is located within the Fire Department allowing for a well-coordinated response to both natural and man-made disasters. The Moreno Valley Fire Department (MVFD) is part of the CAL FIRE/Riverside County Fire Department’s regional, integrated, cooperative fire protection organization, which provides access to other regional fire and emergency equipment and/or services, as needed.

There are two existing fire stations within two miles of the project site. Fire Station 58 is located 2.4 miles from the project site at 28040 Eucalyptus Avenue. This fire station is a three-bay facility that can house two engine companies, a truck company, and additional resources as needed. This fire station currently houses one paramedic engine company and a type 3 fire engine. Fire Station 99 is 2.8 miles from the project site at 13400 Morrison Street. This fire station is a two-bay facility that houses one paramedic engine company (MVFD 2020).

The proposed project could potentially increase the demand for MVFD services due to the construction of the new residential units. As discussed in previously, the project would generate approximately 143 new residents.

The project would develop 37 single-family residences in an area already served by the City’s Fire Department and within close proximity to two existing fire stations. The project would be adequately served by the two fire stations that currently serve the project area. Additionally, the project would be required to adhere to the California Fire Code (included in the City’s Municipal Code Chapters 8.36) and would be reviewed by the Fire Department during the project permitting process to ensure that the project plans meet the fire protection requirements. Therefore, impacts would be less than significant. Additionally, the Developer would be required to pay development fees (including permit and inspection fees) that would be applied to the City’s public services including fire protection services.

ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The City of Moreno Valley receives policing services through a contract for services with the Riverside County Sheriff’s Office. The City’s police station is located at 22850 Calle San Juan De Los Lagos, which is approximately 5.7 miles from the project site. Because the project site is currently vacant and undeveloped, implementation of the project would result in an onsite population that would create the need for police services. Calls for police service during project construction may include: theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism. Operation of the project could generate a typical range of police service calls, such as burglaries, thefts, and disturbances. To reduce the potential for these types of crimes, security concerns are addressed in the project design by providing low-intensity security lighting for the purposes of wayfinding, safety, and building structure security.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Although an incremental increase could result from implementation of the project, the need for law enforcement services from the proposed project would be limited and within an area that is currently served. Thus, the need for policing services generated by the project would not require the construction or expansion of police department facilities. Therefore, impacts would be less than significant. Additionally, the Developer would be required to pay development fees (including permit and inspection fees) that would be applied to the City’s public services including police protection services.

iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The project site is located within the Moreno Valley Unified School District, which operates and maintains 43 schools, including 23 elementary schools (K-5), 6 middle schools (7-8), 5 high schools (9-12), and 9 specialized schools. The site is currently located within the attendance area boundaries of Ridgecrest Elementary School, Mountain View Middle School, and Valley View High School.

The project would develop 37 single-family residences. The Moreno Valley Unified School District’s April 2020 Developer Fee Justification Report indicates that there are over 53,581 residential dwelling units existing within the District. It is anticipated that a total of 13,156 additional units will be constructed by 2040. Based on the District’s Student Generation Rate of 0.6041, this will generate over 7,947 additional K-12 students during that period (MVUSD 2020). With the Student Generation Rate of 0.6041, the project will generate approximately 23 additional K-12 students upon implementation.

Pursuant to Government Code Section 65995 et seq., the need for additional school facilities is addressed through compliance with school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction’s ability to condition a project on mitigation of a project’s impacts on school facilities in excess of fees set forth in the Government Code. These fees are collected by school districts at the time of issuance of building permits for development projects. Pursuant to Government Code Section 65995 applicants shall pay developer fees (included as PPP PS-1) to the appropriate school districts at the time building permits are issued; and payment of the adopted fees provides full and complete mitigation of school impacts. As a result, impacts related to school facilities would be less than significant with the Government Code required fee payments.

iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. Based on Map 3.1, Existing Parks and Community Facilities, in the City of Moreno Valley Parks, Recreation and Open Space Comprehensive Plan, the City operates and maintains six parks within the project’s vicinity: Rock Ridge Park, approximately 2.9 miles to the northwest; Morrison Park, approximately 2.9 miles to the northwest; Ridgecrest Park, approximately 1.6 miles to the southeast; Weston Park, approximately 3.6 miles to the northwest; the Moreno Valley Community Park, approximately 6.4 miles to the west; and Celebration Park, approximately 1.2 miles to the southwest.

The project includes the construction of 37 single-family residences, including 11,443 SF at the recreation – open space lot, which would provide park facilities for the new residents. In addition, Section 3.38.080 and Chapter 3.40 of the City’s Municipal Code include requirements for mitigation fees in favor of park improvements and/or parkland dedication; where applicable, these fees would be included as a condition of the approval of the residential development (included as PPP PS-2). These fees would be used in the City of the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, park improvements provided for in the City’s General Plan and its adopted capital improvement program or an adopted master plan of parks and recreation facilities, as amended from time to time. Therefore, as the project would provide sufficient onsite open space for its residents, impacts related to the need to provide new or altered park and recreation facilities in order to maintain acceptable service ratios would be less than significant. Additionally, the developer would be required to pay park fees described above.

v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The proposed project would develop 37 single-family residential units within an area that already contains single-family residential. The additional residences would result in a limited incremental increase in the need for additional services, such as public libraries and post offices, etc. Because the project area is already served by

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other services and the project would result in a limited increase in residences, the project would not result in the need for new or physically altered facilities to provide other services, the construction of which could cause significant environmental impacts. Therefore, impacts would be less than significant.

Existing Plans, Programs, or Policies

PPP PS-1: The project will be required to pay applicable development fees levied by the Moreno Valley Unified School District pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.827) to offset any effects on school facilities resulting from new development.

PPP PS-2: Park Fees. As a condition of the approval of a residential development, the project shall pay applicable park related fees and/or dedicate parkland pursuant to Municipal Code Section 3.38.080 and Chapter 3.40.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 2 – Community Development Element – Section 2.5 – Schools
 - Figure 1-3 – School District Boundaries
 - Chapter 2 – Community Development Element – Section 2.6 – Library Services
 - Chapter 2 – Community Development Element – Section 2.7 – Special Districts
 - Chapter 2 – Community Development Element – Section 2.5 – Other City Facilities
 - Chapter 4 – Parks, Recreation and Open Space Element – Section 4.3 – Parks and Recreation
 - Figure 3-2 – Future Parklands Acquisition Areas
 - Figure 3-3 – Master Plan of Trails
 - Chapter 6 – Safety Element – Section 6.1 – Police Protection and Crime Preventions
 - Chapter 6 – Safety Element – Section 6.2 – Fire and Emergency Services
 - Figure 5-1 – Fire Stations
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.13 – Public Services
 - Figure 4.13-1 – Location of Public Facilities
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. City of Moreno Valley Fire Department Website. Accessed: http://www.moreno-valley.ca.us/city_hall/departments/fire/index-fire.shtml (Accessed May 11, 2020).
5. City of Moreno Valley Police Department Website. Accessed: http://www.moreno-valley.ca.us/city_hall/departments/police/index-police.shtml (Accessed May 11, 2020).
6. City of Moreno Valley Parks, Recreational, and Open Spaces Comprehensive Master Plan. Accessed:
7. http://www.ci.moreno-valley.ca.us/resident_services/park_rec/pdfs/park-mp0910.pdf (Accessed May 11, 2020).
8. Moreno Valley Unified School District Fee Justification Report for New Residential and Commercial/Industrial Development. 2020.

XVI. RECREATION – Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact. As described previously project would develop 37 single-family residences. As discussed previously, residential developments are subject to Section 3.38.080 and Chapter 3.40 of the City’s Municipal Code, which include requirements for mitigation fees in favor of park improvements and/or parkland dedication; where applicable, these fees would be included as a condition of the approval of the residential development (included as PPP PS-2). These fees would be used in the City of the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, park improvements provided for in the City’s General Plan and its adopted

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capital improvement program or an adopted master plan of parks and recreation facilities, as amended from time to time. Therefore, as the project would provide sufficient onsite open space for its residents, impacts related to the increase the use of existing parks and recreational facilities, such that physical deterioration of the facility would be accelerated would be less than significant. Additionally, the developer would be required to pay park fees described above.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. As described above, while the project would contribute park development fees pursuant to Municipal Code 3.38.080 (included as PPP PS-2) to be used towards the future expansion or maintenance parks and recreational facilities, these fees are standard with every residential development, and the proposed project would not require the construction or expansion of other recreational facilities that might have an adverse physical effect on the environment. The project includes 11,443 SF of recreation – open space for residents and the impact of this recreational feature is included as part of the overall project analysis contained in this Initial Study. Therefore, impacts specific to recreation would be less than significant. Additionally, the developer would be required to pay park fees described above.

Existing Plans, Programs, or Policies
PPP PS-2: Park Fees, provided in Section 15, *Public Services*.

Mitigation Measures
 None.

- Sources:**
1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 4 – Parks, Recreation and Open Space Element – Section 4.3 – Parks and Recreation
 - Figure 3-1 Open Space
 - Figure 3-2 – Future Parklands Acquisition Areas
 - Figure 3-3 – Master Plan of Trails
 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.13 – Public Services
 - Figure 4.13-1 – Location of Public Facilities
 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

XVII. TRANSPORTATION – Would the project:				
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a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact.
Construction
 Construction activities associated with the project would generate vehicular trips from construction workers traveling to and from project site, delivery of construction supplies and import materials to, and export of debris from, the project site. However, these activities would only occur for a period of 12 months. The increase of trips during construction activities would be limited and are not anticipated to exceed the number of operational trips described below. The short-term vehicle trips from construction of the project would generate less than significant traffic related impacts.

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

As shown in Table T-1 below, the proposed project would generate approximately 30 trips during the a.m. peak hour, 40 trips during the p.m. peak hour, and a total of 378 daily trips.⁷⁸

Table T-1: Project Trip Generation

Land Use	Units	Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Trip Rates								
Single-Family Detached Housing ¹	DU	9.440	0.185	0.555	0.740	0.624	0.366	0.990
Project Trip Generation								
Detached Single Family	38 DU ^a	359	7	21	28	24	14	38

Notes:

^a As noted, the traffic analysis analyzed 38 dwelling units, which results in a more conservative analysis as the project proposes 37 dwelling units.

DU = Dwelling Units

¹ Trip rates from the Institute of Transportation Engineers, Trip Generation, 10th Edition, 2017. Land Use Code 210 - Single-Family Detached Housing.

² Trip rates from the Institute of Transportation Engineers, Trip Generation, 10th Edition, 2017. Land Use Code 220 - Multifamily Housing (Low-Rise).

Source: EPD 2020 (Appendix J)

According to Exhibit A of the City of Moreno Valley Traffic Impact Analysis Preparation Guide, projects that generate fewer than 100 vehicle trips during the peak hours are generally exempt from the requirement to prepare a traffic impact analysis. Operation of the project would not generate over 100 AM or PM peak hour trips. Therefore, the project would not result in a conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, and impacts would be less than significant.

The project area is currently served by the Riverside Transit Authority (RTA). The RTA provides both local and regional services throughout the region with 38 fixed routes, 9 commuter link routes, and Dial-A-Ride services. The existing RTA bus stop for Route 20, located approximately 0.3 miles from the project site on Moreno Beach Drive, is the closest existing route to the project. Operation of the project would not affect the operation of the bus route. Thus, no impacts would occur. In addition, both sidewalks and bicycle lanes are located adjacent to the project site on Cactus Avenue. The proposed project would not alter any of the existing bicycle or sidewalk facilities. Thus, impacts related to bicycle or pedestrian circulation would not occur from implementation of the project.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) ?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant Impact. Section 15064.3 of the State CEQA Guidelines codifies that project related transportation impacts are typically best measured by evaluating the project’s vehicle miles travelled (VMT). Specifically, subdivision (b) focuses on specific criteria related to transportation analysis and is divided into four subdivisions: (1) land use projects, (2) transportation projects, (3), qualitative analysis, and (4) methodology. Subdivision (b)(1) provides guidance on

⁷ It should be noted the traffic analysis analyzed 38 dwelling units based on an earlier iteration of the project’s site plan. As the project proposes 37 dwelling units, the project’s trip generation and impacts calculated in the traffic analysis are therefore highly conservative.

⁸ It should be noted that the trip generation was modeled using trip rates from the ITE, Trip Generation Manual, 10th Edition. A trip generation was run using trip rates from ITE, Trip Generation Manual, 11th Edition, which found that utilizing the 10th Edition results in more trips. Therefore, the project’s trip generation provides a conservative analysis.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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determining the significance of transportation impacts of land use projects using VMT; projects located within 0.5 mile of transit should be considered to have a less than significant impact. Subdivision (b)(2) addresses VMT associated with transportation projects and states that projects that reduce VMT, such as pedestrian, bicycle, and transit projects, should be presumed to have a less than significant impact. Subdivision (b)(3) acknowledges that Lead Agencies may not be able to quantitatively estimate VMT for every project type; in these cases, a qualitative analysis may be used. Subdivision (b)(4) stipulates that Lead Agencies have the discretion to formulate a methodology that would appropriately analyze a project's VMT.

The City of Moreno Valley has prepared updated *Traffic Impact Analysis Guidelines* (Guidelines) for Land Use Projects in June 2020 to address changes to CEQA pursuant to SB-743 to include VMT analysis methodology and thresholds. The Moreno Valley *Traffic Impact Analysis Guidelines* provide several screening thresholds for determining if a VMT analysis is required. A project VMT analysis would not be required if a project is located in a Transit Priority Area (TPA) or a low VMT area, or if the project is a local serving retail project or other neighborhood use, including projects that generate fewer than 400 daily trips, which corresponds to a typical development of 42 single family housing units. As shown on Table T-1, the project proposes less than the 42 dwelling units discussed in the guidelines and generates 359 daily vehicle trips, fewer than the 400 daily vehicle trips threshold. Therefore, based on the Moreno Valley Traffic Impact Analysis Guidelines, the project would be presumed to have a less than significant impact on VMT.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The project includes development of single-family residences. The project includes community type uses and does not include any incompatible uses, such as farm equipment. The proposed project area would be accessed from Bradshaw Circle, as well as through the onsite streets to each residence.

The project would also not increase any hazards related to a design feature. All of the onsite streets would be developed in conformance with City design standards. The City's construction permitting process includes review of project plans to ensure that no potentially hazardous transportation design features would be introduced by the project. For example, the design of the project streets would be reviewed to ensure fire engine accessibility and turn around area is provided to the fire code standards. As a result, impacts related to vehicular circulation design features would be less than significant.

d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant Impact.
Construction
 The proposed construction activities, including equipment and supply staging and storage, would occur within and adjacent to the project area on Bradshaw Circle, and would not restrict access of emergency vehicles to the project site or adjacent areas. The installation of driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed project could require the temporary closure of Bradshaw Circle and Cactus Avenue. Traffic detours are not expected to be necessary. In addition, the construction activities would be required to ensure emergency access in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which would be ensured through the City's permitting process. Thus, implementation of the project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access impacts to a less than significant level.

Operation
 As described previously, the proposed project area would be accessed from Bradshaw Circle, as well as through the onsite streets to each residence. Permitting of these roadways would provide adequate and safe circulation to, from, and through the project area and would provide two routes for emergency responders to access different portions of the project area. Because the project is required to comply with all applicable City codes, as verified by the City, potential impacts related to inadequate emergency access would be less than significant.

Existing Plans, Programs or Policies

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 5 Circulation Element
 - Figure 8-1 – Circulation Plan
 - Figure 8-2 – LOS Standards
 - Figure 8-3 – Roadway Cross-Sections
 - Figure 8-4 – Bikeway Plan
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.2 – Traffic/Circulation
 - Figure 4.2-1 – Circulation Plan
 - Figure 4.2-2 – General Plan Roadway Cross-Sections
 - Figure 4.2-3 – Year 2000 Number of Through Lanes
 - Figure 4.2-4 – Year 2000 Daily Volume/Capacity (V/C) Ratios
 - Figure 4.2-5 – Year 2000 Average Daily Traffic Volumes
 - Figure 4.2-6 – Proposed Circulation Plan
 - Figure 4.2-7 – LOS Standards
 - Appendix B – Traffic Analysis, City of Moreno Valley General Plan Traffic Study, Urban Crossroads, June 2004.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 3.18 Special Gas Tax Street Improvement Fund
5. Moreno Valley Master Bike Plan, adopted January 2015
6. Riverside County Transportation Commission, Congestion Management Program, December 14, 2011
7. City of Moreno Valley Transportation Engineering Division, Traffic Impact Analysis Preparation Guide. 2007.
8. Trip Generation and VMT Screening Analysis for Cactus and Bradshaw Circle Residential Project. December 30, 2020. Prepared by EPD Solutions, Inc. (Appendix I).

XVIII. TRIBAL CULTURAL RESOURCES – Would the project:

AB 52 and SB 18 Requirements

The project would be required to comply with AB 52 and SB 18 regarding tribal consultation. Chapter 532, Statutes of 2014 (i.e., AB 52), requires that Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register or included in a local register of historical resources (PRC Section 21074). AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource falling outside the definition stated above nonetheless qualifies as a “tribal cultural resource.”

SB 18 requires cities and counties acting as Lead Agency to contact and consult with California Native American tribes before adopting or amending a General Plan. The intent of SB 18 is to establish meaningful consultation between tribal governments and local governments at the earliest possible point in the planning process and to enable tribes to manage “cultural places.” Cultural places are defined as a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9), or a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register, including any historic or prehistoric ruins, any burial ground, or any archaeological or historic site (PRC Section 5097.993).

In compliance with these requirements, the City sent out to the following Native American tribes that may have knowledge regarding tribal cultural resources in the project vicinity.

- Agua Caliente Band of Cahuilla Indians
- Cahuilla Band of Indians

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- Desert Cahuilla Indians
- Los Coyotes Band of Cahuilla Mission Indians
- Morongo Band of Mission Indians
- Pechanga Band of Luiseño Indians
- Rincon Band of Luiseño Indians
- San Manuel Band of Mission Indians
- Santa Rosa Band of Mission Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseño Indians

The Pechanga Band of Luiseño Indians requested consultation regarding the proposed project. The consulting tribe considers the area sensitive for cultural resources as several sites are located nearby. Although no information for site specific tribal cultural resources was provided, the consulting tribe requested the inclusion of mitigation due to the potential of the project to unearth previously undocumented tribal cultural resources during construction. As such, Mitigation Measures TCR-1 through TCR-3 are included, which require Native American monitoring, and procedures for artifact disposition and inadvertent finds. With implementation of Mitigation Measures TCR-1 through TCR-3, impacts would be less than significant.

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

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) , or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. As detailed previously in Section 5, *Cultural Resources*, the project site is currently vacant. Historic aerial photographs and maps of the project site showed no development in the general vicinity of the project area until after 1976. All improvements, therefore, are less than 45 years of age and considered modern and of no historical consequence (McKenna 2020).

The Phase I Resources Investigation and Paleontological Overview prepared for the project included a search of the California Historical Resource Information System (CHRIS) at the Eastern Information Center (EIC), located at the University of California, Riverside, Riverside County. The records search indicated that the nearest recorded resources are more than one-half mile distant. It was also determined that there are no known significant cultural resources within the project area and any future development will not adversely impact any significant resources. Furthermore, the Sacred Lands File search completed by the NAHC stated that there are no known/known sacred lands within a 1 mile of the project site (McKenna 2020). Therefore, no substantial evidence exists that tribal cultural resources are present in the project site, and potential impacts would be less than significant.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 . In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1 , the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact with Mitigation Incorporated. As detailed previously, to avoid potential adverse effects to tribal cultural resources, Mitigation Measures CR-1 through CR-6, above and Mitigation Measures TCR-1 through TCR-3 have been included to provide for Native American and archaeological monitoring of excavation and grading activities to avoid potential impacts to tribal cultural resources that may be unearthed by project construction activities. No information has been provided to the Lead Agency indicating any likelihood of uncovering tribal cultural resources on the project site, there are no known tribal cultural resources on or adjacent to the project site, and no potentially significant

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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impacts are anticipated. Mitigation Measures CR-1 through CR-6 and Mitigation Measures TCR-1 through TCR-3 are included in the event of any inadvertent discoveries during construction activities.

Additionally, as described previously and included as Mitigation Measure CR-6, California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, with implementation of Mitigation Measures CUL-1 through CUL-6 and Mitigation Measures CUL-1 through CUL-3, impacts to tribal cultural resources would be less than significant.

Existing Plans, Programs, or Policies

PPP CUL-1: Human Remains. Listed previously in Section 5, Cultural Resources.

Mitigation Measures

Mitigation Measure TCR-1: Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days’ advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.

Mitigation Measure TCR-2: Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.
 - ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-2. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation Measure TCR-1. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

TCR-3: Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

Sources:

- 1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 7 – Conservation Element – Section 7.2 – Cultural and Historical Resources
- 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.10 – Cultural Resources

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul style="list-style-type: none"> - Figure 4.10-1 – Locations of Listed Historic Resource Inventory Structures - Figure 4.10-2 – Location of Prehistoric Sites - Figure 4.10-3 – Paleontological Resource Sensitive Areas • Appendix F – Cultural Resources Analysis, Study of Historical and Archaeological Resources for the Revised General Plan, City of Moreno Valley, Archaeological Associates, August 2003. <ol style="list-style-type: none"> 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 4. Moreno Valley Municipal Code Title 7 – Cultural Preservation 5. Cultural Resources Inventory for the City of Moreno Valley, Riverside County, California, prepared by Daniel F. McCarthy, Archaeological Research Unit, University of California, Riverside, October 1987 (<i>This document cannot be provided to the public due to the inclusion of confidential information pursuant to Government Code Section 6254.10.</i>) 6. Phase I Cultural Resources Investigation and Paleontological Overview for Tentative Tract Map No. 37858, City of Moreno Valley, Riverside County, California. March 18, 2020. Prepared by McKenna et al. (Appendix C). 				

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant.
Water Infrastructure
 The proposed project would install a new 8-inch water pipeline in Bradshaw Circle that would connect to an existing 12-inch water pipeline in Cactus Avenue. The new onsite water system would convey water supplies to the proposed residences and landscaping through plumbing/landscaping fixtures that are compliant with the CalGreen Plumbing Code for efficient use of water.

The proposed project would continue to receive water supplies through the existing water line located within the Cactus Avenue rights-of-way that has the capacity to provide the increased water supplies needed to serve the proposed project, and no extensions or expansions to the water pipelines that convey water to the project site would be required. The installation of onsite water distribution lines would only serve the proposed project and would not provide water to any off-site areas.

The construction activities related to the onsite water infrastructure that would be needed to serve the proposed single-family residences is included as part of the proposed project and would not result in any physical environmental effects beyond those identified throughout this Initial Study. For example, construction emissions for excavation and installation of the water infrastructure is included in Sections 3, *Air Quality* and 8, *Greenhouse Gas Emissions*. Therefore, the proposed project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Wastewater Infrastructure
 The project includes installation of onsite sewer lines within the proposed onsite streets that would connect to the existing sewer line in Cactus Avenue. These wastewater flows will be further transported to the Moreno Valley Regional Water Reclamation Facility.

The construction activities related to installation of the onsite sewer infrastructure that would serve the proposed project is included as part of the proposed project and would not result in any physical environmental effects beyond those identified throughout this Initial Study. For example, construction emissions for excavation and installation of the sewer infrastructure is included in Section 3, *Air Quality* and 8, *Greenhouse Gas Emissions*, and noise volumes from these activities are evaluated in Section 13, *Noise*. As the proposed project includes facilities to serve the proposed development, it would not result in the need for construction of other new wastewater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The proposed project would result in an increased demand for water supplies from the 37 single-family residential units. Water supplies to the project area are provided by EMWD, which serves 555 square miles of western Riverside County and includes the project area (UWMP 2015). In 2015, EMWD had a water demand of 146,090 AF, and based on land use and growth projections it anticipates a demand of 197,901 AF in 2020, which is a 35 percent increase over 2015 demands (an increase of 51,811 AF) (UWMP 2015). The UWMP details that the district has water supply to meet the projected demands over the next 25 years and beyond (UWMP 2015). The UWMP describes that the district has a projected supply of 197,901 AFY in 2020, and a predicted supply of 268,200 AFY in 2040.

To provide a conservative estimate of project water use, a generation rate of 171 gallons per capita per day was used to estimate water demand from the proposed project (UWMP 2015). As described in Section 14, *Population and Housing*, the proposed project would result in 143 additional residents at full occupancy. Based on the district's 2020 water use target of 176 gallons per capita per day, the 143 additional residents would generate a water demand of 25,168 gallons per day. The project would limit water demand by inclusion of low-flow plumbing and irrigation fixtures, pursuant to the California Title 24 requirements.

As detailed previously, the district has the water supply to meet the projected demands over the next 25 years and beyond. In addition, the 2015 UWMP details the available supply, including groundwater, imported water, and recycled water would meet the projected demand during normal, single dry and multiple dry years (UWMP 2015). Therefore, impacts related to water supplies from the proposed project would be less than significant.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant Impact. As described above, wastewater flows would be conveyed to the Moreno Valley Regional Water Reclamation Facility. The treatment facility typically processes 10.6 million gallons per day (mgd) but has a current capacity for 16 mgd and an ultimate capacity of 41 mgd (UWMP 2015). Through the city's plan check process, the city's engineering department would confirm that the wastewater generated from the project would be accommodated within this capacity. Thus, the wastewater treatment plant has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments, and impacts would be less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant Impact. The closest landfill to the vacant project site is the Badlands Sanitary Landfill, which is located approximately 6 miles northeast from the project site at 31125 Ironwood Avenue in Moreno Valley. The landfill is permitted to accept 4,800 tons per day of solid waste and is permitted to operate through 2022 (CalRecycle 2020). In 2019, the landfill had an average throughput of 2,428 tons per day. As such, on average, the landfill would have a remaining capacity of 2,372 tons per day. As of March 2020, the landfill has a remaining capacity of 15,748,799 cubic yards (CalRecycle 2020).

The CalEEMod solid waste generation rate for single-family residential land use is 0.41 tons per resident per year. As described previously, full occupancy of the proposed project would generate approximately 143 new residents. Thus, operation of the project would generate approximately 58.6 tons per solid waste per year; or 1.13 tons per week. However, at least 75 percent of the solid waste is required by AB 341 to be recycled, which would reduce the volume of landfilled solid waste to approximately 0.28 tons per week or 0.04 tons per day, which is within the Badlands Sanitary Landfill's

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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average remaining capacity of 2,372 tons per day. Thus, the proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs and the project would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The proposed project would result in new development that would generate an increased amount of solid waste. All solid waste-generating activities within the City are subject to the requirements set forth in Section 4.408 of the 2019 California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. Implementation of the proposed project would be consistent with all state regulations, as ensured through the City’s development project permitting process. Therefore, the proposed project would comply with all solid waste statute and regulations; and impacts would not occur.

Existing Plans, Programs, or Policies

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006
 - Chapter 2 – Conservation Element – Section 2.4 – Utilities
 - Chapter 6 – Safety Element – Section 6.7 – Water Quality
 - Chapter 7 – Conservation Element – Section 7.3 – Solid Waste
 - Chapter 7 -- Conservation Element – Section 7.5—Water Resources
 - Figure 6-1 – Water Purveyor Service Area Map
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006
 - Section 5.7 – Hydrology and Water Quality
 - Figure 4.7-1 – Storm Water Flows and Major Drainage Facilities
 - Figure 4.7-2 – Groundwater Basins
 - Section 5.13 – Public Services
 - Figure 4.13-1 – Locations of Public Facilities
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls
5. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (NPDES).
6. Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste
7. California Emissions Estimator Model Appendix D Default Data Tables. Table 10.1 Solid Waste Disposal Rates. Accessed: http://www.aqmd.gov/docs/default-source/caleemod/upgrades/2016.3/05_appendix-d2016-3-1.pdf?sfvrsn=2
8. CalRecycle Solid Waste Information System. Accessed at: <https://www2.calrecycle.ca.gov/SWFacilities/Directory> (Accessed May 12, 2020).
9. CalRecycle Disposal Reporting System: Jurisdiction Tons by Facility. Accessed at: <https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility> (Accessed May 12, 2020).
10. Eastern Municipal Water District 2015 Urban Water Management Plan. June 2016. Prepared by RMC. Available: <https://www.emwd.org/post/urban-water-management-plan> (Accessed May 12, 2020).
11. Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility Fact Sheet. Accessed: <https://www.emwd.org/sites/main/files/file-attachments/mvrwrffactsheet.pdf> (Accessed May 12, 2020).

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, **would the project:**

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. The project site is developed and within an urbanized residential area of Moreno Valley. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas. According to the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. The proposed project area would be accessed from two driveways on Bradshaw Circle. Permitting of these roadways would provide adequate and safe circulation to, from, and through the project area and would provide two routes for emergency responders to access different portions of the project area. Because the project is required to comply with all applicable City codes, as verified by the City potential impacts related to an emergency response or evacuation would be less than significant.</p>				
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. As discussed previously, the project site is developed and within an urbanized residential area of Moreno Valley. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas, and as determined by the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. In addition, the project site is flat and within a flat area. The site is adjacent to roadways and residential developments. There are no factors on or adjacent to the project site that would exacerbate wildfire risks. Thus, no impact related to other factors that would expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would occur from the project.</p>				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. As described previously, the project site is developed and within a developed and urban area that is not within a wildfire hazard zone. The project does not include any infrastructure that would exacerbate fire risks. In addition, the project would provide internal streets and fire suppression facilities (e.g., hydrants and sprinklers) that conform to the California Fire Code requirements, included as Municipal Code Chapter 8.36, as verified through the City's permitting process. Therefore, impacts related to infrastructure that could exacerbate fire risks would not occur with the proposed project.</p>				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. As described previously, the project site is developed and within a developed and urban area that is not within a wildfire hazard zone. In addition, the project site is flat and surrounded by flat areas. There are no slope or hillsides that would become unstable. In addition, the project would install onsite drainage that would be conveyed to the existing flood control channel, which is consistent with the existing condition. Therefore, impacts related to flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would not occur from the proposed project.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 6 – Safety Element – Section 6.2- Fire and Emergency Services – 6.2.8—Wildland Urban Interface 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.5 – Hazards and Hazardous Materials <ul style="list-style-type: none"> - Figure 4.5-2 – Floodplains and High Fire Hazard Areas 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 				

Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>4. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf</p> <ul style="list-style-type: none"> • Chapter 5 – Wildland and Urban Fires <ul style="list-style-type: none"> - Figure 4-2 – Moreno Valley High Fire Area Map 2016 • Chapter 8 – Landslide <ul style="list-style-type: none"> - Figure 7-1 – Moreno Valley Slope Analysis 2016 <p>5. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf</p> <ul style="list-style-type: none"> • Threat Assessment 3 – Wildfire <p>6. California Department of Forestry and Fire Protection (CAL FIRE). 2020. Fire Hazard Severity Zone Map. Accessed: https://forestwatch.maps.arcgis.com/apps/Styler/index.html?appid=5e96315793d445419b6c96f89ce5d153 (Accessed May 12, 2020).</p>				

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

<p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less Than Significant with Mitigation Incorporated. The Habitat Assessment describes that the special-status wildlife and plant species with the potential to occur on the project site are covered by compliance with the MSHCP, which requires payment of fees, included as PPP BIO-1. Additionally, any impacts to SKR would be covered through payment of SKR fees as included in Mitigation Measure BIO-1. In addition, because the site supports suitable habitat for burrowing owl the MSHCP requires focused surveys pursuant to the Western Riverside County Regional Conservation Authority (RCA) Burrowing Owl Survey Instructions for the MSHCP area. Hence, Mitigation Measure BIO-2 requires a preconstruction burrowing owl survey to be conducted pursuant to the RCA Survey Instructions prior to start of ground disturbance activities. With implementation of Mitigation Measures BIO-2, impacts related to burrowing owl would be less than significant.

In addition, the Habitat Assessment identified suitable habitat and substrate for raptors and migratory birds that are protected under the Migratory Bird Treaty Act and Section 3503.5 of the California Department of Fish and Wildlife (CDFW) code. Therefore, Mitigation Measures BIO-3 and BIO-4 are included to require raptor and migratory nesting bird surveys if construction activities begin during the nesting season. With implementation of Mitigation Measures BIO-3 and BIO-4, impacts related to protected bird species would also be reduced to a less than significant level.

As described in Section 5, *Cultural Resources*, the project site does not contain any buildings or structures that meet any of the California Register of Historical Resources criteria or qualify as “historical resources” as defined by CEQA. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource. In addition, the Phase I Cultural Resources Investigation and Paleontological Overview determined that the potential for archaeological resources to be located within the project site is extremely low to nonexistent. However, the project area is considered moderately sensitive for paleontological resources. Thus, MM PAL-1 has been included to require paleontological monitoring during all future excavations that would exceed a relative depth of five feet below the present surface. Thus, implementation of MM PAL-1 would reduce potential impacts to important examples of California prehistory to a less than significant level.

As described in Section 18, *Tribal Cultural Resources*, to avoid potential adverse effects to tribal cultural resources, Mitigation Measures CR-1 through CR-6, above and Mitigation Measures TCR-1 through TCR-3 have been included to provide for Native American and archaeological monitoring of excavation and grading activities to avoid potential impacts to tribal cultural resources that may be unearthed by project construction activities.

Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant with Mitigation Incorporated. The project would redevelop the project site for single-family residences within a developed area. The project would provide land uses that are consistent with the adjacent single-family residential uses. As described above, all of the potential impacts related to implementation of the project would be less than significant or reduced to a less than significant level with implementation of mitigation measures that are imposed by the City that effectively reduce environmental impacts.</p> <p>The other cumulative effects of the proposed project taken into consideration with these other projects would be limited, because the project site has already been developed and disturbed and the new uses onsite would not result in substantial change in the urban use of the area. As discussed in Section 19, <i>Utilities and Service Systems</i>, public services and utility infrastructure are in place to serve the project and would not result in cumulatively considerable increases in service and utility needs to serve the project. In addition, the project would not result in substantial effects to any environmental resource topic, as described though out this document.</p> <p>Overall, the proposed project would develop an area that has been subject to previous urban uses, is disturbed, and is surrounded by consistent development and roadways. Impacts to environmental resources or issue areas would not be cumulatively considerable; and cumulative impacts would be less than significant with implementation of the previously identified mitigation measures related to biological resources, paleontological resources, noise, and tribal cultural resources.</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant with Mitigation Incorporated. The project proposes development of the project site for single-family residential uses. As described previously, the project site is within an urban area and surrounded by consistent land uses. The project would not consist of any use or any activities that would result in a substantial negative affect on persons in the vicinity. All resource topics associated with the proposed project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts or less-than-significant impacts with implementation of mitigation measures related to biological resources, paleontological resources, noise, and tribal cultural resources; and existing plans, programs, or policies that are required by the City. Consequently, the proposed project would in environmental effects that would cause substantial adverse effects on human beings directly or indirectly, and impacts would be less than significant with mitigation.</p>				

Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

DOCUMENT PREPARERS AND CONTRIBUTORS

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Attachment: Exhibit A to Resolution No. 2022-XX - Initial Study MND [Revision 1] (6019 : Bradshaw Collection)

Exhibit B

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Attachment: Exhibit B to Resolution No. 2022-XX - Notice of Intent to Adopt a Mitigated Negative Declaration (MND) [Revision 1] (6019 :

**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

<i>Sean Kelleher</i>	Press-Enterprise	October 13, 2022
Sean Kelleher, Planning Official Community Development Department	Newspaper	Date of Publication

Attachment: Exhibit B to Resolution No. 2022-XX - Notice of Intent to Adopt a Mitigated Negative Declaration (MND) [Revision 1] (6019 :

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented. The City of Moreno Valley is the Lead Agency for the project and is responsible for implementation of the MMRP. Table 1 of this report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP. This report also describes existing Plans, Programs, or Policies (PPPs) that apply to the project in Table 2.

Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP) [Revision 1] (6019 : Bradshaw

TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
BIOLOGICAL RESOURCES			
MM BIO-1: Payment of SKR Fees. Prior to the issuance of a grading permit, the project applicant shall pay all relevant Stephen’s kangaroo rat mitigation fees.	Prior to the issuance of grading permits.	City of Moreno Valley Community Development Department	
MM BIO-2: Preconstruction Burrowing Owl Surveys. Pursuant to the MSHCP Objective 6, for burrowing owl, a preconstruction burrowing owl survey shall be conducted prior to issuance of a grading permit to verify the presence/absence of the owl on the Project site. Within thirty days of the onset of construction activities, a qualified biologist shall survey within 500 feet of the Project site for the presence of any active owl burrows. Any active burrow found during survey efforts shall be mapped on the construction plans. If no active burrows are found, no further mitigation would be required. Results of the surveys shall be provided to the City of Moreno Valley. If nesting activity is present at an active burrow, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for burrowing owl in the region normally occurs between March and August. To protect the active burrow, the following restrictions to construction activities shall be required until the burrow is no longer active as determined by a qualified biologist: (1) clearing limits shall be established within a 500-foot buffer around any active burrow, unless otherwise determined by a qualified biologist, and (2) access and surveying shall be restricted within 300 feet of any active burrow, unless otherwise determined by a qualified biologist. Any encroachment into the buffer area around the active burrow shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified biologist has determined that fledglings have left the nest. If an active burrow is observed during the non-nesting season, the nest site shall be monitored by a qualified biologist, and when the raptor is away from the nest, the biologist will either actively or passively relocate the	Submittal of pre-activity field survey results report. Prior to construction.	City of Moreno Valley Community Development Department	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>burrowing owl based on direction from the WRC RCA. The biologist shall then remove the burrow so the burrowing owl cannot return to the burrow. Therefore, based on the described construction activities and implementation of mitigation measures as identified, impacts to BUOW would not be significant.</p>			
<p>MM BIO-3: Preconstruction Raptor Surveys. Seven days prior to the onset of construction activities during the raptor nesting season (February 1 to June 30), a qualified biologist shall survey within 500 feet of the project impact area for the presence of any active raptor nests (common or special status). Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the CDFW. If nesting activity is present at any raptor nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. To protect any nest site, the following restrictions to construction activities are required until nests are no longer active as determined by a qualified biologist: (1) clearing limits shall be established within a 500-foot buffer around any occupied nest, unless otherwise determined by a qualified biologist, and (2) access and surveying shall be restricted within 300 feet of any occupied nest, unless otherwise determined by a qualified biologist. Any encroachment into the buffer area around the known nest shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified biologist has determined that fledglings have left the nest. If an active nest is observed during the non-nesting season, the nest site shall be monitored by a qualified biologist, and when the raptor is away from the nest, the biologist will flush any raptor to open space areas. A qualified biologist, or construction personnel under the direction of the qualified biologist, shall then remove the nest site so raptors cannot return to a nest.</p>	<p>Submittal of pre-activity field survey results report (if construction is conducted between Feb. and June). Prior to Demolition or Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>MM BIO-4: Preconstruction Nesting Bird Surveys. If construction is to occur during the MBTA nesting cycle (February 1-September 15) than a nesting bird survey should be conducted by a qualified biologist. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or imprisonment. Active bird nests should be mapped utilizing a hand-held global positioning system (GPS) and a 300’ buffer will be flagged around the nest (500’ buffer for raptor nests). Construction should not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.).</p>	<p>Submittal of pre-activity field survey results report (if construction is conducted between Feb. and Sept.). Prior to Demolition or Grading Permit.</p>		
<p>CULTURAL RESOURCES</p>			
<p>MM CR-1: Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Indians, the contractor, and the City, shall develop a Cultural Resource Monitoring Plan (CRMP) as defined in Mitigation Measure CR-2. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>MM CR-2: Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in Assembly Bill (AB) 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project description and location b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the Project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project; 	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>MM CR-3: The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground – disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and</p>	<p>City of Moreno Valley Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
	during subsurface excavation.		
<p>MM CR-4: Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in Mitigation Measure CR-1 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>	Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and during subsurface excavation.	City of Moreno Valley Community Development Department	
<p>MM CR-5: Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the</p>	Submittal of two (2) copies of the Phase III and IV Data Recovery	City of Moreno Valley Community Development Department	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>Reports (if required). Prior to Final Inspection.</p>		
<p>MM CR-6: Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>	<p>Ongoing during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	
PALEONTOLOGICAL			
<p>MM PAL-1: Paleontological Resources. A paleontologist selected from the roll of qualified paleontologists maintained by the City shall be retained to provide spot-check monitoring services for the project. The paleontologist shall develop a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite. The PRIMP shall require that the paleontologist be present at the pre-grading conference to establish procedures for paleontological resource surveillance. The PRIMP shall require paleontological spot-check monitoring of excavation that exceeds depths of 5 feet. The PRIMP</p>	<p>Confirmation of professional paleontologist retention/ongoing/monitoring/submittal of Paleontological Resources Impact Mitigation Plan (PRIMP).</p>	<p>City of Moreno Valley Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>shall state that the project paleontologist shall re-evaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations deeper than 5 feet have been completed.</p> <p>In the event that paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered.</p> <p>Criteria for discard of specific fossil specimens will be made explicit. If a qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.</p>	<p>Prior to Grading Permit and during subsurface excavation.</p>		

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
TRIBAL			
<p>TCR-1: Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days’ advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>	<p>Secure Tribal Monitoring Agreements. Prior to Grading Permit.</p>	<p>Qualified Professional Archeologist/ City of Moreno Valley Community Development Department</p>	
<p>TCR-2: Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ul style="list-style-type: none"> a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ul style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-2. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic 	<p>Submit a CRMP prepared by Professional Archaeologist in consultation with Tribe. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation Measure TCR-1 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p>			
<p>TCR-3: Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p>	<p>Reburial locations shall not be publicly disclosed. Pre- and post-project.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

TABLE 2: EXISTING PLANS, PROGRAMS, OR POLICIES

PPP	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
AIR QUALITY			
<p>PPP AQ-1: Rule 402. The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p>	<p>Compliance with Rule 402. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>PPP AQ-2: Rule 403. The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day. • The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less. 	<p>Compliance with Rule 403. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>PPP AQ-3: Rule 1113. The project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only</p>	<p>Compliance with Rule 1113. Construction.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

<p>“Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>			
<p>BIOLOGICAL RESOURCES</p>			
<p>PPP BIO-1: MSHCP Development Impact Fees. Prior to issuance of a grading or building permit, the project applicant will be required to pay relevant City of Moreno Valley mitigation fees to the City.</p>	<p>Pay MSHCP fee. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>GEOLOGY</p>			
<p>PPP GEO-1: California Building Code. The Project is required to comply with the California Building Code as included in the City’s Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.</p>	<p>Comply with California Building Cod. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>GREENHOUSE GAS EMISSIONS</p>			
<p>PPP GHG-1: CalGreen Compliance. The project is required to comply with the CalGreen Building Code as included in the City’s Municipal Code to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Comply with CalGreen efficient energy specifications. Prior to building permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>PUBLIC SERVICES</p>			
<p>PPP PS-1: The project will be required to pay applicable development fees levied by the Moreno Valley Unified School District pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.827) to offset any effects on school facilities resulting from new development.</p>	<p>Pay SB 50 school fees. Prior to building permits.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

<p>PPP PS-2: Park Fees. As a condition of the approval of a residential development, the project shall pay applicable park related fees and/or dedicate parkland pursuant to Municipal Code Section 3.38.080 and Chapter 3.40.</p>	<p>Pay applicable park fees. Prior to building permits.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>WATER QUALITY</p>			
<p>PPP WQ-1: Stormwater Pollution Prevention Plan. Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) in accordance with the City’s Municipal Code Chapter 8.10 and the Santa Ana Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Storm Water Permit Order No. R4-2012-0175 (MS4 Permit). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by the City of Moreno Valley staff or its designee to confirm compliance.</p>	<p>Review and approval of SWPPP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>PPP WQ-2: Water Quality Management Plan, Prior to grading permit issuance, the project applicant shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The project shall comply with the City’s Municipal Chapter 8.10 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the project.</p>	<p>Review and approval of WQMP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C to Resolution No. 2022-XX - Mitigation Monitoring and Reporting Program (MMRP)

RESOLUTION NUMBER 2022-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE APPEAL PAA22-0004 OF THE PLANNING COMMISSION'S DENIAL OF 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), CONDITIONAL USE PERMIT (PEN 20-0173) AND TENTATIVE TRACT MAP 37858 (PEN20-0172), FOR A PLANNED UNIT DEVELOPMENT 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) AND THE NECESSARY AND CORRESPONDING AMENDMENTS TO THE CITY'S ZONING ATLAS

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California, and has the authority to approve amendments to the City's General Plan and the City's Zoning Atlas; and

WHEREAS, RC Hobbs Company ("Applicant") has submitted of the Appeal PAA22-0004 of the Planning Commission's denial of General Plan Amendment (PEN20-0174), Conditional Use Permit (PEN20-0173), and Tentative Tract Map 37858 (PEN20-0172) for the proposed development of a thirty-seven (37) lot, single-family residential development on 4.81 acres, commonly known as the Bradshaw Collection (the "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, 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, 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 City 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, the applications for the Proposed Project have been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) and Chapter 9.14 (Land Divisions), respectively, of the Municipal Code with consideration given to the City's General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, The Applicant has filed an application for the approval of General Plan Amendment PEN20-0174 (“Application”) requesting an amendment to the Moreno Valley General Plan from Residential 5 (R5) to Residential 10 (R10), which shall also require any necessary and corresponding amendments to the City’s Zoning Atlas to reflect that zoning classification and/or redistricting of the Project Site shall retain consistency between the Zoning Atlas and the General Plan land use designations; and

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

WHEREAS, on November 10, 2022, the Planning Commission Denied the proposed General Plan Amendment finding it inconsistent with the existing goals, objectives, policies and programs of the General Plan; and would adversely affect the public health, safety or general welfare.

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 December 20, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record with 600 feet of the Site; and

WHEREAS, on December 20, 2022, the City Council conducted a duly noticed public hearing on the Proposed Project, and considered the Proposed Project’s Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program; and

WHEREAS, on December 20, 2022, the public hearing was duly conducted by the City Council at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, on December 20, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Council considered and approved Resolution 2022-___ adopting the Proposed Project’s Mitigated Negative Declaration, and adopting a Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, THE CITY COUNCIL 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, in the staff report and conditions of approval (collectively, “Conditions”);

Attachment: Resolution No. 2022-XX - Approving Appeal PAA22 0004 [Revision 3] (6019 : Bradshaw Collection)

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 City Council has considered all the evidence submitted into the Administrative Record related to the 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) The Moreno Valley General Plan amendment changing the land use designation from Residential 5 (R5) to Residential 10 (R10) and all relevant provisions contained therein as shown on Exhibit A;
- (d) Application for the approval of a General Plan Amendment PEN20-0174 Change of Zone (PEN20-0175) and corresponding amendment to the City's Zoning Atlas, Conditional Use Permit (PEN20-0173), and Tentative Tract Map 37858 (PEN20-0172) and all documents, records and references contained therein;
- (e) Staff Reports prepared for the Planning Commission and City Council's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearings;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearings; and
- (g) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearings.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby recommends the City Council finds as follows:

- (a) The proposed General Plan Amendment and Change of Zone are consistent with the existing goals, objectives, policies, and programs of the General Plan;
- (b) The proposed General Plan Amendment and Change of Zone will not adversely affect the public health, safety, or general welfare;
- (c) The Proposed Project is consistent with the goals, objectives, policies, and programs of the general plan;
- (d) The Proposed Project complies with all applicable zoning and other regulations;
- (e) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity;
- (f) The location, design, and operation of the Proposed Project will be

- compatible with existing and planned land uses in the vicinity;
- (g) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- (h) That the Project Site is physically suitable for the type of development;
- (i) That the Project Site of the proposed land division is physically suitable for the proposed density of the development;
- (j) 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 and/or their habitat;
- (k) That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
- (l) 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;
- (m) That the requirements of CEQA have been satisfied;
- (n) That the proposed land division is not subject to the Williamson Act pursuant to the California Land Conservation Act of 1965;
- (o) That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city;
- (p) 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
- (q) 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 of Appeal.

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings set forth above, the City Council hereby approves General Plan Amendment (PEN20-0174) as depicted in the exhibit attached hereto as Exhibit A, 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 (as set forth in more detail in Ordinance Number 2022-___, as set forth in the December 20, 2022, agenda, incorporated herein by this reference, approve the Proposed Project subject to the Conditions of Approval for Conditional Use Permit (PEN20-0173) and Tentative Tract Map 37858 (PEN20-0172), attached hereto and Exhibit A.

Section 6. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the City Council that conflict with the provisions of this Resolution are hereby repealed.

Section 7. Severability

That the City Council 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.

PASSED AND ADOPTED THIS ___ day of _____, 2022.

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera,
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead,
City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

Exhibit A: General Plan Amendment Land Use Designation Map

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

Attachment: Resolution No. 2022-XX - Approving Appeal PAA22 0004 [Revision 3] (6019 : Bradshaw Collection)

Exhibit A
General Plan Amendment Land Use Designation Map

Attachment: Resolution No. 2022-XX - Approving Appeal PAA22 0004 [Revision 3] (6019 : Bradshaw Collection)

PEN20-0174 General Plan Amendment



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: 10/21/2022

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-XX - Approving Appeal PAA22 0004 [Revision 3] (6019 : Bradshaw

Exhibit B

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

Attachment: Resolution No. 2022-XX - Approving Appeal PAA22 0004 [Revision 3] (6019 : 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
 Conditional Use Permit (PEN20-0173)
 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)

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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)

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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

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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

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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

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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 the 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 (recording 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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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, MVSI-105A) along the project boundary.
115. The developer shall be required to construct full street improvements with the exception of a westerly sidewalk on Bradshaw Circle (local street, MVSI-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.

ORDINANCE NUMBER 2022-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CHANGE OF ZONE (PEN21-0204) 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)

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 RC Hobbs Company ("Applicant") has submitted an application for the approval of the Bradshaw Collection project, which includes the approval of a Change of Zone (PEN20-0175) ("Application"), which is a request to amend the City's Zoning Atlas from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District for the property located at 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) ("Project Site"), along with requested approval of General Plan Amendment, Conditional Use Permit, and Tentative Tract Map (collectively, the "Proposed Project"); and

1.2 At its November 10, 2022, regular meeting, upon a duly noticed public hearing, the Planning Commission considered the Proposed Project, and denied the associated General Plan Amendment, thereby denying the Change of Zone for the Discovery Residential project and recommended denial to the City Council; and

1.3 The Applicant timely filed an appeal of the Planning Commission's determination; and

1.4 A duly noticed public hearing was held before the City Council on December 20, 2022, for deliberations and decision; and

1.5 The matter was fully discussed, and the public and other agencies were given opportunity to present testimony and documentation; and

1.6 An Initial Study has been prepared for the Proposed Project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the Initial Study, including all supporting technical evidence, it was determined that the Proposed Project impacts, as mitigated in accordance with the Mitigation and Monitoring Report, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment in a manner that would otherwise require the preparation and certification of an Environmental Impact Report, and approval of a Mitigated Negative Declaration is an appropriate environmental determination for the Proposed Project.

SECTION 2 EVIDENCE:

That the City Council has considered all of the evidence submitted into the administrative record for Change of Zone (PEN20-0175), including, but not limited to, the following:

- (a) Moreno Valley General Plan and all relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all relevant provisions therein;
- (c) The change the zoning designation of the site from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District, and all other relevant provisions contained therein as shown on Exhibit A;
- (d) Application for the approval of Change of Zone (PEN20-0175) and all documents, records and references contained therein;
- (e) Staff Reports prepared for the Planning Commission and City Council's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearings;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearings; and
- (g) Testimony comments and/or correspondence from all persons that were provided in written format or correspondence, at, or prior to, the public hearings.

SECTION 3 FINDINGS:

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby finds as follows:

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

SECTION 4 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

4.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 981, on August 3, 2021, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification to page 101 of the Official Zoning Atlas as shown on the attached map marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk.

SECTION 5 SEVERABILITY

5.1 That the City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted

shall remain in full force and effect.

SECTION 6 REPEAL OF CONFLICTING PROVISIONS

6.1 That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7 EFFECTIVE DATE

7.1 That this Ordinance shall take effect thirty (30) days after its second reading.

Section 8 CERTIFICATION

8.1 That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

APPROVED DECEMBER 20, 2022, AND ADOPTED this 3rd day of January, 2023.

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:
Exhibit A: Official Zoning Atlas Pg 101

Attachment: Ordinance No. XXX - Change of Zone [Revision 3] (6019 : Bradshaw Collection)

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. YYYY-__ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the ____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

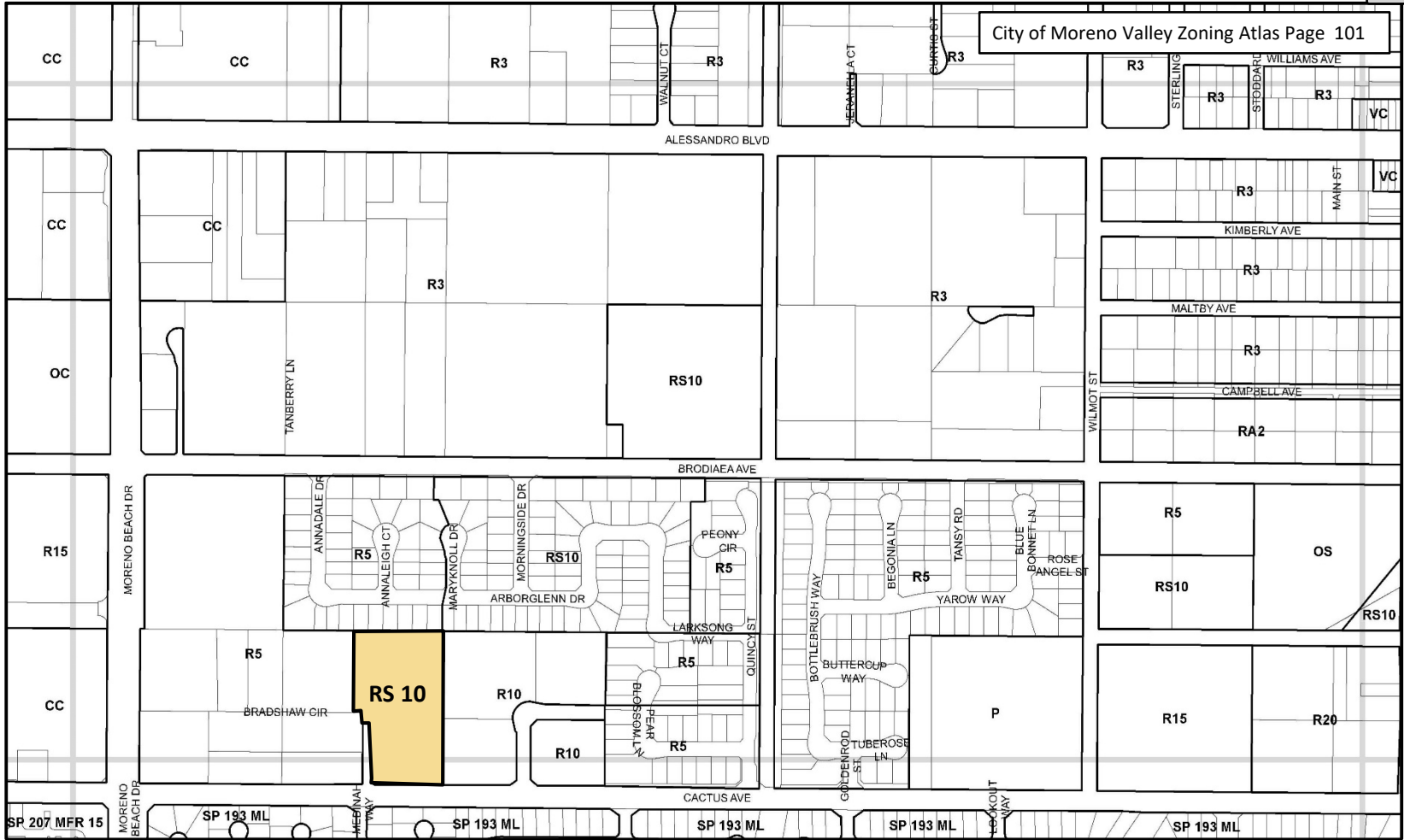
CITY CLERK

(SEAL)


Attachment: Ordinance No. XXX - Change of Zone [Revision 3] (6019 : Bradshaw Collection)

Exhibit A
Official Zoning Atlas Pg 101

Attachment: Ordinance No. XXX - Change of Zone [Revision 3] (6019 : Bradshaw Collection)



PEN20-0175 - Change of Zone

 Proposed Change from Residential 5 (R5) to Residential Single-Family 10 (RS10)

Attachment: Ordinance No. XXX - Change of Zone [Revision 3] (6019 : Bradshaw



MORENO VALLEY UNIFIED SCHOOL DISTRICT

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

BOARD OF EDUCATION

CLEVELAND JOHNSON
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SUSAN SMITH
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Chief Academic Officer

SUSANA LOPEZ
Chief Business Official

DR. ROBERT VERDI
*Chief Human
Resources Officer*

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

Attachment: Planning Commission Public Comments (6019 : Bradshaw Collection)

**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: Planning Commission Public Comments (6019 : Bradshaw Collection)

RECEIVED
MORENO VALLEY USD
FACILITIES DEPARTMENT
OCT 21 AM 9:47

Good Evening MORENO VALLEY Planning Commissioners, November 10, 2022.

My name is Bill Redden. I live at 28163 Bradshaw circle and received Occupancy from City in November of 2021. I have watched the process of the General Plan development and noted that the vacant land surrounding my home (on nearly acre) remained designate as 5 dwellings per acre. I did not object to development of 8 homes to north west of me or the a tentative tract map of 6 homes across the street. These housing developments were consistent with General Plan of less than 5 dwellings per acre.

I and home owners surrounding the development are opposed to the development as currently proposed. We are opposed to the proposed General Plan Amendment and change of zone.

Specific issues are as follows.

General Plan Issues.

1. The General Plan 2040 adopted June 2021, states in Scope and Purpose of the General Plan: The Moreno Valley General Plan can be considered the city's development constitution, containing both a statement of community's vision of its long-term development..." page 1-3.
2. Furthermore for clarification, page 2-8 states: "The General Plan Land Use Map illustrates the long-term vision for development and conservation in the planning area.." Having a general plan amendment less than year and half appears to be inconsistent with city's General Plan's scope and purpose.
3. According to General Plan, developments need to be consistent with General Plan polices. Under policy Goal LCC-3: "Build a distinctive sense of place and pride in Moreno Valley. LCC.3-2: use development standards to ensure smooth transitions for areas that that border one another so that neighborhoods and districts maintain their unique qualities while being compatible with one another". Thus even if General Plan amendment is permitted with R10 butting up against R5 area, there must be transition area between these two developments. No transition zone is proposed in the development.

Issues with the Initial Study/Mitigated negative Declaration.

1. On page 29. Inaccurate statement: "The project is to provide 37 new single-family residence, which would be similar to the single-family

p1 of 2

2. residential uses that are adjacent to the west of the site, to the south of the site beyond the flood control channel, and to the north fo the site beyond Finch ave.” As can be noted in Exhibit A showing current housing and projected housing development, this 37 housing development is not similar. Further more, there is no flood channel south of the site and there is no Finch ave north of the site.

Issues with Conditions of Approval.

As stated in traffic study, 359 vehicles per day are to pass through Bradshaw Circle. Bradshaw Circle is designated as private street that does not meet current city standards and is not maintained by the city. The development is only required to make improvements along the west side of Bradshaw circle. The question is how long will the street last with such relatively heavy load of traffic on the street to west?

Significant observation.

The owner lives out of state in Utah and developer/builder lives out of the Riverside county. They are not part of community impacted by their development.

In conclusion please deny the general Plan amendment and zone change. The development should comply with recently approved General Plan of 2040 of 5 dwellings per acre.

Thank you for allowing me to express my concerns regarding this development.

Bill Redden wderedden@gmail.com

28163 Bradshaw Circle, Moreno Valley, CA 92555.

951 442 1103.



EXHIBIT A(wdr)



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: December 20, 2022

TITLE: GENERAL PLAN AMENDMENT, CHANGE OF ZONE, CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, AND A TENTATIVE TRACT MAP 38237 TO SUBDIVIDE AN 8.77-ACRE PROJECT SITE IN TO 67 SINGLE-FAMILY LOTS

RECOMMENDED ACTION

Recommendations: That the City Council:

1. **ADOPT** Resolution No. 2022-XX, attached hereto:
 - 1) **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) 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 and City 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) **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Proposed Project, which consists of a General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Conditional Use Permit (PEN20-0173) for a Planned Unit Development and Tentative Tract Map 37858 (PEN20-0172) pursuant to CEQA and the CEQA Guidelines.
2. **ADOPT** Resolution No. 2022-XX, attached hereto:

1. **APPROVING** General Plan Amendment (PEN21-0203) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX 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.
2. **APPROVING** Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-XX.
3. **INTRODUCE** Ordinance No. [next in order] approving Change of Zone (PEN21-0204) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.

SUMMARY

This report recommends approving the General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204), Tentative Tract Map 38237 (PEN21-0199), and Conditional Use Permit (PEN22-0162), for the Discovery Residential Project to subdivide 8.77 gross acres of vacant unimproved land into sixty-seven (67) single-family residential lots and associated amenities and public improvements.

DISCUSSION

The Proposed Project was considered by the Planning Commission at a duly noticed public meeting conducted on November 17, 2022, and the Planning Commission voted unanimously 4-0 to recommend adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve the General Plan Amendment, Change of Zone, Tentative Tract Map, and Conditional Use Permit for the Discovery Residential Project.

Proposed Project

The Proposed Project consists of a General Plan Amendment to change the existing land use designation to Residential 10 (R10) with a Change of Zone 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 an 8.77-acre vacant unimproved parcel to be subdivided into 67 single-family residential lots on the northeast corner of Oliver Street and Brodiaea Avenue.

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 7.6 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 7.6 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.

Conditional Use Permit for a 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.

The proposed PUD provides guidelines for various architectural styles for the home sites that meet or exceed City-wide design standards in the Municipal Code. All development within the tract must meet the standards stated in the PUD, including plotting, setbacks, open space areas, and architecture. Additionally, the PUD provides design guidelines for public park amenities and includes design features for community entrances and other common-area improvements.

The development will introduce a new community with different housing product types. The Proposed Project proposes production homes identified as the "3,600 series" for DR Horton's continuing "Bella Serra" community. As proposed, the "3,600 series" is intended to be lots that are approximately 3,600 sq. ft. or larger. The 67 home sites of the "Bella Serra" community will have homes ranging in size from 1,575 to 2,384 square feet. All homes are two-story construction with attached two-car garages. The "Bella Serra" community will have three different floor plans and three different elevation types, as required by the Municipal Code.

Tentative Tract Map

The proposed Tentative Tract Map (TTM) 38237 has been designed consistent with the PUD standards and will subdivide an 8.77-acre site into 67 single-family residential lots.

As proposed the Tentative Tract Map would also create interior private streets and record the dedication of a 0.56-acre park site. Several “lettered lots” are included for common-area lots, along with two (2) water-quality basins, and guest parking areas, which will be maintained by the Homeowners Association (HOA). The Proposed Project complies with the City’s development standards for a TTM.

Site/Surrounding Area

The Project Site is approximately 8.77-acres located on the northeast corner of Oliver Street and Brodiaea Avenue. Surrounding land uses to the north and east of the Proposed Project include the Discovery Christian Church and a single-family residential tract currently under construction within the Residential 5 (R5) District. To the west of the Project Site is vacant land within the Downtown Center (DC) District that was recently approved with a single-family residential tract map (Tract 38236) of similar density to this proposal. To the south of the Project Site is existing single-family residences within the Residential Agriculture 2 (RA2) District and the Residential 5 (R5) District.

Access/Parking

The Proposed Project’s access will be provided from Oliver Street and Brodiaea Avenue. Tract 38237 is proposed as a non-gated private community. The perimeter streets, Oliver Street and Brodiaea Avenue will remain public streets.

All internal streets are to be private at a minimum width of 26 feet and will be maintained by the newly established HOA. As such, there will be no street parking allowed within the community. However, the development will provide several designated “guest parking” areas that are generally dispersed throughout the subdivision. These guest parking spaces include a combination of designated 90-degree parking stalls as well as parallel parking stalls. As proposed there will be 25 guest parking stalls within the “Bella Serra” community.

Each of the residential lots will have a two-car garage with a driveway that can accommodate two additional vehicles in front of the garage door.

Design/Landscaping

The PUD guidelines for the “3,600 series” of the Bella Serra community will offer three elevation styles: Traditional, Spanish, and Craftsman. Each building style will have three color combinations to provide interest among the housing types.

The PUD includes typical plot plan configurations for the new homes and typical front yard landscaping. The HOA will maintain all front yard landscaping in an effort to maintain a consistent well-maintained appearance of the streetscapes within the community. A conceptual landscape plan in the PUD document shows the typical street trees along all public streets, landscaping for all entry features, shade trees around the park site, and common area landscaping lots.

The Proposed Project also includes a 0.56-acre park that will primarily serve the local neighborhood, including adjoining developed residential areas, which is intended to be dedicated to the City. Proposed park improvement amenities include a turf playfield with a meandering multipurpose trail, which will connect to the adjacent DR Horton developed (referred to as Tract 38236). Tract 38236 provides a public park area that includes a turf playfield, a large shade structure with picnic tables and BBQ grills, walkways with park benches, shade trees, and bench seating near the tot lot area. It is the applicant's intent that the residents of the Proposed Project will have full access/use of the park located in the adjacent Tract 38236.

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 its guidelines. The Initial Study examined the potential impacts of the Proposed Project on the environment. The Initial Study/Mitigated Negative Declaration (IS/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: Air Quality, Energy, and Greenhouse Gas Emissions Impact Analysis, General Biological Assessment Report, Phase I Cultural Resources Survey, Geotechnical and Infiltration Evaluation, Paleontological Assessment, Phase I and Limited Phase II Environmental Site Assessment, Project Specific Water Quality Management Plan, Hydrology Report, Noise Impact Analysis, VMT Analysis, and the Tree Survey and Arborist Report. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents can be reviewed at City Hall during operating hours.

Mitigation measures are recommended for the Proposed Project in the following areas: Biological Resources, Cultural/Tribal, and Paleontological Resources, all of which are incorporated into the Mitigation Monitoring and Report 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 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 any significant impacts to the environment.

The public comment period for the Notice of Availability of the Initial Study/Mitigated Negative Declaration began on October 14, 2022, and ended on November 14, 2022, (State Clearing House Number 2022100263) which satisfies the required 30-day review period required for this project.

ALTERNATIVES

1. Conduct a public hearing and take action to adopt the Initial Study/Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program, and approve the Proposed Project consistent with the Planning Commission's recommendations. *Staff recommends this alternative.*
2. Conduct a public hearing and deny the Proposed Project. *Staff does not recommend this alternative.*

FISCAL IMPACT

Not applicable.

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.

PREPARATION OF STAFF REPORT

Prepared By:
Name Kirt Coury
Title Contract Planner

Department Head Approval:
Name Manuel A. Mancha
Title: Community Development Director

Concurred By:
Name: Sean Kelleher
Title: Planning Official

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

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-XX IS/MND
- 2. Exhibit A - Final Initial Study/Mitigated Negative Declaration
- 3. Appendix A - Air Quality, Energy, Greenhouse Gas Emissions Impact Analysis
- 4. Appendix B - General Biological Resources Assessment Report
- 5. Appendix C - Phase I Cultural Resources Survey
- 6. Appendix D - Geotechnical & Infiltration Evaluation
- 7. Appendix E - Paleontological Assessment
- 8. Appendix F - Phase I and Limited II Environmental Site Assessment
- 9. Appendix G - Project Specific Water Quality Management Plan
- 10. Appendix H - Hydrology Report
- 11. Appendix I - Noise Impact Analysis
- 12. Appendix J - VMT Analysis
- 13. Appendix K - Tree Survey and Arborist Report
- 14. Exhibit B - Notice of Intent to Adopt a Mitigated Negative Declaration
- 15. Exhibit C - Mitigation Monitoring and Reporting Program
- 16. Resolution No. 2022-XX - General Plan Amendment, Conditional Use Permit, and Tentative Tract Map
- 17. Ordinance No. XXX
- 18. Project Plans - TTM
- 19. Planned Unit Development Document

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/13/22 6:06 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/14/22 9:08 AM

RESOLUTION NUMBER 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DR HORTON DISCOVERY RESIDENTIAL PROJECT LOCATED AT THE NORTHEAST CORNER OF OLIVER STREET AND BRODIAEA AVENUE (APN 486-240-010)

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

WHEREAS, DR Horton Los Angeles Holding Company Inc., (“Applicant”) has submitted applications for the Discovery Residential project which includes the development of a 67 single-family lot residential project with associated public improvements (“Proposed Project”), located on the northeast corner of Oliver Street and Brodiaea Avenue (APN 486-240-010) (“Project Site”); and

WHEREAS, the Proposed Project shall include not only the General Plan Amendment (GPA) (PEN21-0203), Change of Zone (PEN21-0204), a Conditional Use Permit (PEN22-0162) for a Single-Family Planned Unit Development, and Tentative Tract Map 38237 (PEN21-0199), 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 (PEN21-0203); and

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

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 30 days commencing on October 14, 2022, through November 14, 2022; and

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

WHEREAS, on November 17, 2022, a hearing was conducted by the Planning Commission whereby the Planning Commission approved Planning Commission Resolution 2022-48, recommending the City Council approve the Mitigated Negative

¹ Public Resources Code §§ 21000-21177

¹ 14 California Code of Regulations §§15000-15387

Declaration/Initial Study, Mitigation Monitoring and Reporting Program, and Proposed Project; and

WHEREAS, on December 20, 2022, a hearing was conducted by the City Council to approve the Mitigated Negative Declaration/Initial Study, Mitigation Monitoring and Reporting Program, and the Proposed Project; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the City Council determined that the Mitigated Negative Declaration/Initial Study and the Mitigation Monitoring and Reporting Program will reduce the environmental impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL 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 City Council has considered all the evidence submitted into the Administrative Record for the Mitigated Negative Declaration and Mitigation Monitoring Plan, including, but not limited to, the following:

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

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 City Council makes the following findings:

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair

- argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation and certification of an Environmental Impact Report; and
- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and the CEQA Guidelines and are consistent the City's Rules and Procedures for the Implementation of the California Environmental Quality Act; and
 - (d) That the Mitigated Negative Declaration/Initial Study and Mitigation Monitoring and Reporting Program reflect the independent judgment and analysis of the City as lead agency for the Proposed Project; and
 - (e) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

Section 4. Adoption

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

Section 5. Repeal of Conflicting Provisions

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

Section 6. Severability

That the City Council 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 City Clerk for the City Council shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 20th day of December 2022

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera,
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

Exhibit A: Mitigated Negative Declaration/Initial Study

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

Exhibit C: Mitigation Monitoring and Reporting Plan

Attachment: Resolution No. 2022-XX IS/MND [Revision 1] (6022 : Dr Horton Tract 38237)

Exhibit A

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Attachment: Exhibit A - Final Initial Study/Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)



CITY OF MORENO VALLEY

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR DISCOVERY PROJECT



**DISCOVERY PUD PROJECT
TTM 38237 (PEN 21-0199)**

DATE OF PUBLICATION
October 5, 2022

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

Project Applicant:
D.R. Horton
Megan Whieldon
2280 Warlow Circle, Ste. 100
Corona, CA 92878

Prepared By:
EPD Solutions, Inc.
2355 Main Street Suite 100
Irvine, CA 92614
(949)794-1180

Attachment: Exhibit A - Final Initial Study/Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)

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MITIGATION MONITORING AND REPORTING PROGRAM (Separate Document if applicable)

APPENDICES (Separate Documents)

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Appendix C. Cultural Resources Assessment
Appendix D. Geotechnical and Infiltration Investigation
Appendix E. Paleontological Resources Assessment
Appendix F. Phase I and Limited Phase II Environmental Assessment
Appendix G. Preliminary WQMP
Appendix H. Hydrology Report
Appendix I Noise Impact Analysis
Appendix J. Scoping Agreement and VMT Memo
Appendix K Arborist Report

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Attachment: Exhibit A - Final Initial Study/Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)



INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR DISCOVERY RESIDENTIAL PROJECT

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Project Case Number(s):** Tentative Tract Map No. 38237 (PEN 21-0199), General Plan Amendment (PEN21-0203), Change of Zone (PEN21 -0204), Conditional Use Permit (PEN22-0162)
2. **Project Title:** Discovery Residential Project
3. **Public Comment Period:** October 5, 2022 to November 4, 2022
4. **Lead Agency:** City of Moreno Valley
Luis Lopez, Contract Planner
14177 Frederick Street
Moreno Valley, CA 92552
(951) 413-3206
luisl@moval.org
5. **Documents Posted At:** <http://www.moval.org/cdd/documents/about-projects.html>
6. **Prepared By:** Konnie Dobрева, J.D.
Brooke Blandino
Danielle Thayer

EPD Solutions, Inc.
2355 Main Street Suite 100
Irvine, CA 92614
(949) 794-1180
konnie@epdsolutions.com
7. **Project Sponsor:**

Applicant/Developer
D.R. Horton
Megan Whieldon
2280 Warlow Circle, Ste. 100
Corona, CA 92878

8. PROJECT LOCATION

The Project site is located in northern Riverside County, within the central portion of the City of Moreno Valley. The City is located approximately 12 miles southeast of the city of Riverside, and 16 miles south of the center of the City of San Bernadino. Regional access is provided by State Route 60 (SR-60), which provides access to the Project site via the Moreno Beach Drive exit as shown in Figure 1, *Regional Location*.

Local access to the site is provided by Brodiaea Avenue and Oliver Street. The Project site is located northeast of the Oliver Street and Brodiaea Avenue intersection. The site consists of one parcel identified as Assessor’s Parcel Number (APN) 486-240-010. The site is bound by the Discovery Christian Church to the north followed by Alessandro Boulevard, vacant undeveloped land to the east, Oliver Street followed by vacant land to the west, and Brodiaea Avenue followed by single-family residences to the south. The Project site and the surrounding local area is shown in Figure 2, *Local Vicinity*.

EXISTING LAND USES

The Project site is 8.77 acres and is currently vacant yet disturbed. The Project site is relatively flat with a gentle slope in the south/southwest direction. Elevation of the northern portion of the site is approximately 1,560 feet with approximately 10 feet of elevation differential across the site.

Chain-link fencing surrounds the Project site and ornamental landscaping is scattered along the west, east, and southwest perimeter of the site. The Project site is characterized by ruderal habitat dominated by non-native vegetation, with sparse patches of willow scrub habitat. There are various mature trees scattered throughout the site. A non-continuous ephemeral stream is onsite and generally flows north to southeast across the northeast corner of the site. Existing conditions of the Project site and adjacent uses is shown in Figure 3, *Aerial View*.

9. GENERAL PLAN DESIGNATION:

The General Plan land use designation of the site is R5 Residential. The primary purpose of areas designated R5 Residential is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density shall be 5.0 dwelling units (DU) per acre.

10. SPECIFIC PLAN NAME AND DESIGNATION: N/A

11. EXISTING ZONING: Residential 5 District (R-5)

The existing zoning designation of the Project site is residential, with up to 5 dwelling units (DU) per acre (R-5). According to Moreno Valley Municipal Code Section 9.03.020, the primary purpose of the Residential (R-5) zoning district is to provide for residential development on common sized suburban lots. This district is intended as an area for development of single-family residential and mobile home subdivisions at a maximum allowable density of five DUs per net acre in accordance with the provisions outlined herein.

12. SURROUNDING LAND USE, GENERAL PLAN AND ZONING DESIGNATIONS

The Project site is surrounded by Oliver Street to the west, Brodiaea Avenue to the south, Discovery Christian Church to the north, and vacant land to the east. Surrounding land uses are further described in Table 1 below.

Table 1: Surrounding Existing Land Uses and Zoning Designations

	Existing Land Use	Land Use Designation	Zoning Designation
North	Discovery Christian Church	Residential up to 5 dwelling units per acre (R5).	Residential up to 5 dwelling units per acre (R5).
South	Brodiaea Avenue followed by single-family residences	Residential up to 5 dwelling units per acre (R5).	Residential agricultural land up to two dwelling units per acre (RA2).
West	Oliver Street followed by vacant undeveloped land	Downtown Center allowing mixed-use with multifamily residential, and medium-density residential in this sector.	Downtown Center allowing medium density residential (DC) in this sector.
East	Charles St. followed by vacant land	Residential up to 5 dwelling units per acre (R5).	Residential up to 5 dwelling units per acre (R2).

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13. Description of the Site and Project

Development Summary

The Project would construct 67 single-family residential units at a density of 7.63 dwelling units per net acre. The residential lot sizes would be approximately 3,600 SF and would include backyard space, side yards, private driveways, and attached garages as shown in Figure 4, *Conceptual Site Plan*. The residences would include three different plans. Figure 5, *Conceptual Elevations* shows the architectural designs.

Parking and Access

The Project would include two access points from Brodiaea Avenue and Oliver Street. New internal streets would be constructed to provide access to the single-family residences. As per Moreno Valley Municipal Code Section 9.11.040, single-family homes are required to provide 2 off street parking spots per unit. Each unit would be constructed with a 2-car garage, which would meet City standards and provide a total of 134 covered parking spaces. Additionally, there will be 25 designated (uncovered) guest parking spaces generally dispersed throughout the community.

Recreation and Open Space

The Project includes a 0.56-acre open space pedestrian trail for recreation and open space along the northern site boundary.

Walls and Lighting

The Project would include security lighting in the common area and perimeter landscaping along the public streets, streets lights and pedestrian/security lighting in public spaces that does not create glare onto adjoining private property, pursuant to Section 9.10.110 of the City's Municipal Code.

The Project includes decorative masonry walls up to 6 feet tall along the perimeter of the subdivision. Additionally, decorative walls up to 3 feet tall and open fencing up to 6 feet tall will be used at project entries and around water quality retention basins.

Landscaping

The Project would install new drought tolerant low water use ornamental landscaping throughout the site. The landscaping irrigation would be installed pursuant to CalGreen water regulations (AB 1881).

Infrastructure Improvements

The proposed development would install new infrastructure and connect to the existing water, sewer, and new drainage infrastructure for the subdivision. Gas and water infrastructure would connect to existing lines in Brodiaea Avenue.

Gas:

The Project would connect to the existing gas line along and underneath Brodiaea Avenue. Gas utilities would be provided by the Southern California Gas company.

Water:

The Project would extend domestic water infrastructure and install an onsite water system that would connect to the existing water lines in Brodiaea-Avenue and loop onto Oliver Street. Two water quality basins are proposed at the southwestern and southeastern corners of the site

Sewer:

The Project would install a new sewer line that would connect to an existing 8-inch sewer line to connect to existing infrastructure from Oliver Street and follow the access streets within the neighborhood to provide access to all units.

Stormwater Drainage:

The Project would install catch basins on all public and private streets to collect stormwater runoff and direct flows to various on-site and off-site proposed bioretention basins proposed as part of this subdivision and Tentative Tract Map 39236 on the west side of Oliver Street.

General Plan and Zoning

The Project includes a General Plan Amendment and Zone Change from R5 Residential to Residential Single-Family 10 District (RS10). As discussed in the Municipal Code, the primary purpose of the RS district is to provide residential development on small single-family lots with amenities not generally found in suburban subdivisions. The district is intended for subdivisions at a maximum allowable density of ten (10) dwelling units per net acre. In addition, the Project would include a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) to allow for flexibility in the design.

Construction and Phasing

Construction is expected to occur over 14 months. Construction activities for the Project would occur over one phase and include site preparation, grading, building construction, paving, and architectural coatings. Earthwork is expected to be balanced onsite.

Pursuant to Sub-Section 8.14.040-E of the Moreno Valley Municipal Code, construction activities would be limited to between the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturday, unless written approval is obtained from the City Building Official or City Engineer.

Discretionary Approvals, Permits, and Studies

The following discretionary approval, permits, and studies are anticipated to be necessary for implementation of the Project:

City of Moreno Valley

- Adoption of this Mitigated Negative Declaration
- Conditional Use Permit for Planned Unit Development Approval
- Approval of TTM
- Approval of Zone Change
- Approval of General Plan Amendment
- Approvals and permits necessary to execute the Project, including but not limited to, demolition permit, grading permit, building permit, etc.

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

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The City sent notices regarding the project to the following Native American tribes that may have knowledge regarding tribal cultural resources in the Project vicinity.

Because the Project involves a General Plan Amendment, the Project is also subject to Section 65352.3 of the CA Government Code (SB 18 Review) which requires local planning agencies to provide opportunities for involvement of California Native American tribes on the contact list maintained by the Native American Heritage Commission. The listed Tribes have up to 90 days to request consultation, unless a shorter time frame is agreed to by that Tribe. Accordingly, the City sent notices on February 11, 2022 regarding the Project to the following California Native American tribes that may have knowledge regarding tribal cultural resources in the Project vicinity:

- Agua Caliente Band of Cahuilla Indians
- Cahuilla Band of Indians
- Desert Cahuilla Indians
- Los Coyotes Band of Cahuilla Mission Indians
- Morongo Band of Mission Indians
- Pechanga Band of Luiseño Indians
- Rincon Band of Luiseño Indians
- San Manuel Band of Mission Indians
- Santa Rosa Band of Mission Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseño Indians

The Rincon Band of Luiseño Indians requested consultation regarding the proposed Project pursuant to Assembly Bill 52 (AB 52). During consultation, the Rincon Band of Luiseño Indians requested inclusion of mitigation, including tribal monitoring, due to the potential of the Project to unearth previously undocumented tribal cultural resources during construction. Consultation between Rincon Band of Luiseño Indians and the City concluded on May 16, 2022. Additionally, the San Manuel Band of Mission Indians submitted correspondence on March 7, 2022 indicating that the Project site is located within Serrano ancestral territory. Therefore, several measures were provided to the City to be included into the Initial Study document. However, due to the nature and location of the Project site, further formal consultation was not requested by the San Manuel Band of Mission Indians. These mitigation measures are incorporated in this Initial Study under Section XVIII, Tribal Cultural Resources.

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

The following approvals would be required for the Project from outside public agencies:

- From the Santa Ana Regional Water Quality Control Board (RWQCB), the following permits would be required

- National Pollutant Discharge Elimination System (NPDES) Permit
- Waste discharge requirements (WDR)
- Approval of a Multiple Species Habitat Conservation Plan (MSHCP) Determination of Biologically Equivalent or Superior Preservation (DBESP) would be required from the Riverside Conservation Authority (RCA)

A 1602 Streambed Alteration Agreement would be required from the California Department of Fish and Wildlife (CDFW)

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

Appendix A. Air Quality, Greenhouse Gas, and Energy Analysis
 Appendix B. Biological Resources Assessment
 Appendix C. Cultural Resources Assessment
 Appendix D. Geotechnical and Infiltration Investigation
 Appendix E. Paleontological Resources Assessment
 Appendix F. Phase I Environmental Assessment
 Appendix G. Preliminary WQMP
 Appendix H. Hydrology Report
 Appendix I. Noise Impact Analysis
 Appendix J. Traffic Scoping Agreement and VMT Memo

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Figure 1 Regional Location

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Figure 2: Local Vicinity

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Figure 3: Aerial View

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Figure 4: Conceptual Site Plan

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Figure 5: Conceptual Elevations

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17. **Acronyms:**

ADA -	American with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program
GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
HCM	Highway Capacity Manual
HOA -	Home Owners' Association
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
LOS -	Level of Service
LST -	Localized Significance Threshold
MARB -	March Air Reserve Base
MARB/IPA-	March Air Reserve Base/Inland Port Airport
MSHCP -	Multiple Species Habitat Conservation Plan
MVFP -	Moreno Valley Fire Department
MVPD -	Moreno Valley Police Department
MVUSD -	Moreno Valley Unified School District
MWD -	Metropolitan Water District
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works
RCEH -	Riverside County Environmental Health
RCFCWCD -	Riverside County Flood Control & Water Conservation District
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RCWMD -	Riverside County Waste Management District
RTA -	Riverside Transit Agency
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
SAWPA -	Santa Ana Watershed Project Authority
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCE -	Southern California Edison
SCH -	State Clearinghouse
SKRHCP -	Stephens' Kangaroo Rat Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey

VMT - Vehicle Miles Traveled
VVUSD - Valley Verde Unified School District
WQMP - Water Quality Management Plan
WRCOG - Western Riverside Council of Government

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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



 Signature
 Luis Lopez, Contract Planner

 Printed Name

9/30/2022

 Date
 City of Moreno Valley

 For

Attachment: Exhibit A - Final Initial Study/Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

- 9) The explanation of each issue should identify:
- a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code §21099 – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant. The City of Moreno Valley is relatively flat and surrounded by hills and mountains including the Box Springs Mountains, and Reche Canyon to the north, Badlands to the east, and Bernasconi Hills to the south. Map OSRC-3 of the City’s General Plan shows that view corridors within the City of Moreno Valley include views of the Box Springs Mountain to the north, Moreno Peak, and Bernasconi Hills to the south.</p> <p>The Project site is vacant, yet disturbed land that is covered in various grasses and contains scattered ornamental trees. Chain-link fencing surrounds the Project site. The Project is not within a view corridor. Views within the Project area include Pettit Hill available to pedestrians and motorists along Oliver Street and the Bernasoni Hills along Brodiaea Avenue. The Project would be setback from Oliver Street and Brodiaea Avenue and would not encroach on public views of the surrounding hills.</p> <p>The Project would result in the development of 67 single-family residences. The Project would include a 0.56-acre open space pedestrian trail, internal streets, two water quality basins, and landscaping. The Project would not alter any existing views of the surrounding hillsides or mountains. In addition, the Project would not alter any hillsides or existing scenic vistas within the City. Thus, impacts would be less than significant.</p>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. The Project site is vacant, yet disturbed land covered in various grasses and scattered ornamental trees. The Project site is not located near a State scenic highway The closest designated State scenic highway is State Route 243, traveling from Mountain Center to Banning, which is approximately 16.5 miles east of the Project site. The nearest eligible scenic highway is State Route 38, travelling from Redlands to Mentone, approximately 10.3 miles north of the Project site. Therefore, due to the distance of the Project site from either a designated or eligible state scenic highway, the Project would not damage scenic resources within a state scenic highway and there would be no impacts.</p>				
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant. The following regulatory standards are applicable to development of the Project site, and would ensure the preservation of visual character and quality through architecture, landscaping, and site planning:</p> <p>City of Moreno Valley Municipal Code The following provisions from the Municipal Code are intended to minimize adverse aesthetic impacts associated with new development projects and are relevant to the Project.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- **Light and glare (9.10.110).** Section 9.10.110 provides lighting standards for all zoning districts. The section requires that all lighting be designed to project downward and shall not create glare on adjacent properties.
- **Landscape and Irrigation Design Standards (9.17.030).** Section 9.17.030 provides landscape design standards and requires the use of drought tolerant plants, while ensuring an aesthetically pleasing landscape.

Analysis

The Project would change the scenic quality of the site from a vacant, disturbed site to a developed site with 67 single-family units, internal streets, two water quality basins, a 0.56-acre open space pedestrian trail, and landscaping. The single-family residences would not exceed 25 feet in height.

The Project site is within an urbanized area that is mostly developed with single-family residences, commercial areas, schools, and churches. There is vacant land to the west of the site, a church is directly north, and single-family residences are to the south.

The Project would be consistent with applicable Municipal Code standards for the RS10 zoning district with the approval of a CUP for a PUD, as demonstrated below in Table AES-1.

Table AES-1: Residential Development Standards

Municipal Code Standard		Project Consistency
Maximum Density – Dwelling Units per Acre (DU/Acre)	10	Consistent. The Project has a density of 11.08 DU/ net acre. However, the Project includes a CUP for a PUD which would allow for flexibility in the density.
Minimum Lot Size (SF net area)	4,500	Consistent. The lot sizes for the Project would consist of 3600 SF lots. However, a PUD will allow flexibility and be reviewed by the City for the Project.
Minimum lot width, in feet	45 ft	Consistent. The Project’s minimum lot width is 40 feet. However, a PUD will be reviewed by the City to allow for flexibility.
Cul-de-sac/knuckle lot frontage	45 ft	
Minimum Lot Depth, in feet	85 ft	Consistent. The Project’s minimum lot depth would be 90 feet.
Minimum Front Yard Setback	20 ft	Consistent. The Project would include 18 feet 1 st story and 16 feet 2 nd story front yard setbacks. However, a PUD would allow flexibility and be reviewed by the City.
Front-facing Garages	10 ft	Consistent. The Project would exceed the 10 ft minimum and include 18 ft front-facing garages.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Buildings Other Than Front-facing Garages	10 ft	Consistent. The Project would include 16 ft setbacks for buildings other than front-facing garages..		
Minimum Side Yard Setback in feet	The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line.	Consistent. The interior side yard would be 4 ft. However, a PUD would be included and reviewed by the City to allow for flexibility.		
Minimum Street Side Yard	10 ft	Consistent. The Project would include 6 ft minimum street side yards. However, a PUD would allow flexibility and be reviewed by the City.		
Minimum Rear Yard Setback, in feet	30 ft	Consistent. The Project would include 10 ft minimum rear yard setbacks. However, a PUD would allow flexibility and be reviewed by the City.		
Maximum Lot Coverage	50%	Consistent. The Project would have a maximum lot coverage of 50%.		
Maximum Building and Structure Height, in feet	Two stories not to exceed 35 feet.	Consistent. The proposed two-story residences would range from 30-35 feet in height.		
Minimum Dwelling Size (sq. ft.)	1000	Consistent. The proposed residences would be 3-5 bedrooms and would exceed the minimum dwelling size.		
Minimum distance between buildings, in feet (including main DUs and accessory structures)	10 ft	Consistent. The proposed Project would have a minimum distance of 9 ft. However, a PUD would allow flexibility and be reviewed by the City.		
Floor Area Ratio a. One-story home b. Multi-story home	a. .50 b. .75	Consistent. The Floor Area Ratio would be consistent with the City standard.		

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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As discussed above, in Tables AES-1, the Project would include a CUP for a PUD that would allow flexibility in the design standards. Thus, the Project would not conflict with the regulations regarding aesthetics and scenic quality in the Moreno Valley Municipal Code. The new single-family residences would be setback from the adjacent streets and would not encroach into the existing public long-distance views. Trees and landscaping would be installed pursuant to the City's standard requirements for landscaping. As a result, the Project would not result in the creation of an aesthetically offensive site open to public view. Therefore, while the Project would change the visual character of the site, it would not substantially degrade the existing visual character or quality of its surroundings. Impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. The Project site is undeveloped and does not contain lighting sources. However, the Project is surrounded by sources of nighttime lighting that include illumination from vehicle headlights, offsite exterior residential lighting, and interior illumination passing through windows of nearby homes. The Project proposes to develop 67 single-family residences on an 8.77 gross acre lot, which would result in a density of 7.63 dwelling units per net acre. The Project is located in a mostly developed area that is zoned for residential development. The Project would include installation of new lighting sources including security lighting, exterior residential lighting, and interior lighting. In addition, the Project would result in additional vehicular trips after sunset, which would increase lighting in the street corridor and may intermittently add lighting to existing residences. However, the lighting from vehicle headlights is focused on a downward trajectory and would be intermittent and for a short period of time; therefore, impacts related to vehicle headlights would be less than significant.

Implementation of existing regulatory requirements per the City's Municipal Code Section 9.10.110 (Light and Glare), including regulations for outdoor lighting, would occur during the City's permitting process and would ensure that impacts related to light and glare are less than significant. The Project would create limited new sources of light or glare from security and site lighting but would not adversely affect day or nighttime views in the area given the similarity of the existing lighting in the surrounding urban environment.

However, during Project construction, nighttime lighting may be used within the construction staging areas to provide security for construction equipment. Due to the distance between the construction area and the adjacent residences and motorists on adjacent roadways, such security lights may result in glare to residents and motorists. However, this potential impact would be reduced to a less than significant level through the City's standard project review and approval process. As such, impacts related to light and glare would be less than significant.

Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

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

Mitigation Measures

None.

Sources:

1. City of Moreno Valley General Plan 2040, adopted June 15, 2021
 - Chapter 10 – Open Space & Resource Conservation
 - Scenic Resources and Cultural Heritage
 - Map OSRC-3: Scenic Resources and Ridgelines
2. Final Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive Plan Update, Housing Element Update, and Climate Action Plan certified May 27, 2021
 - Section 4.1 – Aesthetics
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.110 – Light and Glare of the Moreno Valley Municipal Code.
 - Chapter 9.16 – Design Guidelines
 - Section 9.17.030 G – Heritage Trees
4. California State Scenic Highway System Map, California Department of Transportation. Accessed from: <https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>

II. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant Impact. The California Department of Conservation Farmland Mapping and Monitoring Program identifies the site as Farmland of Local Importance. The site is not identified as Prime, Unique, or Farmland of Statewide Importance (CDC 2021). According to the City’s General Plan, Farmland of Local importance includes lands producing major crops for Riverside County that are not listed as unique crops, lands planted for dryland crops, and/or taken out of production for development. Therefore, conversion of such farmland designations would not occur from implementation of the Project. Thus, impacts would be less than significant.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. The Project site is currently zoned Residential up to 5 units per dwelling acre (R5), which does not provide for agricultural uses. The Project site includes a zone change to Residential Single-Family 10 District (RS10) which would not provide for agricultural uses), The Project site does not include existing agricultural uses In addition, the site is not subject to a

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Williamson Act contract. Thus, the Project would not result in impacts related to conflict with an existing agricultural zone or Williamson contract, and impacts would not occur.				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. The Project site currently consists of vacant and disturbed land that is sparsely vegetated with trees and grasses. No forest land exists on or adjacent to the project site, as the surrounding area is either almost entirely vacant and disturbed land, developed with a church, or residential neighborhoods. The Project site is currently zoned Residential up to 5 units per dwelling acre (R5), which does not provide for forest land or timberland uses. Thus, the Project would not result in impacts related to a conflict with existing forest land or timberland zoning, and impacts would not occur.</p>				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. No forest land exists on or adjacent to the Project site. The surrounding area is either almost entirely vacant and disturbed land, a church, or residential neighborhoods. The Project site is currently zoned Residential up to 5 units per dwelling acre (R5), which does not provide for forest uses. Thus, the Project would not result in impacts related to a conflict with existing forest land, and impacts would not occur.</p>				
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. As described above, the Project site is a vacant disturbed site with sparse trees and grasses. No forest land or agricultural uses exist on or adjacent to the Project site. Therefore, implementation of the Project would not involve other changes in the existing environment which would result in the conversion of farmland to a non-agricultural use or the conversion of forest land to a non-forest use. Therefore, no impacts would occur.</p>				
<p>Plans, Programs, or Policies (PPPs)</p> <p>None.</p> <p>Project Design Features</p> <p>None.</p> <p>Mitigation Measures</p> <p>None.</p> <p>Sources:</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. City of Moreno Valley General Plan 2040, adopted June 15, 2021
2. Final Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive Plan Update, Housing Element Update, and Climate Action Plan certified May 27, 2021
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. California Important Farmland Finder. California Department of Conservation. Accessed from: <https://maps.conservation.ca.gov/DLRP/CIFF/>

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. **Would the project:**

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project site is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The current Air Quality Management Plan (AQMP) is the 2016 AQMP, adopted in March 2017. Criteria for determining consistency with the AQMP are defined in Chapter 12, Sections 12.2 and 12.3 of the SCAQMD’s CEQA Air Quality Handbook (1993). An Air Quality, Energy, and Greenhouse Gas Impact Analysis, dated August 2021, was prepared for the Project. The AQIA determined that the Project would be consistent with the AQMP because it would not result in or cause California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS) violations. Additionally, as substantiated by the Air Quality, Energy, and Greenhouse Gas Impact Analysis (Appendix A herein), construction of the single-family residences would not exceed the applicable SCAQMD regional or local thresholds. The Project would include a general plan amendment and zone change to change the land use designation from R5 which allows for 44 residences to R10 and zone change to Residential Single-Family 10 District (RS10) which exceeds the proposed 67 residences and allows for a maximum of 88 residences. The limited level of growth and intensification in an area designated for single-family residential would not exceed Southern California Association of Governments (SCAG) growth projections. Thus, impacts would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The South Coast Air Basin (SCAB), where the Project is located and which is under SCAQMD jurisdiction, is in a non-attainment status for federal and state ozone standards and state and federal particulate matter standards. Any development in the Basin, including the Project, could cumulatively contribute to these pollutant violations. Evaluation of cumulative air quality impacts of the Project has been completed pursuant to SCAQMD’s cumulative air quality impact methodology, SCAQMD states that if an individual project results in air emissions of criteria pollutants (ROG, CO, NOx, SOx, PM₁₀, and PM_{2.5}) that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of the criteria pollutant(s) for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. The methodologies from the SCAQMD CEQA Air Quality Handbook are used in evaluating Project impacts. SCAQMD has established daily mass thresholds for regional pollutant emissions, which are shown in Table AQ-1.

Table AQ-1: SCAQMD Regional Daily Emissions Thresholds

	Pollutant Emissions (pounds/day)						
	VOC	NOx	CO	SOx	PM10	PM2.5	Lead

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ISSUES & SUPPORTING INFORMATION SOURCES:				Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Construction	75	100	550	150	150	55	3
Operation	55	55	550	150	150	55	3

Source: Air Quality, GHG, Energy Report (Appendix A)

Construction

Construction activities associated with the Project would generate pollutant emissions from the following: (1) site preparation, (2) grading, (3) building construction, (4) paving, and (5) architectural coating. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring.

It is mandatory for all construction Projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM₁₀, and PM_{2.5} emissions from construction activities. Rule 403 requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas.

Compliance with Rule 403, included as PPP AQ-1, was accounted for in the construction emissions modeling. In addition, implementation of SCAQMD Rule 1113, included as PPP AQ-2, which governs the VOC content in architectural coating, paint, thinners, and solvents was accounted for in construction emissions modeling. As shown in Table AQ-2, the CalEEMod results indicate that construction emissions generated by the Project would not exceed SCAQMD regional thresholds. Therefore, construction activities would result in a less than significant impact.

Table AQ-2: Project Construction Emissions and Regional Thresholds

Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO ₂	PM10	PM2.5
Site Preparation (Year 2022)¹						
Onsite ²	3.17	33.08	19.70	0.04	9.28	5.42
Offsite ³	0.08	0.32	0.81	<0.00	0.24	0.07
Total	3.25	33.40	20.50	0.04	9.52	5.49
Grading (Year 2022)¹						
Onsite ²	1.95	20.86	15.27	0.03	3.70	2.20
Offsite ³	0.07	0.31	0.69	<0.00	0.21	0.06
Total	2.02	21.16	15.96	0.03	3.91	2.26
Building Construction (Year 2022)						
Onsite	1.71	15.62	16.36	0.03	0.81	0.76
Offsite	0.40	1.71	4.03	0.02	1.23	0.35
Total	2.11	17.32	20.40	0.04	2.04	1.11
Combined Year 2023 Building Construction, Paving, and Architectural Coatings						
Onsite	46.51	25.88	32.64	0.05	1.28	1.20
Offsite	0.48	1.43	4.92	0.02	1.59	0.44
Total	46.99	27.31	37.56	0.07	2.87	1.63

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Maximum Daily Construction Emissions	46.99	33.40	37.56	0.07	9.52	5.49
SCQAMD Thresholds	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Notes:
¹ Site Preparation and Grading based on adherence to fugitive dust suppression requirements from SCAQMD Rule 403.
² Onsite emissions from equipment not operated on public roads.
³ Offsite emissions from vehicles operating on public roads.
 Source: Vista Environmental, 2021 (Appendix A)

Operation

Implementation Project would result in a long-term increase in air quality emissions from ongoing operation. This increase would be due to emissions from the Project-generated vehicle trips, emissions from energy usage, onsite area source emissions, and off-road equipment created from the on-going use of the Project. Operational emissions associated with the Project were modeled using CalEEMod and are presented in Table AQ-3. Project Design Features AQ-1 through AQ-3, as described below, were included in the modeling and would be implemented as part of the Project design, consistent with the requirements of the Moreno Valley 2021 Climate Action Plan. As shown, the Project would result in long-term regional emissions of criteria pollutants, however, these emissions would be below the SCAQMD’s applicable thresholds. Therefore, the Project’s operational emissions would not exceed the NAAQS and CAAQS, would not result in a cumulatively considerable net increase of any criteria pollutant, and impacts would be less than significant.

Table AQ-3: Operational Regional Criteria Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area Sources ¹	3.08	0.06	5.53	<0.00	0.31	0.31
Energy Usage ²	0.05	0.45	0.19	<0.00	0.04	0.04
Mobile Sources ³	1.81	2.28	15.91	0.04	3.62	0.98
Total Emissions	4.94	2.79	21.63	0.04	3.96	1.33
SCQAMD Operational Thresholds	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Notes:
¹ Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
² Energy usage consist of emissions from natural gas usage.
³ Mobile sources consist of emissions from vehicles and road dust.
 Source: Vista Environmental, 2021 (Appendix A)

c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. The SCAQMD’s *Final Localized Significance Threshold Methodology* (SCAQMD 2008) recommends the evaluation of localized NO₂, CO, PM₁₀, and PM_{2.5} construction-related impacts to sensitive receptors in the immediate vicinity of the Project site. Such an evaluation is referred to as a localized significance threshold (LST) analysis. According to the SCAQMD’s *Final Localized Significance Threshold Methodology*, “off-site mobile emissions from the Project should not be included in the emissions compared to the LSTs” (SCAQMD 2008). SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of

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

NOx, CO, PM₁₀, and PM_{2.5} pollutants for each of the 38 source receptor areas (SRAs) in the Basin. The City of Moreno Valley is located within SRA 24, Perris Valley.

Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. For the purpose of LST analysis, the nearest sensitive receptor is the church located approximately 65 feet north of the Project site. The LST Methodology explicitly states that “It is possible that a project may have receptors closer than 25 meters. Projects with boundaries located closer than 25 meters (82 feet) to the nearest receptor should use the LSTs for receptors located at 25 meters.” As the existing church is located less than 25 meters from the Project site, the 25-meter receptor distance is used for evaluation of localized impacts.

Construction

Construction of the Project may expose nearby residential sensitive receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD’s standard construction practices Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. As shown in Table AQ-4, Project construction-source emissions would not exceed SCAQMD LSTs and impacts would be less than significant.

Table AQ-4: Construction-Related Local Criteria Pollutant Emissions

Construction Phase	Pollutant Emissions (pounds/day) ¹			
	NOx	CO	PM10	PM2.5
Site Preparation ²	33.12	19.80	9.31	5.43
Grading ²	20.89	15.36	3.73	2.21
Building Construction (Year 2022)	15.83	16.87	0.96	0.80
Combined Building Construction (Year 2023), Paving and Architectural Coatings	27.33	33.41	1.59	1.36
Maximum Daily Construction Emissions	33.12	33.41	9.31	5.43
SCAQMD Local Construction Thresholds³	270	1,577	13	8
Exceeds Threshold?	No	No	No	No

Notes:

¹ The Pollutant Emissions include 100% of the On-Site emissions (off-road equipment and fugitive dust) and 1/8 of the Off-Site emissions (on road trucks and worker vehicles), in order to account for the on-road emissions that occur within a ¼ mile of the project site.

² Site Preparation and Grading phases based on adherence to fugitive dust suppression requirements from SCAQMD Rule 403.

³ The nearest offsite sensitive receptor to the project site is a church located 65 feet (20 meters) north of the project site. According to SCAQMD methodology, all receptors closer than 25 meters are based on the 25-meter threshold. Source: Vista Environmental, 2021 (Appendix A)

Operation

Operation of the Project would include emissions from vehicles traveling to the Project site. As demonstrated in Table AQ-5, emissions would not exceed SCAQMD LSTs for operations, and impacts would be less than significant.

Table AQ-5: Operations-Related Local Criteria Pollutant Emissions

Onsite Emission Source	Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Area Sources	0.06	5.53	0.31	0.31
Energy Usage	0.45	0.19	0.04	0.04
Mobile Sources ¹	0.06	0.40	0.09	0.02
Total Emissions	0.57	6.11	0.43	0.37
SCAQMD Local Operational Thresholds²	270	1,577	4	2
Exceeds Threshold?	No	No	No	No

Notes:
¹ Mobile sources based on 1/8 of the gross vehicular emissions, which is the estimated portion of vehicle emissions occurring within a quarter mile of the project site.
² The nearest sensitive receptor to the project site is a church located 65 feet (20 meters) north of the project site. According to SCAQMD methodology, all receptors closer than 25 meters are based on the 25-meter threshold.
 Source: Vista Environmental, 2021 (Appendix A)

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities. During operations, potential odor sources include odors from trash storage areas.

Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. Standard construction requirements that limit the time of day when construction may occur, as well as SCAQMD Rule 1108 that limits VOC content in asphalt and Rule 1113 that limits the VOC content in paints and solvents, would minimize odor impacts from construction. As such, the objectionable odors that may be produced during the construction process would be temporary and would not likely be noticeable for extended periods of time beyond the Project site's boundaries. Pursuant to City regulations, permanent trash enclosures that protect trash bins from rain as well as limit air circulation would be required for the trash storage areas. Due to the distance of the nearest receptors from the Project site and through compliance with SCAQMD's Rule 402 and City trash storage regulations, no significant impact related to odors would occur during the on-going operations of the Project. Therefore, odor impacts associated with the Project's construction and operations would less than significant.

Plans, Programs, or Policies (PPPs)

PPP AQ-1: Rule 403. All applicable measures included in Rule 403, shall be incorporated into Project plans and specifications as implementation of Rule 403, which include but are not limited to (1):

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

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PPP AQ-2 Rule 1108. All asphalt used during construction and operation shall comply with Rules 1108 and 1108.1:

- VOC contents of asphalt shall be limited and regulated during construction and any on-going maintenance.

PPP AQ-2: Rule 1113. The following measures shall be incorporated into Project plans and specifications as implementation of SCAQMD Rule 1113 (2):

- Only “Low-Volatile Organic Compounds (VOC)” paints (no more than 50 gram/liter of VOC) consistent with SCAQMD Rule 1113 shall be used.

Project Design Features (PDFs)

PDF AQ-1: The Project applicant shall prepare a trip reduction program that will include preparing a packet that details nearby bus stops and bus routes, bike routes, and walkways, which shall be provided to everyone that purchases a home in this development.

PDF AQ-2: Prior to start of construction activities for the proposed Project, the Project applicant shall install clear signage on the project site that reminds construction workers to limit idling.

PDF AQ-3: The Project applicant shall also encourage construction workers to use alternative powered vehicles and equipment

PDF AQ-4: The Project applicant shall install interior real-time energy smart meters into the proposed homes that are in line with Moreno Valley Utilities efforts.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 4 – Circulation Element
 - Chapter 6 – Safety Element
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
 - Section 4.3 – Air Quality
 - Appendix B – Air Quality Output
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.050 – Air Quality of the Moreno Valley Municipal Code
 - Section 9.10.150 – Odors of the Moreno Valley Municipal Code
 - Section 9.10.170 – Vibration of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Section 12.50.040 – Limitations on Engine Idling
5. Air Quality, Energy, and Greenhouse Gas Impact Analysis, Vista Environmental, October 2021, Appendix A.

IV. BIOLOGICAL RESOURCES – Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Department of Fish and Game or U.S. Fish and Wildlife Service?				

Response:
Less than Significant with Mitigation. A Biological Resources Assessment was prepared for the Project, which included a field survey conducted on July 30, 2021 (Appendix B to this IS/MND). The Biological Resources Assessment describes that the Project site consists of vacant, disturbed lands with evidence of frequent tilling for weed management. The site consists of ruderal habitat dominated by non-native vegetation with sparse patches of willow scrub habitat. A non-continuous ephemeral stream was found onsite that generally flows north to southeast across the northeast corner of the site. According to the California Natural Diversity Database (CNDDDB), a total of 55 sensitive species of plants and 63 sensitive species of animals have the potential to occur on or within the vicinity of the Project area. These include those species listed or candidates for listing by the U. S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and California Native Plant Society (CNPS). All habitats with the potential to be used by sensitive species were evaluated during the field survey for their presence or potential presence.

Sensitive Plant Species

A total of 18 plant species are listed as state and/or federal Threatened, Endangered, or Candidate species; are required to be reviewed under the Narrow Endemic Plant section of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP); are 1B.1 listed plants on the CNPS Rare Plant Inventory; or have been found to have a potential to exist within the Project region. Table Bio-1 shows survey results for listed and potential plant species and demonstrates that no sensitive plant species are present at the Project site.

Table Bio-1: Potentially Occurring Plant Species

Plant Species	Presence
Chaparral Sand-Verbena	Not Present
Munz’s Onion	Not Present
Marsh Sandwort	Not Present
Horn’s Milk-Vetch	Not Present
Jaeger’s Milk-Vetch	Not Present
San Jacinto Valley Crownscale	Not Present
Parish’s Brittlescale	Not Present
Nevin’s Barberry	Not Present
Thread-Leaved Brodiaea	Not Present
Smooth Tarplant	Not Present
Salt Marsh Bird’s-Beak	Not Present
Parry’s Spineflower	Not Present
Slender-horned Spineflower	Not Present
Santa Ana River Woollystar	Not Present
Mesa Horkelia	Not Present
Coulter’s Goldfields	Not Present
Gambel’s Water Cress	Not Present
Spreading Navarretia	Not Present

Sensitive Animal Species

Based on the CNDDDB, a total of 18 animal species that are listed as state or federally Threatened, Endangered, or Candidate have the potential to occur within the Project region.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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However, Table Bio-2 shows survey results for listed and potential animal species, which demonstrates that no sensitive species are present at the Project site.

Table Bio-2: Potentially Occurring Animal Species

Animal Species	Presence
Tricolored Blackbird	Not Present
Burrowing Owl	No suitable habitat; species not present
Crotch Bumble Bee	Not Present
Swainson's Hawk	Not Present
Santa Ana Sucker	Not Present
Western Yellow-Billed Cuckoo	Not Present
San Bernardino Kangaroo Rat	Not Present
Stephen's Kangaroo Rat	Not Present
Southwestern Willow Flycatcher	Not Present
Quino Checkerspot Butterfly	Not Present
Bald Eagle	Not Present
California Black Rail	Not Present
Steelhead-southern California DPS	Not Present
Coastal California Gnatcatcher	Not Present
Southern Mountain Yellow-legged Frog	Not Present
Delhi Sands Flower-loving Fly	Not present
Riverside Fairy Shrimp	Not Present
Least Bell's Vireo	Not Present

Source: Biological Resources Assessment, Appendix B

The Biological Resources Assessment determined that the Project site does not provide suitable habitat for any special-status plant or wildlife species due to the disturbed status of the site.

The existing trees on the site have the potential to provide habitat for nesting migratory birds. Many of these trees would be removed during construction. Therefore, the Project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the federal Migratory Bird Treaty Act (MBTA) (United States Code Title 33, Section 703 et seq.; see also Code of Federal Regulations Title 50, Part 10) and Section 3503 of the California Fish and Game Code. Any activities that occur during the nesting/breeding season of birds protected by the MBTA could result in a potentially significant impact if requirements of the MBTA are not followed. However, implementation of mitigation measure MM BIO-1 would ensure MBTA compliance and would require a nesting bird survey to be conducted prior to the commencement of construction during nesting season, which would reduce potential impacts related to nesting avian species and native wildlife nursery sites to a less than significant level.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>				
<p>Response:</p> <p>Less than Significant with Mitigation. Riparian habitats are those occurring along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors.</p> <p>As described above, the Project site consists of vacant, disturbed lands with evidence of frequent tilling for weed management. The site consists of ruderal habitat dominated by non-native vegetation with sparse patches of willow scrub habitat. However, the Project site contains approximately 0.086 acre of willow scrub habitat and 0.29 acre of ephemeral stream that would be considered riparian/riverine areas as defined in Section 6.1.2 of the Western Riverside County MSHCP. While the onsite ephemeral drainage feature and associated willow scrub riparian habitat meet the definition of a riparian/riverine area according to the MSHCP, the drainage and sparse patches of willow scrub habitat do not support suitable riparian habitat with the potential to support riparian/riverine bird species and none of the bird species were found onsite.</p> <p>As the Project would result in impacts to approximately 0.346 acre of riparian/riverine resources, including 0.086 acre of willow scrub habitat and 0.29 acre of ephemeral stream, offsite mitigation would be provided at a 2:1 ratio, as required by MM BIO-2. In addition, a MSHCP Determination of Biologically Equivalent or Superior Preservation (DBESP) will be prepared for impacts to 0.346 acre of riverine resources. Thus, with implementation of MM BIO-2, impacts would be less than significant.</p>				
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response:</p> <p>No Impact. As discussed in the Biological Assessment (Appendix B), no vernal pools, swales, or vernal pool mimics were found on site. In addition, the site does not contain areas that show signs of ponding water, hydrophytic vegetation, or soils typical of vernal pools that would be suitable for large branchiopods. The Project site does not contain wetlands as defined by the 1987 Corps of Engineers Wetland Delineation Manual. Therefore, no direct removal, filling, or hydrological interruption of a wetland area would occur with development of the Project site. As such, no impacts would occur.</p>				
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response:</p> <p>Less than Significant with Mitigation. The Project site does not contain any wildlife movement corridors. In addition, the Project site is surrounded by chain-link fencing and adjacent to vacant lots and developed areas in a predominantly urbanized area. Therefore, no impact to wildlife corridors would occur.</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The existing trees on the site have the potential to provide habitat for nesting migratory birds. Many of these trees would be removed during construction. Therefore, the Project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the MBTA (United States Code Title 33, Section 703 et seq.; see also Code of Federal Regulations Title 50, Part 10) and Section 3503 of the California Fish and Game Code. Any activities that occur during the nesting/breeding season of birds protected by the MBTA, could result in a potentially significant impact if requirements of the MBTA are not followed. Implementation of mitigation measure MM BIO-1 would ensure MBTA compliance and would require a nesting bird survey to be conducted prior to the commencement of construction during nesting season, which would reduce potential impacts related to nesting avian species and native wildlife nursery sites to a less than significant level.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant with Mitigation. The Project would be required to pay applicable MSHCP fees pursuant to Moreno Valley Municipal Code Chapter 3.48. The Project would pay fees pursuant to Chapter 3.48 of the Municipal Code, which would be ensured through the City development review and building plan check process. Additionally, the Project would be required to comply with the City’s tree preservation ordinance, included under Chapter 9.17, Landscape and Water Efficiency Requirements, which requires projects “necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.” An arborist will be retained to identify which trees subject to replacement. Trees were evaluated onsite as included in Appendix K. Trees would be replaced in accordance with City standards established under Chapter 9.17 (MM BIO-4). As such, the proposed Project would not conflict with any local policies protecting biological resources, including trees, and impacts would be less than significant.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant with Mitigation. The Project area is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). The Project site is not located within a Criteria Cell or Cell Group. Table Bio-3, below, demonstrates Project consistency with the requirements of the MSHCP.

Table Bio-3: MSHCP Consistency Analysis

MSHCP Requirement	Project Consistency
<i>Section 6.1.2 Species Associated with Riparian/Riverine Habitat and Vernal Pools</i>	Consistent. The Project contains approximately 0.346 acre of areas that would be considered riparian-riverine areas, as defined in Section 6.1.2 of the Western Riverside County MSHCP. However, the drainage and sparse patches of willow scrub habitat do not support suitable riparian habitat with the potential to support riparian/riverine bird species. In addition, none of the

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
		riparian/riverine species listed in Section 6.1.2 of the MSHCP were found within the Project site. A MSHCP Determination of Biologically Equivalent or Superior Preservation (DBESP) would be prepared for impacts to 0.346 acre of riverine resources. No vernal pools, swales, or vernal pool mimics such as ditches, borrow pits, cattle troughs, or cement culverts with signs of pooling water were found on the site. In addition, the site does not contain areas that showed signs of ponding water, hydrophytic vegetation, or soils typical of vernal pools that would be suitable for large branchiopods		
<i>Section 6.1.3 Sensitive Plant Species</i>		The Project site is not located within the Western Riverside County MSHCP Narrow Endemic Plant Species Survey Area (NEPSSA) pursuant to Section 6.1.3 of the MSHCP. Therefore, the NEPSSA requirements are not applicable to the Project.		
<i>Section 6.1.4 Urban/Wildlands Interface Guidelines</i>		The Project site is not located within or adjacent to a Western Riverside County MSHCP Conservation Area; therefore, the Project site is not required to address Section 6.1.4 of the Western Riverside County MSHCP.		
<i>Section 6.3.2 Additional Surveys and Procedures</i>		The Project site is not located within the Western Riverside County MSHCP Additional survey areas for amphibians, mammals, or any special linkage areas. In addition, the Project site is not located within the Western Riverside County MSHCP Criteria Area Plant Species Survey Area (CAPSSA) pursuant to Section 6.3.2 of the Western Riverside County MSHCP.		

Source: Biological Resources Assessment, Appendix B.

As shown in the preceding table, the Project would be consistent with the MSHCP, and therefore, would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Impacts would be less than significant with implementation of MM BIO-1 through MM BIO-3.

Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

MM BIO-1: Nesting Bird Survey. Prior to ground disturbances and construction activities, including vegetation removal, the Project Applicant shall ensure that impacts to nesting bird

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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species at the Project site are avoided through the implementation of pre-construction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Application shall adhere to the following:

1. Applicant shall designate a biologist (Designated Biologist) experienced in : identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.
2. A pre-activity field survey shall be conducted by the Designated Biologist prior to the issuance of grading permits for, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. Surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.
3. If active nests are found during nesting bird surveys, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite Designated Biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found.

MM BIO-2: State Drainages. A 1602 Streambed Alteration Agreement shall be obtained from the CDFW for the proposed impacts to 0.346 acres of CDFW jurisdiction.

The proposed 0.29 acres of impacts to waters of the State would require waste discharge requirements (WDR) under Port-Cologne from the Santa Ana RWQCB.

A MSHCP DBESP shall be prepared for impacts to 0.346 acre of riverine resources. In addition, the Project shall purchase offsite mitigation at a 2:1 ratio by purchasing 0.692 acres of re-

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establishment credits at River Park Mitigation Bank to accommodate the impacts to the 0.15 acres from an agency-approved mitigation bank.

MM BIO-3: Waters of the United States. A USACE Nationwide Permit 29 and RWQCB Section 401 Water Quality Certification under the Clean Water Act shall be obtained for the proposed impacts to 0.29 acre of ephemeral stream considered Waters of the U.S.

MM BIO-4: Tree Replacement. Trees within the Project site will be surveyed by a qualified arborist prior to construction. Trees removed as part of the Project will be replaced per Chapter 9.17, Landscape and Water Efficiency Requirements, of the City’s Municipal Code, which states that projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved

Sources:

1. City of Moreno Valley General Plan 2040, adopted June 15, 2021
2. Final Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive Plan Update, Housing Element Update, and Climate Action Plan certified May 27, 2021
 - Section 4.4 – Biological Resources
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.17.030 G – Heritage Trees
4. Moreno Valley Municipal Code Chapter 8.60 – Threatened and Endangered Species
5. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), <http://www.wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/>
6. General Biological Assessment, Hernandez Environmental Services, September 2021, Appendix B.

V. CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. According to the *State CEQA Guidelines*, a historical resource is defined as something that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources; (2) listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by the Project’s Lead Agency. Implementation of the Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines, as there are no eligible historical resources on the Project site.

The California Register of Historical Resources defines a “historical resource” as a resource that meets one or more of the following criteria: (1) associated with events that have made a significant contribution to the broad patterns or local or regional history of the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California, or national history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The Project site is currently undeveloped and disturbed. As such, the Project site does not contain any buildings or structures of historic age. Therefore, the Project does not require a Historical Resources Assessment and there would be no impacts to historical resources.</p>				
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant with Mitigation. In its existing setting, the Project site is disturbed and consists of vacant land. The Project site is disturbed by development and/or agricultural uses from the past, and previous impacts on the property include multiple structures previously constructed in the southwestern portion of the property as early as 1978 and have since been demolished. The Phase I Cultural Resources prepared for the Project included an archaeological records search that was completed at the University of California, Riverside Eastern Information Center (EIC) (Appendix C. The EIC is the countywide clearinghouse/repository for all archaeological and cultural studies completed within the Riverside County. All pertinent data was researched, including previous studies for a one-mile radius surrounding the Project area and the identification of recorded resources within one mile. In addition, the research included review of the current listings (federal, state, and local) for evaluated resources and reviewed historic maps. The records search indicated that 72 cultural resources were previously identified within 1-mile of the Project area, with none of the previously recorded resources occurring onsite. Furthermore, the cultural resource survey conducted on August 10, 2021 did not identify any prehistoric or cultural resources on the Project site. However, there is a limited potential that buried resources may be present on the property that may be exposed during grading. As a result, Mitigation Measure CUL-1 shall be implemented to require archaeological monitoring for the first three feet of ground disturbance. With implementation of Mitigation Measure CUL-1, Project impacts to archaeological resources would be less than significant.</p>				
<p>c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No Impact. The Project site has been previously disturbed, as described above, and has not been previously used as a cemetery. It is not anticipated that implementation of the Project would result in the disturbance of human remains. In addition, compliance with California Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5, and Public Resources Code Section 5097.98, included as PPP CUL-1, mandate the process to be followed in the event of an accidental discovery of any human remains. Specifically, California Health and Safety Code Section 7050.5 requires that if human remains are discovered, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the human remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Compliance with existing law would ensure that impacts to human remains would not occur.</p>				
<p>Plans, Programs, or Policies (PPPs)</p>				

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>PPP CUL-1: Should human remains be discovered during project construction, the project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.</p> <p>Project Design Features (PDFs)</p> <p>None.</p> <p>Mitigation Measures</p> <p>MM CUL-1: Archaeological Monitoring and Cultural Resources Monitoring Plan (CRMP) An archaeological monitoring program prepared for the Project shall stipulate that a qualified archaeologist shall conduct monitoring during the grading of the first three to five feet of the property. Prior to the granting of a grading permit for the Project, the archaeologist shall prepare a CRMP for review and concurrence by the City. The CRMP should stipulate the local locations and depths for archaeological monitoring, the procedures and protocols for discoveries, and the treatment of any artifacts recovered. Should cultural resources be discovered during earthwork, the CRMP will stipulate that the archaeologist shall have the authority to detour grading away from the discovery until an evaluation can be made.</p> <p>Should the discovery be determined to be significant, the CRMP shall include specific additional mitigation measures, such as data recovery, to mitigate adverse impacts to the discovered resource to a less than significant impact. All cultural resource discoveries will require that the site be registered at the EIC and that the City of Moreno Valley be immediately notified of the discovery and any additional mitigation measures.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted June 15, 2021 <ul style="list-style-type: none"> • Chapter 10– Conservation Element 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021 <ul style="list-style-type: none"> • Section 5.10 – Cultural and Tribal Resources • Appendix C – Tribal Letters and Responses 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code 4. Moreno Valley Municipal Code Title 7 – Cultural Preservation 5. Cultural Resources Inventory for the City of Moreno Valley, Riverside County, California, prepared by Daniel F. McCarthy, Archaeological Research Unit, University of California, Riverside, October 1987 (<i>This document cannot be provided to the public due to the inclusion of confidential information pursuant to Government Code Section 6254.10.</i>) 6. Phase I Cultural Resources Assessment, Brian F. Smith and Associates, Inc., August 2021, Appendix C. 				
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
unnecessary consumption of energy resources, during project construction or operation?				

Response:
Less than significant impact.

Construction

During construction, the Project would consume energy in three general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project site, construction worker travel to and from the Project site, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction activities related to the proposed residential development and the associated infrastructure is not expected to result in demand for fuel greater on a per-development basis than other development projects in Southern California. Table E-1 below details the construction fuel usage over the Project’s construction period.

Equipment Type	Equipment Quantity	Horse-power	Load Factor	Operating Hours per Day	Total Operational Hours ¹	Fuel Used (gallons)
Site Preparation						
Rubber Tired Dozers	3	247	0.4	8	240	1,224
Tractors/Loaders/Backhoes	4	97	0.37	8	320	659
Grading						
Excavator	1	158	0.38	8	160	496
Grader	1	187	0.41	8	160	633
Rubber Tired Dozers	1	247	0.4	8	160	816
Tractors/Loaders/Backhoes	3	97	0.37	8	480	989
Building Construction						
Cranes	1	231	0.29	7	1,610	5,568
Forklifts	3	89	0.2	8	5,520	5,639
Generator Sets	1	84	0.74	8	1,840	6,564
Tractors/Loaders/Backhoes	3	97	0.37	7	4,830	9,949
Welders	1	46	0.45	8	1,840	2,186
Paving						
Pavers	2	130	0.42	8	320	902
Paving Equipment	2	132	0.36	8	320	785
Rollers	2	80	0.38	8	320	558
Architectural Coating						
Air Compressor	1	78	0.48	6	120	258
Total Off-Road Equipment Fuel Used during Construction (gallons)						37,226

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ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Notes: ¹ Based on: 10 days for Site Preparation, 20 days for Grading; 230 days for Building Construction; 20 days for Paving; and 20 days for Architectural Coating. Source: Vista Environmental, 2021 (Appendix A)</p> <p>Construction of the Project would result in fuel consumption from the use of construction tools and equipment, vendor and haul truck trips, and vehicle trips generated from construction workers traveling to and from the site. There are no unusual Project characteristics that would cause the use of construction equipment that would be less energy efficient compared with other similar construction sites in other parts of the State. Therefore, construction-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the region, and impacts would be less than significant.</p> <p>Operation</p> <p>Once operational, the Project would generate demand for energy in the forms of petroleum fuel, electricity, and natural gas. This use of energy is typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.</p> <p>The State of California provides a minimum standard for building design and construction standards through Title 24 of the California Code of Regulations (CCR). Compliance with Title 24 is mandatory at the time new building permits are issued by local governments. The City's administration of the Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. Typical Title 24 measures include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; and incorporation of skylights, etc. In complying with the Title 24 standards, impacts to peak energy usage periods would be minimized, and impacts on statewide and regional energy needs would be reduced.</p> <p>Once operational, the Project is anticipated to consume 62,913 gallons of fuel per year. In addition, the Project would use 150,507 kilowatt hours (kWh) per year with implementation of Title 24 Part 6 requirements that require the implementation of building energy efficiency standards including the installation of photovoltaic systems on the rooftops of the homes. The Project would use 1,790,840 kilo British Thermal Units (kBtu) of natural gas per year which is equivalent to 1,791 mega-British Thermal units (MBtu) per year of natural gas. Thus, operation of the Project would not use large amounts of energy or fuel in a wasteful manner, and no operational energy impacts would occur.</p> <p>Therefore, construction and operations-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the region, and impacts would be less than significant.</p>				

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b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The California Title 24 Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. These measures (Title 24, Part 6) are listed in the California Code of Regulations. The California Energy Commission is responsible for adopting, implementing and updating building energy efficiency. Local city and county enforcement agencies have the authority to verify compliance with applicable building codes, including energy efficiency. As required by Municipal Code, Chapter 8.20 California Building Code, prior to issuance of a building permit, the Project Applicant shall submit plans showing that the Project would be in compliance with 2019 Title 24 requirements. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would not occur. As such, the Project would have less than significant impacts related to energy.

Plans, Programs, or Policies (PPPs)
 None.

Project Design Features (PDFs)
 None.

Mitigation Measures
 None.

Sources:

Moreno Valley General Plan, adopted June 15, 2021

- 7. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 10 – Open Space & Conservation Element
- 1. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021
- 2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

VII. GEOLOGY AND SOILS – Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to https://www.conservation.ca.gov/cgs/Documents/SP_042.pdf	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. As stated in the Geotechnical and Infiltration Evaluation conducted by GeoTek, Inc., (see Appendix D, the Project site is not situated within a State designated Alquist-Priolo Earthquake Fault Zone. The Project site does not contain and is not in the vicinity of an earthquake fault and is not affected by a state-designated Alquist-Priolo Earthquake Fault Zone. The closest active fault is the San Jacinto Fault located approximately 3.75 miles northeast of the site. Because the Project site is in a seismically active region of Southern California, occasional seismic ground shaking is likely to occur within the lifetime of the Project. However, the potential for surface rupture of a fault onsite is considered very low. As such, no impacts would occur.

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ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project site is located within a seismically active region of Southern California. As mentioned previously, the San Jacinto Fault is located approximately 3.75 miles northeast of the Project site. Thus, moderate to strong ground shaking can be expected at the site. The amount of motion can vary depending upon the distance to the fault, the magnitude of the earthquake, and the local geology. Greater movement can be expected at sites located closer to an earthquake epicenter, that consists of poorly consolidated material such as alluvium, and in response to an earthquake of great magnitude.

Structures built in the City are required to be built in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), included in the Municipal Code as Chapter 8.20. Compliance with the CBC would ensure earthquake safety based on factors including occupancy type, the types of soils onsite, and the probable strength of the ground motion. Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structures so that it would withstand the effects of strong ground shaking. Therefore, with CBC compliance, included as PPP GEO-1, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking more than other developments in Southern California. Impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As discussed in the Geotechnical and Infiltration Evaluation (Appendix D), the Project site is not located in an area of potential liquefaction. However, the County of Riverside indicates that the site has low to moderate liquefaction potential. The groundwater depth onsite is estimated to be greater than 100 feet below ground surface. Thus, the potential for liquefaction is low. Additionally, the Geotechnical Investigation provides California Building Code (CBC) regulations for the proposed development to reduce any potential for liquefaction-induced settlement to a less than significant level, which would be verified by the City through the development permitting process. With adherence to CBC requirements, included as PPP GEO-1, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving liquefaction and impacts would be less than significant.

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The Project site is relatively flat with a gentle slope in the south/southwest direction. Elevation of the northern portion of the site is approximately 1,560 feet and the Project site has approximately 10 feet of elevation differential across the site. Furthermore, according to the City of Moreno Valley General Plan Figure 4.7-3, the Project site is not within a landslide susceptibility class. As such, the Project site is not located in an area mapped for high susceptibility to seismic-induced landslides. Additionally, onsite soils would be graded and compacted per the requirements of the CBC, included as PPP GEO-1, which would reduce potential impacts related to seismic-induced landslides. Therefore, no impacts related to landslides would occur.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project would involve excavation, grading, and construction activities that would disturb soil and leave exposed soil on the ground surface. As such, the Project would be required to comply with the City's grading standards and erosion control measures, included in Chapter 8.10 (Stormwater/Urban Runoff Management and Discharge Controls) of the City's Municipal Code. Additionally, the Construction General Permit issued by the State Water Resources Control Board (SWRCB), regulates construction activities to minimize water pollution, including sediment. The Project

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would be subject to the National Pollution Discharge Elimination System (NPDES) permitting regulations, including implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated BMPs during grading and construction, which would be required during construction permitting of the Project.

Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from project-related grading and construction activities. After Project completion, the Project site would be developed with 67 single-family residences, new internal streets, an onsite open space pedestrian trail, and landscape improvements, and would not contain exposed soil. Additionally, the Project would implement the operational BMPs as included in the Water Quality Management Plan (Appendix G) for the Project, which would reduce operational runoff from the site. Thus, the potential for soil erosion or the loss of topsoil would be expected to be extremely low. Construction of the Project would have a less than significant impact related to soil erosion.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As described above, the Project site is relatively flat, and does not contain nor is adjacent to any significant slope or hillside area. The Project would not create slopes. Thus, on or off-site landslides would not occur from implementation of the Project.

According to the Geotechnical and Infiltration Evaluation, the site does not contain liquefiable soils. Differential settlement or subsidence could occur if buildings or other improvements are built on low-strength foundation materials (including imported fill) or if improvements straddle the boundary between different types of subsurface materials (e.g., a boundary between native material and fill). Although differential settlement generally occurs slowly enough that its effects are not dangerous to inhabitants, it can cause building damage over time.

As described previously, compliance with the requirements of the CBC, included as PPP GEO-1, and related recommendations in the Geotechnical and Infiltration Evaluation related to compaction of soils and development of foundations is required as part of the building plan check and development permitting process, and would reduce potential impacts related to liquefaction, settlement, and ground collapse to a less than significant level.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. Expansive soils contain certain types of clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experiences, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

The Geotechnical and Infiltration Evaluation performed an evaluation of the potential for expansive soils at the site, and expansion index testing was performed on representative samples of the near surface soils which are anticipated to be within the zone of influence of the planned improvements. Based on the expansion index testing performed, the site soils possess a low expansion potential. In addition, as described previously, compliance with the CBC, included as PPP GEO-1, would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that Project structures would withstand the effects of related to ground movement, including expansive soils. Therefore, impacts would be less than significant.

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e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The Project would connect to existing EMWD sewer lines in Oliver Street and Brodiaea Avenue. No septic tanks are proposed, and no impacts would occur with implementation of the Project.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project would construct 67 single-family residences, new internal streets, and an open space pedestrian trail. Earthmoving activities, including grading and trenching activities, would have the potential to disturb previously unknown paleontological resources if earthmoving activities occur at substantial, undisturbed depths. As discussed in the Paleontological Assessment, the Project site is underlain by Holocene and late Pleistocene young sand alluvial deposits. At the project's northwest corner are lower Pleistocene, very old, sandy alluvial fan deposits. A paleontological survey was not conducted since the surface of the Project property is flat-lying and disturbed.

A records search at the Western Science Center did not identify any fossil localities within one mile of the Project site. The closest known fossil localities to the Project site are located at the Aldi Distribution Center approximately two miles to the northeast. Holocene alluvium is generally considered to have a low paleontological sensitivity. The Pleistocene sediments are considered to have a high paleontological resource sensitivity. Additionally, the Project site is mapped as high sensitivity for paleontological resources by the County of Riverside. Therefore, the Project would implement MM PAL-1 which requires preparation of a Paleontological Resource Impact Mitigation Plan (PRIMP) and paleontological monitoring. With implementation of MM PAL-1, impacts to paleontological resources would be less than significant.

Plans, Programs, or Policies (PPPs)

PPP GEO-1: California Building Code. The Project is required to comply with the California Building Code as included in the City's Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.

PPP WQ-1: SWPPP. As listed below in Section 10, *Hydrology and Water Quality*.

Project Design Features (PDFs)

None.

Mitigation Measures

MM PAL-1: Paleontological Monitoring. Prior to the issuance of a grading plan, a paleontologist shall prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) for submittal and review by the City. Implementation of the PRIMP will ensure that adverse impacts to potentially significant paleontological resources are mitigated to a level less than significant. The PRIMP should follow the outline below:

1. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. The PRIMP shall stipulate that monitoring will be conducted either full or part time at the determination of the paleontologist, based upon the identification of undisturbed sediments of Pleistocene very old alluvial fan deposits ("Qvofa"). Monitoring of Holocene young sandy

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- alluvial fan deposits (“Qyfa”) is not recommended; however, these deposits are likely relatively thin and overlie Pleistocene very old alluvial fan deposits. Therefore, monitoring in areas mapped as young sandy alluvial fan deposits may commence when those deposits are graded away and the very old alluvial fan deposits become exposed. The project paleontologist is responsible to periodically visit the property during the initial stages of grading to identify the Pleistocene deposits and direct the initiation of monitoring.
2. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.
 3. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils are collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being over-run by earthmovers (scrapers) before salvage begins. Fossils are collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor’s construction equipment may be solicited to help remove the jacket to a safe location.
 4. Isolated fossils are collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place.
 5. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as many as 20 to 40 five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.
 6. In accordance with the “Microfossil Salvage” section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil “microvertebrates” to test the feasibility of the deposit to yield fossil bones and teeth.
 7. In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).
 8. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.
 9. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the Western Science Center) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Moreno Valley) will be consulted on the repository/museum to receive the fossil material.

10. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.
11. Decisions regarding the intensity of the MMRP will be made by the project paleontologist based on the significance of the paleontological resources and their biostratigraphic, biochronologic, paleoecologic, taphonomic, and taxonomic attributes, not upon the ability of a project proponent to fund the MMRP.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 6 – Safety Element – Section 6.5 – Geologic Hazards
 - Figure 6-3 – Geologic Faults & Liquefaction
 - Chapter 7 – Conservation Element – Section 7.4 -- Soils
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
 - Section 4.7 – Geology and Soils
 - Figure 4.7-1 – Fault Zones
 - Figure 5.6-2 – Liquefaction
 - Figure 4.7-3 – Landslides
 - Figure 4.7-4 – Paleontological Sensitivity
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations
5. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 4 – Earthquake
 - Figure 4-1 – Right-Lateral Strike -Slip Fault
 - Figure 4-1.1 – Moreno Valley Geologic Faults and Liquefaction 2016
 - Figure 4-1.2 – Moreno Valley Area Ground Shaking Map
 - Chapter 8 – Landslide
 - Figure 8-1 – Moreno Valley Slope Analysis 2016
6. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Threat Assessment 1 – Major Earthquakes
 - Figure 9 – Types of Faults
 - Figure 10 – Earthquake Faults
 - Figure 11 – Comparison of Richter Magnitude and Modified Mercalli Intensity
 - Figure 12 – Magnitude 4.5 or Greater Earthquake Map
 - Figure 13 – Geologic Faults and Liquefaction
7. Geotechnical and Infiltration Evaluation, Geotek, Inc., September 30, 2021, Appendix D.
8. Paleontological Assessment for the Discover Moreno Valley Project, Brian F. Smith and Associates, September 2021, Appendix E.

VIII. GREENHOUSE GAS EMISSIONS – Would the project:

Greenhouse Gas Emissions Thresholds

The City of Moreno Valley has prepared the 2021 Climate Action Plan (CAP) that reflects the guidelines established in the 2017 Climate Change Scoping Plan (CARB, 2017) that was designed to implement the greenhouse gas (GHG) emissions reduction targets set in Executive Order S-3-15 and Senate Bill 32 that recommend local governments target of 6.0 MTCO_{2e} per capita per year by 2030 and 2.0 MTCO_{2e} per year by 2050 in their CAPs. The 2021 CAP has adopted a proposed target of 4.0 MTCO_{2e} per capita per year by 2040. Therefore, the Project would be considered to create a significant cumulative GHG impact if the Project would exceed the 2021 CAP threshold of 4.0 MTCO_{2e} per capita threshold.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. During construction of the Project, GHGs would be emitted through the operation of construction equipment, as well as emissions from worker and vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO₂, CH₄, and N₂O. Furthermore, CH₄ is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. Project design features AQ-1 through AQ-3, included as measures in the 2021 CAP, would be included as conditions of approval for the Project and have been factored into the Project analysis. The Project would result in the development of 67 single-family homes. Long-term emissions would occur from the Project-generated vehicle trips, emissions from energy usage, onsite area source emissions, and off-road equipment created from the on-going use of the p Project. The calculations presented below include construction emissions in terms of annual CO₂e GHG emissions from increased energy consumption, water usage, and solid waste disposal, as well as estimated GHG emissions from vehicular traffic that would result from implementation of the Project.

Table GHG-1: Project Related Greenhouse Gas Annual Emissions

Category	Greenhouse Gas Emissions (Metric Tons per Year)			
	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area Sources ¹	1.13	<0.00	<0.00	1.16
Energy Usage ²	122.26	<0.00	<0.00	122.96
Mobile Sources ³	559.49	0.03	0.03	568.79
Solid Waste ⁴	7.99	0.47	<0.00	19.81
Water and Wastewater ⁵	15.50	0.12	<0.00	19.22
Construction ⁶	16.30	<0.00	<0.00	16.49
Total Emissions	722.67	0.62	0.03	748.43
Service Population ⁷				192
MTCO₂e per Service Population				3.9
City of Moreno Valley 2021 CAP Threshold of Significance (MTCO₂e per capita per year)				4.0
Exceeds Threshold?				No

Notes:

- ¹ Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment.
 - ² Energy usage consists of GHG emissions from electricity and natural gas usage.
 - ³ Mobile sources consist of GHG emissions from vehicles.
 - ⁴ Waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.
 - ⁵ Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
 - ⁶ Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009.
 - ⁷ Service population obtained from CalEEMod default population values.
- Source: CalEEMod Version 2020.4.0.

The data provided in Table GHG-1 above **Error! Reference source not found.** shows that the Project would create 748.43 MTCO₂e per year, which is equivalent to 3.9 MTCO₂e per year per service population. According to the threshold of significance provided in the 2021 CAP that is detailed above, a cumulative global climate change impact would occur if the GHG emissions exceed 4.0 MTCO₂e per year per service population. Therefore, a less than significant generation of greenhouse gas emissions would occur from construction and operation of the Project.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. The Project involves the construction of 67 single-family residences. In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires the California Air Resources Board (CARB) to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable

statewide emission cap, which was phased in starting in 2012. Therefore, as the Project meets the current interim emissions targets/thresholds established by City of Moreno Valley CAP, it would also be on track to meet the reduction target of 40 percent below 1990 levels by 2030, as mandated by the State. Furthermore, all of the post-2020 reductions in GHG emissions are addressed via regulatory requirements at the State level, and the Project would be required to comply with these regulations as they come into effect. As shown above in Table GHG-1, the Project would generate 748.43 MTCO_{2e} per year, which is equivalent to 3.9 MTCO_{2e} per year per service population. Therefore, the Project is consistent with the 4.0 MTCO_{2e} per capita per year emissions target provided in the 2021 CAP.

The applicable plan for the Project is the 2021 CAP. As detailed above, the Project would be consistent with the 2021 CAP if the GHG emissions created by the Project do not exceed the 2021 CAP threshold of 4.0 MTCO_{2e} per capita threshold and if the Project adopts the applicable measures in the 2021 CAP as conditions of approval. The Project’s consistency with the applicable measures in the 2021 CAP for a new single-family home development as shown in Table GHG-2.

Table GHG-2: Project Compliance with Applicable 2021 CAP Policies

ID	General Plan Policy	Project Implementation Actions
TR-5	Implement trip reduction programs in new residential, commercial, and mixed-use developments.	Consistent. Project Design Feature AQ-1 has been included in this analysis that requires the applicant to prepare a trip reduction program that would include preparing a packet that details nearby bus stops and bus routes, bike routes, and walkways, which shall be provided to everyone that purchases a home in this development.
R-2	Require new construction and major remodels to install interior real-time energy smart meters in line with current utility provider (e.g., MVU, SCE) efforts.	Consistent. Project Design Feature AQ-2 has been included in this analysis that will require the applicant to install interior real-time energy smart meters into the proposed homes.
OR-1	Encourage residents and businesses to use efficient lawn and garden maintenance equipment or to reduce the need for landscape maintenance through native planting. <ul style="list-style-type: none"> o Partner with the SCAQMD to establish a voluntary exchange program for residential electric lawnmowers and backpack-style leaf blowers. o Require new buildings to provide electrical outlets in an accessible location to facilitate use of electric-powered lawn and garden equipment. o In project review, encourage the replacement of high-maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment. 	Consistent. The Project is required to implement the Title 24 Part 11 CalGreen building standards that require that the homes include electrical outlets on the exterior of the proposed homes to allow for plug-in electrical landscaping equipment to be used for lawn and garden maintenance.
OR-2	Reduce emissions from heavy-duty construction equipment by limiting idling based on South Coast Air Quality Management District (SCAQMD) requirements and utilizing cleaner fuels, equipment, and vehicles. <ul style="list-style-type: none"> o Require provision of clear signage reminding construction workers to limit idling. o Require project applicants to limit GHG emissions through one or more of the following measures: substitute electrified or hybrid equipment for diesel/ gas powered, use alternative-fueled equipment on site, avoid use of on-site generators. 	Consistent. Project Design Feature AQ-3 has been included in this analysis that will require the applicant to install signage to remind construction workers to limit idling and to encourage the use of alternative powered vehicles and equipment.
NC-1	Require new landscaping to be climate appropriate.	Consistent. The Project is required to meet the requirements of Executive Order B-29-15 and the

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		associated City's landscape plan requirements that requires all development to prepare a landscape plan that utilizes drought tolerant plants and water-efficient irrigation systems.
NC-2	Encourage residents and businesses to use efficient lawn and garden maintenance through native planting	Consistent. The Project is required to meet the requirements of Executive Order B-29-15 and the associated City's landscape plan requirements that requires all development to prepare a landscape plan that utilizes native planting.

Source: City of Moreno Valley, 2021.

As shown above in Table GHG-2, the Project would be consistent with the 2021 CAP. Thus, Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions and impacts would be less than significant.

Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

PDF AQ-1 through PDF AQ-3, as described above in Section III.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. California's 2017 Climate Change Scoping Plan, prepared by the California Air Resources Board, November 2017, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, accessed April 24, 2019
5. Air Quality, Energy, and Greenhouse Gas Impact Analysis, Vista Environmental, October 2021, Appendix A.

IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. Development of the Project would require standard transport, use, and disposal of hazardous materials and wastes. If the use of these materials does not adhere to established federal, state, and local laws and regulations, workers, building occupants and residents, the public, and/or the environment could be exposed to hazardous materials.

Construction

Heavy construction equipment (e.g., dozers, excavators, tractors) would be operated for development of the Project. The equipment would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored, handled, or transported. Other materials used—such as paints, adhesives, and solvents—could also result in accidental releases or spills that could pose risks to people and the environment. These risks are standard, however, on all construction sites, and the Project would not cause greater risks than would occur on other similar construction sites.

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Construction contractors would be required to comply with federal, state, and local laws and regulations regarding the transport, use, and storage of the hazardous materials. Applicable laws and regulations include CFR, Title 29 - Hazardous Waste Control Act; CFR, Title 49, Chapter I; and Hazardous Materials Transportation Act requirements as imposed by the USDOT, CalOSHA, CalEPA and DTSC. Additionally, construction activities would require a Stormwater Pollution Prevention Plan (SWPPP), which is mandated by the National Pollution Discharge Elimination System General Construction Permit (included as PPP WQ-1 herein) and enforced by the Santa Ana RWQCB. The SWPPP would include strict onsite handling rules and BMPs to minimize potential adverse effects to workers, the public, and the environment during construction, including, but not limited to:

- Establishing a dedicated area for fuel storage and refueling activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;
- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

Mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction activities at the Project site would limit potentially significant hazards to construction workers, the public, and the environment. Impacts would be less than significant.

Operation

The Project site would be developed with 67 single-family residences and an onsite open space area and open space pedestrian trail, which involve routinely using hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. These types of materials are not acutely hazardous and would only be used and stored in limited quantities. The normal routine use of these hazardous materials products pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the Project. Therefore, operation of the Project would not result in a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste, and impacts would be less than significant

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. In 2021, a Phase I Environmental Site Assessment (ESA) and limited Phase II ESA were conducted for the Project site by Brown and Caldwell (Appendix F). A limited Phase II ESA was performed to assess the soil conditions near the former petroleum pipeline easement. The Phase II soil sampling occurred along the southern boundary of the Project site and the testing determined that there were no traces of total petroleum hydrocarbons (TPH) or polycyclic aromatic hydrocarbons (PAHs) to the soil above environmental screening levels. The Phase I and Limited Phase II evaluated the parcel and determined that the Project site does not have any recognized environmental conditions (RECs).

Construction

Accidental Releases. While the routine use, storage, transport, and disposal of hazardous materials in accordance with applicable regulations during construction activities would not pose health risks or result in significant impacts; improper use, storage, transportation and disposal of hazardous materials and wastes could result in accidental spills or releases, posing health risks to workers, the public, and the environment. To avoid an impact related to an accidental release, the use of best management

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practices (BMPs) during construction would be implemented as part of a Stormwater Pollution Prevention Plan (SWPPP) as required by the National Pollution Discharge Elimination System General Construction Permit (and included as PPP WQ-1). Implementation of an SWPPP would minimize potential adverse effects to workers, the public, and the environment. Construction contract specifications would include strict on-site handling rules and BMPs that include, but are not limited to:

- Establishing a dedicated area for fuel storage and refueling and construction dewatering activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;
- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

Operation

As described previously, operation of the proposed 67 single-family homes and the recreation area includes use of limited hazardous materials, such as solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. Normal routine use of typical residential products pursuant to existing regulations would not result in a significant hazard to the environment, residents, or workers in the vicinity of the Project.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. La Jolla Elementary School is located approximately 0.4 miles south and Landmark Middle School is located approximately 1.0 miles south of the Project site. Furthermore, as noted in Sections IX(a) and IX(b), the Project is not anticipated to release hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes in significant quantities. Therefore, the Project would not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school and impacts would be less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. According to the California Department of Toxic Substances Control EnviroStor database, and the Phase I Environmental Site Assessment prepared for the site (Phase 1 2021) the Project site is not located on or nearby any hazardous material sites listed, pursuant to Government Code Section 65962.5. As a result, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from implementation of the Project.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project site is located approximately 4.5-miles northeast of March Air Reserve Base/Inland Port Airport (MARB/IPA) and is not within the boundaries of the March Air

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Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB/IPA LUCP). Therefore, the Project would not pose a safety hazard to people working in the area. As such, impacts would be less than significant.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

Construction

The proposed construction activities, including grubbing, grading, excavation and re-compaction of soils; utility and infrastructure installation; building and internal roadway construction; and architectural coatings would occur within the Project site, and would not restrict access of emergency vehicles to the Project site or adjacent areas. The installation of new driveways and connections to existing infrastructure systems that would be implemented during construction of the Project would not require full closure of Oliver Street and Brodiaea Avenue. Any temporary lane closures needed for utility connections or driveway construction would be required to implement appropriate measures to facilitate vehicle circulation, as included within construction permits. Thus, implementation of the Project through the City’s permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access or evacuation impacts to a less than significant level.

Operation

The City of Moreno Valley participates in the *County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan* (LHMP) which outlines requirements for emergency access and standards for emergency responses. Additionally, the Project would be required to comply with the City of Moreno Valley’s Emergency Operations Plan.

Direct access to the Project site would be provided from Brodiaea Avenue and Oliver Street via two driveways. The Project driveways and internal access would be reviewed through the City’s permitting process to ensure they meet the City’s design standards and to ensure adequate emergency access and evacuation. The Fire Department and/or Public Works Department would review the development plans as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), included as Municipal Code Chapter 8.36. As such, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The Project site is within an urbanized area of the City of Moreno Valley. The Project site is bounded by Brodiaea Avenue to the south, Oliver Street to the west, Discovery Christian Church to the north, and a vacant lot to the east that is being developed with new single-family homes. Single-family residences are located to the south of Brodiaea Avenue. The Project site is not adjacent to any wildland areas. According to the CAL FIRE Fire Hazard Severity Zone map, the Project site is not within an area identified as a Fire Hazard Area that may contain substantial fire risk or a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2021). As a result, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires and no impacts would occur.

Plans, Programs, or Policies (PPPs)

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None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 6 – Safety Element
2. City of Moreno Valley General Plan Update, adopted July 2021
3. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
 - Section 4.9 – Hazards and Hazardous Materials
4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
5. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (<http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>)
6. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 5 – Wildland and Urban Fires
 - Figure 5-2 – Moreno Valley High Fire Area Map 2016
 - Chapter 12 – Dam Failure/Inundation
 - Figure 12-2 Moreno Valley Evacuation Routes Map 2015
 - Chapter 13 – Pipeline
 - Figure 13-1 – Moreno Valley Pipeline Map 2016
 - Chapter 14 – Transportation
 - Figure 14-1.1 – Moreno Valley Air Crash Hazard Area Map 2016
 - Chapter 16 – Hazardous Materials Accident
 - Moreno Valley Hazardous Materials Site Locations Map 2016
7. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Hazard Mitigation and Hazard Analysis
 - Threat Assessment 2 – Hazardous Materials
 - Threat Assessment 3 – Wildfire
 - Threat Assessment 6 – Transportation Emergencies
 - Figure 17 – Air Crash Hazards
8. Phase I and Limited Phase II Environmental Site Assessment, Brown and Caldwell, May 13, 2021. Appendix F

X. HYDROLOGY AND WATER QUALITY – Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant.

Construction

Construction of the Project would require grading and excavation of soils, which would loosen sediment, which would then have the potential to mix with surface water runoff and degrade water quality. Pollutants of concern during Project construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and transport of sediment downstream compared to existing conditions. During a storm event, soil erosion could occur at an accelerated rate. In addition, construction-related pollutants, such as chemicals, liquid and

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petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste, could be spilled, leaked, or transported via stormwater runoff into adjacent drainages and into downstream receiving waters.

City requirements for stormwater pollution prevention are outlined in Chapter 8.10, Stormwater/Urban Runoff Management and Discharge Controls, of the City's Municipal Code. These types of water quality impacts during construction of the Project would be prevented through implementation of a SWPPP, included as PPP WQ-1, that is required to identify all potential sources of pollution that are reasonably expected to affect the quality of storm water discharges from the construction site. The SWPPP would include construction BMPs such as:

- Prompt revegetation of proposed landscaped/grassed swale areas;
- Perimeter gravel bags or silt fences to prevent off-site transport of sediment;
- Storm drain inlet protection (filter fabric gravel bags and straw wattles), with gravel bag check dams within paved roadways;
- Regular sprinkling of exposed soils to control dust during construction and soil binders for forecasted wind storms;
- Specifications for construction waste handling and disposal;
- Contained equipment wash-out and vehicle maintenance areas;
- Erosion control measures including soil binders, hydro mulch, geotextiles, and hydro seeding of disturbed areas ahead of forecasted storms;
- Construction of stabilized construction entry/exits to prevent trucks from tracking sediment on City roadways;
- Construction timing to minimize soil exposure to storm events; and
- Training of subcontractors on general site housekeeping.

Adherence to the existing requirements and implementation of the appropriate BMPs as ensured through the City's construction permitting process, which would ensure that the Project would not violate any water quality standards or waste discharge requirements, potential water quality degradation associated with construction activities would be minimized, and impacts would be less than significant.

Operation

The operation of a new residential community consisting of 67 single family residential units would introduce pollutants such as, chemicals from household cleaners, nutrients from fertilizer, pesticides and sediments from landscaping, domestic trash and debris, and oil and grease from vehicles. These pollutants could potentially discharge into surface waters and result in degradation of water quality. Thus, the project would be required to comply with existing regulations that limit the potential for pollutants to discharge from the site.

City of Moreno Valley Water Quality Ordinance (Municipal Code Section 9.10.080) requires compliance with standards approved by the California Department of Public Health or other governmental agency having jurisdiction over liquid and solid waste. The Project would be required to incorporate a Water Quality Management Plan (WQMP) based on the anticipated pollutants that could result from the project. The BMP would include pollutant source control features and pollutant treatment control features. In addition, the City requires the project to infiltrate, evapotranspire, or biotreat/biofilter the 85th percentile 24-hour storm event.

The Project proposes catch basins to collect stormwater runoff and direct flows to two proposed bioretention basins for treatment prior to discharging into existing drainage facilities near Oliver Street. Bioretention basins would be vegetated with grasses and would slow stormwater flows and filter pollutants (i.e., sediments, nutrients, heavy metals, oxygen demanding substances, oil and grease, bacteria, and pesticides) within the Project site. Bioretention Basin 1 (4,200 square feet) would be

located at the northeast intersection of Oliver Street and Brodiaea Avenue and Bioretention Basin 2 (3,000 square feet) would be located at the northwest corner of the Project site, just north of Lot 47.

With implementation of the operational source and treatment control BMPs that are outlined in the preliminary WQMP (Appendix G) that would be reviewed and approved by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the Project would not substantially degrade water quality. Therefore, impacts would be less than significant.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The Project is located in the San Jacinto Groundwater Basin. The San Jacinto Groundwater Basin underlies the cities of San Jacinto, Perris, Moreno, and Menifee Valley in western Riverside County. Development of the Project would introduce large areas of impervious surfaces to the site. However, the Project would install an onsite storm drain system that would convey runoff to catch basins to collect stormwater runoff and direct flows to two proposed bioretention basins for treatment prior to discharging into existing drainage facilities near Oliver Street. In addition, the Project includes approximately 1.1 acres of landscaping that would infiltrate stormwater onsite. As a result, the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge; and the Project would not impede sustainable groundwater management of the basin. Thus, the Project would have a less than significant impact.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant with Mitigation.

Construction

Construction of the Project would require grading and excavation of soils, which would loosen sediment and could result in erosion or siltation. Approximately 8.77 acres would be disturbed as part of Project construction. However, as described previously, construction of the Project requires City approval of a SWPPP prepared by a Qualified SWPPP Developer, as included by PPP WQ-1. The SWPPP is required during the City’s plan check and permitting process and would include construction BMPs to reduce erosion or siltation. Typical BMPs for erosion or siltation, include use of silt fencing, fiber rolls, gravel bags, stabilized construction driveway, and stockpile management (as described in the previous above). Adherence to the existing requirements and implementation of the required BMPs per the plan check and permitting process would ensure that erosion and siltation associated with construction activities would be minimized, and impacts would be less than significant.

Operation

The Project site is currently vacant and contains approximately 0.05 acres of ephemeral stream that would be considered CDFW jurisdictional waters. The Project would introduce approximately 5.7 acres of impervious surfaces to the Project and result in impacts to approximately 0.05 acres of CDFW jurisdictional ephemeral stream. As specified in MM BIO-2, a 1602 Streambed Alteration Agreement would be obtained, waste discharge requirements (WDR) would be developed, and offsite mitigation would be purchased at a 2:1 ratio. The pervious surfaces remaining on the site would be landscaped. There would be no substantial areas of bare or disturbed soil onsite subject to erosion. In addition, the Project is required to implement a WQMP that would provide operational BMPs to ensure that operation

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of the Project would not result in long term erosion or siltation. Proposed stormwater infrastructure would slow and retain stormwater, which would also limit the potential for erosion or siltation. With implementation of these regulations and MM BIO-2, impacts related to erosion or siltation onsite or off-site would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As discussed in Section X(a) above, during construction a SWPPP would be implemented to control drainage. Stormwater drainage infrastructure proposed within the Preliminary WQMP as part of the Project maintains existing drainage patterns across the Project site.

The Project would introduce approximately 5.7 acres of impervious surfaces to the Project and result in impacts to approximately 0.05-acres of ephemeral stream. Also, as discussed in the hydrology report prepared for the Project (see Appendix H), drainage runoff from the Project site would be handled by adequately sized and properly operating drainage facilities. The Project would include two onsite stormwater treatment areas (bioretention basins). Bioretention Basin 1 (4,200 square feet) would be located at the northeast intersection of Oliver Street and Brodiaea Avenue and Bioretention Basin 2 (3,000 square feet) would be located at the southeast corner of the Project site, just north of Lot 47. Offsite street improvements are proposed on Oliver Street and Brodiaea Avenue to build out ultimate curb and gutter along the Project frontage. All onsite runoff would flow to the southeast as per the existing drainage path. The east side of the site would flow towards MDP Line H-2 along the east of the Project site and the west side would drain towards the proposed extension MDP Line H at the intersection of Brodiaea Avenue and Oliver Street. Proposed bioretention basins would be sized for the appropriate design capture volume, and the proposed storm drain facilities would be able to capture runoff and the Project would not result in flooding on- or off-site. Therefore, impacts would be less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As described in the previous responses, the Project would be required to implement a SWPPP (included as PPP WQ-1) during construction that would implement BMPs, such as the use of silt fencing, fiber rolls, and gravel bags, that would ensure that runoff would not substantially increase during construction, and that pollutants would not discharge from the project site, which would reduce potential impacts to drainage systems and water quality to a less than significant level.

See response to Section X(c)(ii), above. The Project would introduce approximately 5.7 acres of impervious surfaces to the Project and result in impacts to approximately 0.05 acre of ephemeral stream. Proposed drainage improvements would be sized to capture, filter, and infiltrate runoff from the 85th percentile 24-hour storm event. Development of the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems and impacts would be less than significant.

iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. According to FEMA's FIRM Flood Map, the Project site is classified as Zone A, special flood hazard area subject to inundation by the one percent annual chance flood with no base flood elevation determined. As specified under Municipal Code Section 8.132.150, Development Permit, the Project applicant would be required to obtain a development permit prior to construction of the Project. The City would review the permit application to ensure development would not be subject

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to significant flood hazard and structures would be floodproofed. Thus, the Project would not impede or redirect flood flows, and impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As discussed in X(c)(iv), the Project site is classified as Zone A, special flood hazard area subject to inundation by the one percent annual chance flood with no base flood elevation determined. However, a SWPPP and WQMP would be prepared and implemented as part of the Project to ensure pollutants are contained and would not be released from the Project site during construction. Post construction stormwater infrastructure would ensure capture and treatment of storm flows up to the 85th percentile 24-hour storm. Therefore, the Project would not be subject to significant flood hazard and impacts would be less than significant.

The Project site is located approximately 45 miles northeast of the Pacific Ocean and separated by the Santa Ana Mountains. Therefore, the Project is not located within a tsunami zone and no impacts would occur.

Similarly, a seiche is the sloshing of a closed body of water from earthquake shaking. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. The Perris Reservoir is located approximately three miles southeast of the Project site. As such, the site is not located within a seiche zone. Therefore, no impacts would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As described previously, the Project would be required to have an approved SWPPP, which would include construction BMPs to minimize the potential for construction related sources of pollution. For operations, the Project would be required to implement source control BMPs to minimize the introduction of pollutants; and treatment control BMPs to treat runoff. With implementation of the operational source and treatment control BMPs that would be required by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the Project would not obstruct implementation of a water quality control plan.

Also as described previously, the Project site is within the San Jacinto groundwater basin. Because pumping in the groundwater basin is managed, which limits the allowable withdrawal of water from the basin by water purveyors, and the Project does not involve groundwater pumping (as water supplies would be provided by the City), the Project would not conflict with or obstruct a groundwater management plan, and impacts would be less than significant.

Existing Plans, Programs, or Policies (PPPs)

PPP WQ-1: Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) pursuant to the Municipal Code Section 8.21.170. The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to comply with the National Pollutant Discharge Elimination System (NPDES) requirements to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Moreno Valley staff or its designee to confirm compliance.

Project Design Features (PDFs)

None.

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Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan 2040, adopted April 2, 2021
 - Chapter 6 – Safety Element
 - Chapter 7 – Conservation Element
2. Draft Environmental Impact Report City of Moreno Valley General Plan, published April 2, 2021
 - Section 4.10 – Hydrology and Water Quality
3. Title 8 – Buildings and Construction of the Moreno Valley Municipal Code
 - Chapter 8.10 – Stormwater/Urban Runoff Management and Discharge Controls
 - Chapter 8.11 – Flood Damage Prevention and Implementation of National Flood Insurance Program (NFIP)
 - Chapter 8.12 – Flood Damage Prevention
 - Chapter 8.21 – Grading Regulations
4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.080 – Liquid and Solid Waste
5. Preliminary Water Quality Management Plan, Adkan Engineers, August 2021, Appendix G.
6. Hydrology Report, Adkan Engineers, August 2021, Appendix H.
7. Federal Emergency Management Agency, Federal Insurance Rate Map, Map Number 06065C0770G, August 2008
8. California Department of Water Resources, California’s Groundwater Bulletin 118, Hydrologic Region South Coast San Jacinto Groundwater Basin, January 2006

XI. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. Surrounding land uses consist of Discovery Christian Church to the north, vacant land (that is being developed) to the east, Oliver Street followed by vacant land to the west, and Brodiaea Avenue followed by single-family residences to the south. The Project would require a General Plan Amendment from R5 Residential to R10 Residential and zone change from R5 to RS10.. The Project would not introduce roadways or other infrastructure improvements that would bisect or transect the Project site or surrounding area. The proposed residential uses would be compatible with the surrounding land uses, as it would introduce new residential uses in an area with similar uses. As such, the Project would not physically divide an established community and no impacts would occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. The documents regulating land use for the Project site and immediate vicinity are the City’s General Plan and Municipal Code. The Project’s relationship to these planning documents is described below.

General Plan. The Project site is currently designated R5 Residential by the Moreno Valley General Plan. The Project includes a General Plan Amendment that would change the designation from R5 Residential to R10 Residential. As discussed in the General Plan, the primary purpose of areas designated R10 Residential is to provide for a variety of residential products and to encourage innovation in housing types. Developments within Residential 10 areas are typically expected to provide amenities not generally found in suburban subdivisions, such as common open space and recreational areas. The maximum allowable density shall be 10 dwelling units per acre. In addition, the Project would include a CUP for a PUD which allows for flexibility in the design standards. As shown in Table LU-1, the Project would be consistent with applicable General Plan policies. As shown in Table

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LU-1, the Project would be consistent with applicable General Plan policies and the Project would not conflict with the land use plan.

Table LU-1: General Plan Consistency

General Plan Policy	Project Consistency
Land Use Element	
LCC.1-1: Foster a balanced mix of employment, housing, educational, entertainment, and recreational uses throughout the city to support a complete community.	Consistent. The Project would provide 67 single-family residences that would contribute to new housing in the City.
LCC.1-2: Expand employment opportunities locally and provide sufficient lands for commercial, industrial, residential and public/quasi-public uses while ensuring that a high quality of life is maintained in Moreno Valley.	Consistent. The Project would provide new residential uses and temporary employment opportunities during construction.
LCC. 1-4 Focus new development in centers and corridors so as to support the vitality of existing businesses, optimize the use of utility infrastructure, and reduce vehicle trip frequency, length, and associated emissions.	Consistent. The Project would develop single-family residences in an area that was planned for residential development. As discussed in Section XVII, the Project is less than the City's Vehicle Miles Traveled (VMT) screening threshold of 100 lots and would not require a VMT analysis.
LCC.1-7: Support the continued buildout of residential areas as needed to meet the community's housing needs.	Consistent. As discussed above, the Project would provide 67 single-family residences that would contribute to meeting the City's housing needs.
LCC 1-12: Balance levels of employment and housing within the community to provide more opportunities for Moreno Valley residents to work locally, cut com-mute times, and improve air quality	Consistent. Section 4.14 of the City's General Plan states that there was a total of 55,328 residential units and 44,331 total jobs in 2018. In 2040, it is projected that the City would have 83,246 jobs and 72,737 households. The Project would be within the anticipated increase in households as it would develop single-family residences within an area that was planned for residential uses.
LCC 2-2: Require that proposed projects in the Downtown Center prepare an area plan demonstrating consistency with the principles outlined in Table LCC-2 and the illustrative development program shown in Table LCC-3 prior to approval. Development on smaller parcels may satisfy this requirement with a site plan.	Consistent. An area plan was prepared for the proposed Project that would be reviewed by the City to ensure all development standards meet the requirements set by the RS10 zone.
LCC 2-10: Create an attractive, safe environment for bicycles and pedestrians that promotes "micro-mobility" and connectivity within the Downtown Center as well as encourage electric and autonomous vehicles.	Consistent. The proposed Project would include new internal streets with sidewalks which would enhance walkability throughout the Project site. In addition, the Project includes sidewalks along the Project's frontage on Alessandro Boulevard, Brodiaea Avenue, and Oliver Street.
LCC 2-11: Allow for the evolution of the Downtown Center and encourage site planning that facilitates redevelopment of sites within the core of the area in the future as land values increase and higher development intensities become more financially feasible.	Consistent. The Project would be on the outskirts of the Downtown Center and would develop an underutilized site to provide housing within the City.

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<p>LCC 2-18: Design and build new internal roadways with narrower widths, ample sidewalks, and street parking to help create a more intimate walkable feel in the areas.</p>	<p>Consistent. The Project includes new internal streets with sidewalks that would create walkability within the residential development.</p>
<p>LCC 2-21: Orient residential uses to the street and discourage the use of walls and fences. Employ a variety of techniques to buffer residential uses on the corridors from traffic and noise, including setbacks, landscaping, stoops, and raised entries.</p>	<p>Consistent. The Project would orient the residences to the new internal streets. The residences would include setbacks and landscaping which would be reviewed by the City to ensure the residences are buffered.</p>
<p>LCC 2-25: Encourage the development of bicycle, pedestrian, and transit access that reduces the need for on-site parking. Improve the pedestrian experience within these corridors through street trees and landscaping</p>	<p>Consistent. The Project includes new internal streets that would include curb and gutter which provides pedestrian access throughout the site and along the frontage. The Project would also include landscaping throughout.</p>
<p>LCC. 2-30: Establish parks and plazas to serve as meeting areas in new neighborhoods and ensure a safe and secure environment through the development review and approval process.</p>	<p>Consistent. The Project includes a 0.56-acre open space pedestrian trail that would be used for active recreation within the residential area.</p>
<p>LCC. 3-5: Incorporate prominent corner architectural features, such as prominent entries or corner towers, on new development at key intersections or gate-ways.</p>	<p>Consistent. The Project would be developed northeast of the Brodiaea Avenue and Oliver Street intersection. The Project would include frontage improvements and prominent entries from both streets.</p>
<p>LCC. 3-6: Maintain continuity in streetscape design along major streets and avenues that traverse the city north to south and east to west.</p>	<p>Consistent. Roadways surrounding the Project site would be landscaped consistent with the City of Moreno Valley Landscape Design Guidelines and complimentary to existing landscaping of adjacent development.</p>
<p>LCC. 3-7: Continue to support community identity with streetscape improvement and beautification projects in both existing residential areas and commercial centers, as well as new mixed-use areas that incorporate unified landscaping and pedestrian amenities. Amenities should include bus shelters, pedestrian safety treatments such as sidewalk bulb-outs and widening and improved crosswalks, and city-branded decorative elements such as street lighting, concrete pavers, tree grates, and theme rails.</p>	<p>Consistent. The Project would include frontage improvements along Brodiaea Avenue and Oliver Street which would include landscaping along the Project's frontage and street lighting, and would be located near transit stops, including Alessandro/Oliver, Roadways surrounding the Project site would be landscaped consistent with the City of Moreno Valley Landscape Design Guidelines and complimentary to existing landscaping of adjacent development</p>
<p>LCC. 3-12: Promote the preservation, maintenance, and improvement of property through code enforcement to mitigate or eliminate deterioration and blight conditions, and to help encourage new development and reinvestment.</p>	<p>Consistent. The Project would comply with all applicable development standards outlined in the City's Municipal Code.</p>
<p>LCC. 3-13: New and retrofitted fences and walls should incorporate landscape elements and changes in materials or texture to deter graffiti and add visual interest.</p>	<p>Consistent. The fences and walls throughout the Project would be designed with materials and textures to deter graffiti and would include landscaping in the surrounding areas to enhance visual interest.</p>
<p>LCC. 3-14: Within individual residential projects, a variety of floor plans and elevations should be offered</p>	<p>Consistent. The Project includes three floor plans and three elevation types with a variety of color schemes, that would provide a variety of options within the residential Project.</p>

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<p>LCC. 3-15: Encourage building placement variations, roofline variations, architectural projections, and other embellishments to enhance the visual interest along residential streets.</p>	<p>Consistent. The Project would include three plans that would be designed to meet the City's design standards.</p>
<p>LCC. 3-16: Design large-scale small lot single family and multiple family residential projects to group dwellings around individual open space and/or recreational features.</p>	<p>Consistent. As mentioned previously, the Project would include a 0.56-acre open space pedestrian trail and internal sidewalks to provide active recreation throughout the Project.</p>
<p>LCC. 3-18: Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.</p>	<p>Consistent. The Project includes internal roadways that would provide access from Brodiaea Avenue and Oliver Street. The internal roadways would be reviewed by the City in order to ensure adequate emergency access is provided.</p>
<p>Circulation Element</p>	
<p>C.2-5: Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow</p>	<p>Consistent. As discussed further in Section XVII, Project driveways would be adequately spaced to ensure safety. The Project would be reviewed by the City in order to ensure access points are designed per City standards.</p>
<p>C.2-7: Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.</p>	<p>Consistent. As discussed further in Section XVII, the Project would include two driveways from Oliver Street and Brodiaea Avenue. Additionally, the Project would include sidewalks throughout the internal streets and along Oliver Street and Brodiaea Avenue to ensure pedestrian access to the site.</p>
<p>C.2-8: For developments fronting both sides of a street, require that streets be constructed to full width. Where new developments front only one side of a street, require that streets be constructed to half width plus an additional 12-foot lane for opposing traffic, whenever possible. Additional width may be needed for medians or left and/or right turn lanes.</p>	<p>Consistent. The Project would comply with the roadway minimums required by the City, and required half-width street improvements along Oliver Street and Brodiaea Avenue.</p>
<p>C.3-4: Require development projects to complete traffic impact studies that conduct vehicle miles traveled analysis and level of service assessment as appropriate per traffic impact study guidelines</p>	<p>Consistent. As discussed further in Section XVII, per the City's Traffic Impact Study guidelines, the Project screens out of a VMT analysis. As such, the Project would have a less than significant impact on VMT.</p>
<p>C. 3-6: Require new developments to participate in Transportation Uniform Mitigation Fee Program (TUMF), the Development Impact Fee Program (DIF) and any other applicable transportation fee programs and benefit assessment districts.</p>	<p>Consistent. The Project would contribute development impact fees pursuant to the City's Municipal Code, including the payment of the regional TUMF fee.</p>
<p>C. 3-8: Ensure that new development pays a fair share of costs to provide local and regional transportation improvements and to mitigate cumulative traffic deficiencies and impacts.</p>	<p>Consistent. As discussed above, the Project would contribute development impact fees as required by the City.</p>
<p>C.4-4: All new developments shall provide sidewalks in conformance with the City's streets cross-section standards, and applicable policies for designated urban and rural areas.</p>	<p>Consistent. The Project would include development of a new sidewalk and curb along Brodiaea Avenue and Oliver Street. Sidewalks would be reviewed by the City to ensure plans meet the City's cross-section standards.</p>

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<p>C. 5-3: Encourage bicycling as an alternative to single occupant vehicle travel for the purpose of reducing fuel consumption, traffic congestion, and air pollution.</p>	<p>Consistent. The Project includes new internal streets and frontage improvements along Brodiaea Avenue and Oliver Street that would include bike lanes for bicycling.</p>
<p>Parks & Public Services</p>	
<p>PPS. 1-1: Increase the acreage of parks in Moreno Valley to serve the needs of the growing population and maintain a standard of three acres of parkland per 1,000 residents.</p>	<p>Consistent. The Project would include a 0.56-acre open space pedestrian trail and would contribute development fees for the remainder. The Project would be required to provide a minimum of 0.81 acres of parkland dedication (based on 270 new residents anticipated to result from the Project as described in Section XIV, Population and Housing) applying the Quimby Act ratio of “3 acres per 1,000 residents”. The Project would substantially comply with the Quimby Act, codified as Chapter 3.40 in the City’s Municipal Code, and the difference (deficiency), of approximately 0.25 acres, will require the payment of an in-lieu fee.</p>
<p>PPS.1-2: Require that proponents of new development projects contribute to the acquisition and development of adequate parks and recreational facilities within the community, either through the dedication of park land or the payment of in-lieu fees.</p>	<p>Consistent. The Project would include the payment of all applicable in-lieu fees for the provision of parkland in addition to the 0.56-acre park provided onsite, as conditioned by the City.</p>
<p>PPS. 1-4: Design and construct parks, public spaces and recreational facilities for flexible use, energy efficiency, adaptability over time, and ease of maintenance</p>	<p>Consistent. The Project would construct a 0.56-acre open space pedestrian trail that would undergo City review to ensure the trail allows for flexible use and ease of maintenance.</p>
<p>PPS 1-5: Use site design, landscaping, lighting, and traffic calming measures to create safe parks and open spaces integrated with adjacent developments.</p>	<p>Consistent. The Project includes an Area Plan (PUD Document) that would be reviewed by the City to ensure adequate design, lighting, landscaping, and park space has been met.</p>
<p>PPS.3-6: Continue to require that new development make a fair share funding contribution to ensure the provision of adequate police and fire services</p>	<p>Consistent. The Project would include the payment of all applicable fair share funding for police and fire services, as conditioned by the City.</p>
<p>PPS.3-7: Continue to engage the Police and Fire Departments in the development review process to ensure that projects are designed and operated in a manner that minimizes the potential for criminal activity and fire hazards and maximizes the potential for responsive police and fire services.</p>	<p>Consistent. The Project would be reviewed by the City’s police and fire departments during its development review process. Additionally, the Project is required to comply with the provisions of the California Fire Code, which would reduce hazards related to fire.</p>
<p>PPS. 3-8: Apply Crime Prevention through Environmental Design principles in the design of new development and encourage the provision of adequate public lighting; windows overlooking streets or parking lots; and paths to increase pedestrian activity within private development projects and public facilities in order to enhance public safety and reduce calls for service.</p>	<p>Consistent. The Project would include security lighting throughout the residential development to ensure adequate public lighting is provided.</p>
<p>PPS.4-3: Prior to the approval of any new development application, continue to require “will serve” letters from utility providers demonstrating that adequate water and septic or sewer service</p>	<p>Consistent. The Project would be adequately served by utility providers, as further discussed in Section XIX. Additionally, the Project Applicant would provide the City Planning Department with</p>

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<p>capacity exists or will be available to serve the development in a timely manner.</p>	<p>will serve letters for all needed utilities prior to approval.</p>
<p>Safety</p>	
<p>S.1-1: Continue to restrict the development of habitable structures within Alquist-Priolo Earthquake Fault Zones consistent with State law.</p>	<p>Consistent. As previously discussed, the Project is not located within an Alquist-Priolo zone.</p>
<p>S.1-4: Ensure that structures intended for human occupancy are designed and constructed to retain their structural integrity when subjected to seismic activity, in accordance with the California Building Code.</p>	<p>Consistent. As previously discussed, the Project would be designed in accordance with the CBC as included as PPP Geo-1.</p>
<p>S.1-9: Encourage project designs that minimize drainage concentrations, minimize impervious coverage, utilize pervious paving materials, utilize low impact development (LID) strategies, and utilize best management practices (BMPs) to reduce stormwater runoff and minimize increases in downstream runoff resulting from new development.</p>	<p>Consistent. The Project would implement LID strategies and BMPs to reduce stormwater runoff, as discussed in Section X. The Project would construct onsite catch basins to retain runoff.</p>
<p>S.1-10: Through development agreements and compliance with adopted master drainage plans and existing regulations, require that new development provide necessary storm drainage improvements and ensure that upstream stormwater generators fully address stormwater needs on their property.</p>	
<p>S.1-15: Avoid, where feasible, locating new development in areas subject to high wildfire risk. If avoidance is not feasible, condition such new development on implementation of measures to reduce risks associated with that development.</p>	<p>Consistent. According to the CAL FIRE Fire Hazard Severity Zone map, the Project site is not within an area identified as a Fire Hazard Area that may contain substantial fire risk or a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2021).</p>
<p>S.1-23: Continue to require remediation of hazardous material releases from previous land uses as part of any redevelopment activities.</p>	<p>Consistent. As discussed in Section IX, the Project would not require remediation of hazardous material releases from previous land uses.</p>
<p>Noise</p>	
<p>N.1-4: Require a noise study and/or mitigation measures if applicable for all projects that would expose people to noise levels greater than the “normally acceptable” standard and for any other projects that are likely to generate noise in excess of these standards.</p>	<p>Consistent. As discussed further in Section XIII, a Noise Impact Analysis was prepared for the Project. As discussed in the Noise Impact Analysis, construction and operational noise impacts would be less than significant. The Project would not expose adjacent sensitive receptors to excessive noise levels.</p>
<p>N.1-5: Noise impacts should be controlled at the noise source where feasible, as opposed to at receptor end with measures to buffer, dampen, or actively cancel noise sources. Site design, building orientation, building design, hours of operation, and other techniques, for new developments deemed to be noise generators shall be used to control noise sources.</p>	
<p>N.1-6: Require noise buffering, dampening, or active cancellation, on rooftop or other outdoor</p>	

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mechanical equipment located near residences, parks, and other noise sensitive land uses.	
N.2-3: Limit the potential noise impacts of construction activities on surrounding land uses through noise regulations in the Municipal Code that address allowed days and hours of construction, types of work, construction equipment, and sound attenuation devices.	Consistent. As discussed further in Section XIII, a Noise Impact Analysis was prepared for the Project. As discussed in the Noise Impact Analysis, impacts related to noise and vibration would be less than significant.
Environmental Justice	
EJ.1-6: Ensure that construction and grading activities minimize short-term impacts to air quality by employing appropriate mitigation measures and best practices.	Consistent. As discussed in Section III, construction emission levels would be below the thresholds established by the SCAQMD. Therefore, Project air quality impacts during construction and grading would be minimized.
EJ.1-8: Support the incorporation of new technologies and design and construction techniques in new development that minimize pollution and its impacts.	Consistent. As discussed in Section III, the Project would be consistent with Title 24 requirements and construction emission levels would be below the thresholds established by the SCAQMD.

Municipal Code

As discussed previously, the Project would require a zone change from Residential (R5) to Residential Single-Family (RS10). As described previously in Table AES-1, the Project would be consistent with the development standards for the RS10 zoning district upon the approval of the Area Plan (CUP for the PUD). Thus, the Project would not conflict with any applicable zoning regulations adopted for the purpose of avoiding or mitigating an environmental effect and impacts would be less than significant.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 2 – Land Use and Community Character
 - City of Moreno Valley Housing Element 2021-2029, prepared February 2021
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021
 - Section 4.14 – Population and Housing
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

XII. MINERAL RESOURCES – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

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No Impact. The Project site is vacant yet disturbed and is not used for mineral extractions. As discussed in the General Plan, the City does not have active mineral resource extraction facilities. Furthermore, the Project site has a classification of MRZ-3, indicating areas of undetermined mineral resource significance and is planned for residential uses by the Moreno Valley General Plan. Therefore, development of the Project would not result in impacts related to mineral resources.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. No sites have been designated as locally-important mineral resource recovery sites on any local plan within the City of Moreno Valley. Therefore, implementation of the Project would not result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local plan. Thus, development of the Project would not have a significant impact on mineral resources.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 10 – Open Space and Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
 - Section 4.12 – Mineral Resources
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.02.120 – Surface Mining Permits
4. Moreno Valley Municipal Code Section 8.21.020 – Permits Required
5. The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796), <https://www.conservation.ca.gov/dmr/lawsandregulations>

XIII. NOISE – Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant.

City of Moreno Valley Municipal Code
Section 9.10.030 Performance Standards – Exemptions. The following uses or activities are exempt from the provisions of this chapter:

- A. Emergency equipment, vehicles, devices and activities.

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- B. Temporary construction, maintenance, or demolition activities between the hours of seven a.m. and seven p.m.

Section 9.10.170 Performance Standards – Vibration. No vibration shall be permitted which can be felt at or beyond the property line.

Section 11.80.030 Prohibited Acts

A. General Prohibition. It is unlawful and a violation of this chapter to maintain, make, cause, or allow the making of any sound that causes a noise disturbance, as defined in Section 11.80.020.

B. Sound causing permanent hearing loss.

1. Sound level limits. Based on statistics from the Center for Disease Control and Prevention and the National Institute for Occupational Safety and Health, Table 1 and Table 1-A specify sound level limits which, if exceeded, will have a high probability of producing permanent hearing loss in anyone in the area where the sound levels are being exceeded. No sound shall be permitted within the city which exceeds the parameters set for in Tables 11.80.030-1 [see Table N-1] and 11.80.030-1-A [see Table N-2] of this chapter:

Table N-1: City of Moreno Valley Maximum Continuous Sound Levels

Duration per Day (Continuous Hours)	Sound Level [dB(A)]
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
.5	110
.25	115

Source: City of Moreno Valley Municipal Code Section 11.80.030.

Table N-2: City of Moreno Valley Maximum Impulsive Sound Levels

Number of Repetitions per 24-Hour Period	Sound Level [dB(A)]
1	145
10	135
100	125

Source: City of Moreno Valley Municipal Code Section 11.80.030.

C. Nonimpulsive Sound Decibel Limits. No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2 [see Table N-3] when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.

Table N-3: City of Moreno Valley Maximum Sound Levels for Source Land Uses

Residential		Commercial	
Daytime ¹	Nighttime ²	Daytime ¹	Nighttime ²
60	55	65	60

Notes:
¹ Daytime defined as 8:00 a.m. to 10:00 p.m.
² Nighttime define as 10:01 p.m. to 7:59 a.m. the following day.
 Source: City of Moreno Valley Municipal Code Section 11.80.030.

D. Specific Prohibitions. In addition to the general prohibitions set out in subsection A of this section, and unless otherwise exempted by this chapter, the following specific acts, or the causing or permitting thereof, are regulated as follows:

7. Construction and Demolition. No person shall operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of 8 p.m. and 7 a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the city manager or designee. This section shall not apply to the use of power tools as provided in subsection (D)(9) of this section.

Existing Noise Levels

As detailed in the Noise Impact Analysis (Appendix I, to identify the existing ambient noise level environment, long term noise level measurements were taken at two locations in the Project study area. The short-term noise level measurements were positioned as close to the nearest sensitive receiver locations as possible to assess the existing ambient noise levels surrounding the Project site. The existing noise levels are provided in Table N-4.

Table N-4: Existing (Ambient) Noise Measurement Results

Site No.	Site Description ¹	Average (dBA L _{eq})	Maximum (dBA L _{max})	(dBA L _{eq} 1-hour/Time)		Average (dBA CNEL)
				Minimum	Maximum	
A	Located on a tree on the south side of the project site, approximately 45 feet north of Brodiaea Avenue centerline and 155 feet east of Oliver Street centerline.	53.5	82.5	41.5 2:06 a.m.	59.0 7:22 a.m.	58.8
B	Located on a fence at the northwest corner of the project site, approximately 40 feet east of Oliver Street centerline.	60.9	85.3	48.2 2:28 a.m.	66.1 10:57 a.m.	63.6

¹Noise measurements were taken with two Extech Model 407780 Type 2 sound level meters from Wednesday, September 22, 2021 to Thursday, September 23, 2021. Source: Noise Impact Analysis (Appendix I)

Construction

As described above, construction noise sources are regulated within the City of Moreno Valley under section 11.80.030 which prohibits construction activities other than between the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday, excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturday. To evaluate whether the Project would generate potentially significant short-term noise levels at offsite sensitive receiver locations, a construction-related noise threshold of 60 dBA Leq (Vista Environmental, 2021).

Noise impacts from construction activities associated with the Project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. Construction noise associated with the Project was calculated utilizing methodology presented in the FTA Transit Noise and Vibration Impact Assessment

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Manual (2018) together with several key construction parameters including: distance to each sensitive receiver, equipment usage, percent usage factor, and baseline parameters for the Project site, which are listed in Table N-5 below.

For the purposes of the Noise Impact Analysis, the closest sensitive receivers include a church located 65 feet north of the Project site and a single-family home located as near as 85 feet to the south of the Project site. The noise monitoring locations are located in Figure N-1: *Noise Monitoring Locations*, below.

For each phase of construction, the two noisiest pieces of construction equipment were analyzed based on being placed in the middle of the Project site, which is based on the analysis methodology detailed in FTA Manual for a General Assessment. In order to account for Section 11.80.030(C) of the Municipal Code, each receiver was placed 200 feet back from the Project site property lines. Construction noise would be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. The typical operating cycle for a piece of construction equipment involves one or two minutes of full power operation followed by three or four minutes at lower power settings.

Table N-5 Worst-Case Scenario Noise Levels at Sensitive Receptors

Construction Phase	Construction Noise Level ¹ (dBA Leq) at:	
	Home to South	Church to North
Site Preparation	57	62
Grading	58	63
Building Construction	57	63
Paving	51	56
Painting	48	53
City's Noise Threshold²	60	65
Exceed Thresholds?	No	No

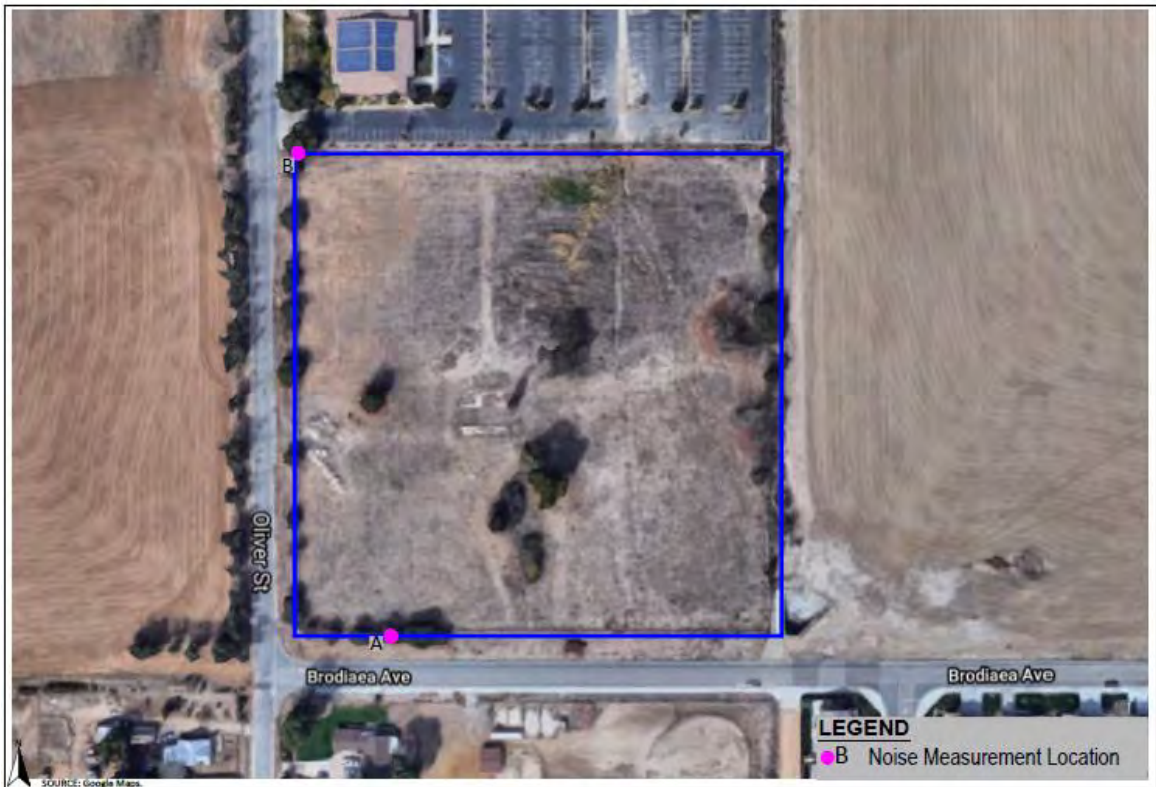
Notes:

¹ The distance from the center of the project site to the north and south sides of the project site is 320 feet. Pursuant to Section 11.80.030(C) of the Municipal Code an additional 200 feet was added, which result in both the home to south and church to north analyzed at 520 feet. For the home to the south, in order to account for the structures that are located within 200 feet of the project site property line, 5 dB of shielding was added to the RCNM Model.

² City Noise Threshold obtained from Section 11.80.030(C) of the Municipal Code.

Source: Noise Impact Analysis (Appendix I)

Figure N-1 Noise Monitoring Locations



As shown in Table N-5, the unmitigated construction noise levels, when combined with existing ambient noise levels, are expected to range from 48 to 58 dBA L_{eq} at the single-family residences, which would be less than the 60 dBA L_{eq} significance threshold. In addition, the noise levels are expected to range from 53 to 64 dBA at the church to the north. Therefore, the noise impacts due to Project construction noise would be less than significant.

Operational Noise

Off Site Vehicle Noise

The Project would consist of the development of 67 detached single-family homes. Potential noise impacts associated with the operations of the Project would be from project-generated vehicular traffic on the nearby roadways. The noise impacts related to vehicular traffic were modeled in the Noise Impact Analysis using a version of the Federal Highway Administration (FHWA) Traffic Noise Prediction Model (FHWA-RD-77-108) and modified to account for the roadway active width and total average daily traffic (ADT). The existing year and future year with and without Project ADT noise levels were calculated. Table N-6 shows that at Project buildout, there would be a 0.3 dBA increase in noise due to the increase of Project-related traffic on Oliver Street. Table N-7 shows that in 2040, the Project would contribute a 0.5 dBA increase in noise due to the Project-related traffic. As the Project does not exceed the threshold of 3 dBA, impacts related to operational noise from traffic would be less than significant.

Table N-6: Existing Project Traffic Noise Contributions

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Roadway	Segment	dBA CNEL at Nearest Receptor ¹			Increase Threshold ²
		Existing	Existing Plus Project	Project Contribution	
Oliver Street	South of Alessandro Boulevard	60.2	60.8	+0.6	+3 dB

Notes:
¹ Distance to nearest sensitive receptors described above, does not take into account existing noise barriers.
² Increase Threshold obtained from MoVal 2040 FEIR, 2021.
 Source: Noise Impact Analysis (Appendix I)

Table N-7: Future Year 2040 Project Traffic Noise Contributions

Roadway	Segment	dBA CNEL at Nearest Receptor ¹			Increase Threshold ²
		Year 2040	Year 2040 Plus Project	Project Contribution	
Oliver Street	South of Alessandro Boulevard	60.7	61.2	+0.5	+3 dB

Notes:
¹ Distance to nearest sensitive receptors described above, does not take into account existing noise barriers.
² Increase Threshold obtained from MoVal 2040 FEIR, 2021.
 Source: Noise Impact Analysis (Appendix I)

Onsite Operational Noise

Once the Project is operational, noise levels generated at the project site would occur from stationary equipment such as heating, ventilation, and air conditioning (HVAC) units that would be installed for the new development, internal street and driveway vehicle movements, trash removal activity, and activity at outdoor gathering areas. Typical noise levels from onsite operations at 50 feet from the noise source include the following:

- Air Conditioning Unit: 54.4 dBA L₅₀
- Trash Enclosure Activity: 49.0 dBA L₅₀
- Parking Lot Vehicle Movements: 33.5 dBA L₅₀
- Outdoor Community Recreation Activity: 48.7 dBA L₅₀

Typically, air conditioning units are located away from sensitive receivers and shielded to ensure that noise from operation of the units does not have the potential to result in an impact. To ensure compliance with City Municipal Code standards, the City’s building and plan check permitting process includes verification that the location of operational noise sources would not result in an exceedance of the Municipal Code standards. Thus, the City’s standards development permitting process would ensure that the Project would not generate onsite operational noise that would exceed noise standards within the Project site or surrounding land uses.

General Plan Policy N-1.4 requires that new developments within the City to meet the “normally acceptable” standard. The “normally acceptable” noise standard for single-family homes is 65 dBA CNEL or less. The project site will have homes adjacent to Oliver Street that is adjacent to the west side of the project site, and to Brodiaea Avenue on the south side of the project. According to the Noise Study (Appendix I) the expected noise levels at the backyards for all proposed residential units adjacent to Oliver Street are expected to be within the City’s 65 dBA CNEL residential exterior noise standard without a sound wall condition. Brodiaea Avenue is classified as a local roadway that consists of low traffic volumes at slower speeds and the traffic noise from Brodiaea Avenue would not make a significant contribution to the noise environment. As such, the noise level from Brodiaea Avenue is not required to be analyzed. Based on the above information, there would not be a significant impact.

b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Less than Significant.

Construction

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that ground-borne vibration from Project construction activities would cause only intermittent, localized intrusion. Vibration impacts from construction activities associated with the Project would typically be created from the operation of heavy off-road equipment. Ground-borne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration (FTA). Construction activities that would have the potential to generate low levels of ground-borne vibration within the Project site include grading. Equipment that is anticipated to be used during construction and vibration levels are outlined in Table N-8 below.

Table N-8: Vibration Source Levels for Construction Equipment

Equipment		Peak Particle Velocity (inches/second)	Approximate Vibration Level (L _v)at 25 feet
Pile driver (impact)	Upper range	1.518	112
	typical	0.644	104
Pile driver (sonic)	Upper range	0.734	105
	typical	0.170	93
Clam shovel drop (slurry wall)		0.202	94
Vibratory Roller		0.210	94
Hoe Ram		0.089	87
Large bulldozer		0.089	87
Caisson drill		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58

Source: Federal Transit Administration, 2018.

The nearest vibration sensitive receptor to the Project site is the church located 65 feet north of the Project site. Since the City's Municipal does not provide a quantifiable vibration level for construction activities, Caltrans guidance has been utilized, which defines the threshold of perception from transient sources at 0.25 inch per second PPV. Based on typical propagation rates, the vibration level at the nearest offsite structure (65 feet to the north) would be 0.03 inch per second PPV. The vibration level at the nearest offsite structure would be below the 0.25 inch per second PPV threshold detailed above. Thus, impacts during construction would be less than significant.

Operation

The Project would consist of the development of 67 single-family homes. The ongoing operation of the Project would not include the operation of any known vibration sources other than typical onsite vehicle operations for a residential development. Therefore, a less than significant vibration impact is anticipated from operation of the Project.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. The Project would not expose people residing or working in the Project area to excessive noise levels from aircraft. The nearest airport is March Air Reserve Base that is located as near as 4.5 miles southwest of the Project site. The Project site is located outside of the 60 dBA CNEL noise contours of this airport. Therefore, the homes would not be exposed to excessive aircraft noise. No impact would occur from aircraft noise.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted July 15, 2021
 - Chapter 7 – Noise
 - Map N-1: Existing Noise Contours
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 15, 2021
 - Section 4.13 – Noise
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.140 Noise and Sound
4. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations
5. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (<http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>)

XIV. POPULATION AND HOUSING – Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less Than Significant Impact. The Project would construct 67 single-family detached residential units. The Southern California Association of Governments (SCAG) reports that the City’s population was 208,838 in 2020. The SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy Growth Forecast, adopted by the SCAG Regional Council on September 3, 2020, estimates that the Moreno Valley population will reach 266,800 in 2045 and the countywide population will reach 2,815,000 in 2045. According to the 2018 American Community Survey 5-Year Estimates, there were 50,620 households in the City of Moreno Valley. In 2020, the average household size was 3.85 persons per household (when reviewing the period between 2016 – 2020, the average household size was 4.04 persons per household according to the US Census).

Based on this information, the proposed 67 single-family residences would result in an increase of approximately 270 new residents. With the City having a total of 256,600 people, the addition of 270 new residents would represent a population increase of 0.1 percent and the new residential units would result in a 0.001 percent increase in residential units within the City. The Southern California Association of Governments (SCAG) Demographics and Growth Forecast (SCAG 2021) forecasts 76,200 households in the City in year 2045, which is an increase of 25,580 residential units over the number of units in the City’s Housing Element. The Project would result in 0.26% of the total forecasted

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number of residential units by 2045. Based on the City’s forecasted growth projections, the Project would be well within the projected increase in people and households as anticipated within the City. Thus, the project would not directly result in substantial unplanned growth. Therefore, potential impacts related to inducement of unplanned population growth, either directly or indirectly, would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:

No Impact. The Project site is currently vacant yet disturbed and does not contain any housing or buildings. The Project would develop the site to construct 67 new single-family residences. As the Project would develop on vacant yet disturbed land, people and housing would not be displaced by implementation of the Project. In addition, the Project would provide housing within the City. Thus, no impact would occur.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. California Department of Finance. January 2021. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>
2. City of Moreno Valley Housing Element 2021-2029 <http://www.moval.org/cdd/documents/general-plan-update/draft-docs/GP-Elements/HousingElement.pdf>
3. Southern California Association of Governments Demographics and Growth Forecast. Table 14 Jurisdiction-Level Growth Forecast, September 2021 https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579
4. US Census Quick Facts for City of Moreno Valley, California: <https://www.census.gov/quickfacts/fact/table/morenovalleycitycalifornia/HSD310220#HSD310220>

XV. PUBLIC SERVICES – Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. The Moreno Valley Fire Department (MVFD) would provide fire protection services to the Project. MVFD station number 99, located at 13400 Morrison Street, is the closest fire station to the Project site. Fire station 99 is approximately 1.7 roadway miles or 4 minutes away from the Project site. As part of the permitting process, the Project plans would be reviewed by the City’s

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Fire Department and the Building and Safety Department (part of the Community Development Department) to ensure that the Project plans meet the fire protection requirements. Additionally, the proposed residences would be required to comply with City fire suppression standards including current California Building Code and would provide adequate fire access.

Due to the increase in onsite people that would occur from implementation of the Project, an incremental increase in demand for fire protection and emergency medical services would occur. However, the increase in residents onsite is limited, and would not increase demands such that the existing fire station would not be able to accommodate servicing the Project in addition to its existing commitments, and provision of a new or physically altered fire station would not be required that could cause environmental impacts. The MVFD Strategic Plan has identified future fire stations within the planning area that would be developed as the need for fire stations and emergency services increases with future development. In addition, the City’s General Plan adopted on June 15, 2021, anticipates approximately 43,882 residents within the Planning Area by 2040 which would necessitate construction of additional fire stations. As mentioned in Section XIV, the Project would generate approximately 270 new residents within the City which would result in 0.61% of the total expected increase. Thus, the Project would have a less than significant impact on fire protection and emergency medical services.

Additionally, as discussed in the General Plan Program EIR, the City requires payment of a Development Impact Fee to assist the City in providing for fire protection services. Payment of the Development Impact Fee would ensure that the Project provides fair share funds for the provision of additional public services, including fire protection services, which may be applied to fire facilities and/or equipment, to offset the incremental increase in the demand for fire protection services that would be created by the Project. Therefore, impacts related to fire protection services from the Project would be less than significant.

ii) Police protection?

Response:

Less than Significant. Police protection services would be provided to the Project by the Moreno Valley Police Department (MVPD) and the Riverside County Sheriff’s Department. MVPD operates out of the Moreno Valley Station, located at 22850 Calle San Juan De Los Lagos. The station is approximately 5.3 roadway miles or 13 minutes away from the Project site. Per the City’s General Plan, the City has a police staffing standard of at least 1 officer per 1,000 residents. Calls to the MVPD are prioritized and assigned by urgency, from greatest urgency (Priority 1) through non-emergency calls (Priority 3). Table PS-1 shows the target and average response times for Priority 1 through Priority 3 responses.

Table PS-1: MVPD Response Times

Call Type	Target	Response Time (2019)
Priority 1 Calls	6 minutes	6:37
Priority 2 Calls	15 minutes	22:01
Priority 3 Calls	35 minutes	42:46

Due to the increase of 270 residents that would occur from implementation of the Project, an incremental increase in demand for police protection would occur. However, the Project would include security lighting and other security measures. In addition, the increase in demand would be limited, and would not require provision of a new or physically altered police facility that could cause environmental impacts or require the retention of an additional police officer per the City’s staffing standard and impacts would be less than significant.

Additionally, the Project would be required to pay Development Impact Fees which would assist the City in providing for police protection facilities. Payment of the Development Impact Fee would ensure that the Project provides its fair share of funds for additional police protection facilities, which may be

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applied to sheriff facilities and/or equipment, to offset the incremental increase in the demand that would be created by the Project.

iii) Schools?

Response:
Less than Significant. The Project site is located within the Moreno Valley Unified School District. The schools serving the Project site are listed and described below.

- La Jolla Elementary School, located at 14745 Willow Grove Place, has a capacity of 705 students (MVUSD 2021).
- Landmark Middle School, located at 15261 Legendary Drive, has a capacity of 1,436 students (MVUSD 2021).
- Vista De Lago High School, located at 15150 Lasselle Street, has a capacity of 2,823 students (MVUSD 2021).

Table PS-1: School Enrollment Between 2020-21 and 2014-15

School	Total Capacity	2020-21	2019-20	2018-19	2017-18	2016-17	2015-16	2014-15
La Jolla Elementary School	705	707	726	740	758	817	843	842
Landmark Middle School	1436	984	1,086	1,160	1,217	1,203	1,201	1,244
Vista De Lago High School	2823	2,033	1,991	2,118	2,063	2,024	2,143	2,189

Source: California Department of Education and MVUSD.

As discussed in Section XIV, Population and Housing, the Project would result in 270 new residents. Based on the MVUSD student generation rates utilized in the City's General Plan, the Project would result in 86 elementary students, 44 middle school students, and 60 high school students. However, MVUSD projected an increase of 12,477 students between 2012 and 2035, based on the projected 17,099 additional housing units expected to be built. Based on the student generation rates and total capacity, the schools within MVUSD would have the capacity to accommodate the additional students from implementation of the Project.

In addition, the Project would be required to contribute fees to the Moreno Valley Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services. As such, impacts would be less than significant.

iv) Parks?

Response:
Less than Significant Impact. There are four existing park facilities that provide 21.15 acres of parkland within two miles of the Project site, which include

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- Celebration Park is located at 14965 Morgan Avenue, 1.0 mile from the Project site. The park is 6.65 acres and contains barbecues, lit basketball court, picnic tables, playground, walking path, and a water feature.
- Fairway Park is located at 27891 John F Kennedy Drive, 1.1 miles from the Project site. The park is 5.50 acres and contains barbecues, multi-use athletic field, picnic tables, playground, and a volleyball court.
- Ridge Crest Park is located at 28506 John F Kennedy Drive, 1.8 miles from the Project site. The park is 5.00 acres and contains barbecues, lit basketball court, multi-use athletic field, picnic tables, and a playground
- Vista Lomas Park is located at 26700 Iris Avenue, 1.8 miles from the Project site. The park is 4.00 acres and contains barbecues, lit basketball court, picnic tables, and a playground.

The City of Moreno Valley Department of Parks and Recreation owns and operates over 482 acres of parkland. The City has an existing standard of 2.68 acres of parkland per 1,000 residents and a goal of 3 acres of parkland per 1,000 residents. As described previously, approximately 258 new residents would occur from the Project, Thus, the Project would require approximately 0.61 acres of parkland to support the new residents.

The Project would develop 67 single family homes and a 0.56-acre open space pedestrian trail designated as an open space recreation area on the site for use by residents. Therefore, some of the Project's park and recreational demand would be met by the provision of the onsite facilities. However, there is a 0.25-acre deficit that would not be met by the open space and park provided by the Project. The Project would be consistent with General Plan Policy PPS 1-2 which requires new development to contribute to parks and recreational facilities within the community either through dedication of park land or through payment of in-lieu fees. Thus, the Project would pay in-lieu fees for the 0.25-acre of parkland that is not met by the open space area provided.

A slight increase in demand on the existing parks could occur from the additional 270 residents that would be generated from the Project. However, impacts from the Project are anticipated to be minimal due to the limited number of residents that would be generated, existing amount of park facilities, and the 0.56-acre onsite open space pedestrian trail. The slight increase in demand for park facilities that could occur from 270 residents would be met by the proposed onsite open space pedestrian trail and existing park facilities that are within 2 miles of the Project site. Therefore, the project would not increase demands such that provision of a new or physically altered parks would be required that could cause environmental impacts. Thus, impacts are less than significant.

v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As noted in the response to Issue XIV(a) above, development of the Project would result in an increase in the population of the Project area and would slightly increase the demand for public services, including public health services and library services. However, the increase in residents within the Project site is anticipated in the total increase of residents within the City's General Plan. Therefore, impacts related to other public services would be less than significant. In addition, the Project would be required to provide payment of the Development Impact Fee to assist the City in providing public services pursuant to City conditions.

Existing Plans, Programs, or Policies (PPPs)
 None.

Project Design Features (PDFs)

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None.

Mitigation Measures

None.

Sources:

1. Final Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive General Plan Update and Climate Action Plan (MoVal 2040), adopted XX, 2021
 - Section 4.14 Public Services and Recreation
 - Figure 4.15-2 Existing and Planned Recreation Facilities
2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

XVI. RECREATION – Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant Impact. Demand for park and recreational facilities are generally the direct result of residential development. The Project would develop 67 single family homes and a 0.56-acre open space pedestrian trail on the site for use by residents. Therefore, some of the Project’s park and recreational demand would be met by the provision of the onsite facilities. The State of California recognizes a minimum level of service standard for parkland of 3 acres per 1,000 residents. As described previously in the Section XV discussion, the approximate 270 new residents would equate to needing approximately 0.81 acres of park and recreational area. This means that the Project has a deficit of 0.25 acres of open space. However, this deficit would be offset by the payment of fees requires by PPS 2-1, as previously described in Section XV.

Due to the limited increase in population from implementation of the Project, provision of onsite open space for recreation, and the payment of fees supporting open space, the Project would not result in the increase in the use of existing parks and recreational facilities, such that physical deterioration of the facility would be accelerated. As such, impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant Impact. As described above, the Project includes a 0.56-acre open space pedestrian trail that would provide onsite recreation. The impacts of development of the trail are considered part of the impacts of the Project as a whole and are analyzed throughout the various sections of this IS/MND. Activities such as excavation, grading, and construction as required for the recreation area are analyzed in the Air Quality, Greenhouse Gas Emissions, Noise, and Transportation Sections.

Additionally, as described in the previous response, the approximately 270 new residents would require approximately 0.81 acres of recreational areas. The Project would pay in-lieu fees to accommodate the 0.25 acres of recreational facilities that are not included in the Project. Thus, the project would have a limited increase in use of existing public recreation facilities and would not require the construction or expansion of other recreational facilities that might have an adverse physical effect on the environment. As a result, impacts would be less than significant.

Existing Plans, Programs, or Policies (PPPs)

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None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

- 3. Final Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive General Plan Update and Climate Action Plan (MoVal 2040), certified June 15, 2021
 - Section 4.14 Public Services and Recreation
 - Figure 4.15-2 Existing and Planned Recreation Facilities
- 4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

XVII. TRANSPORTATION – Would the project:

a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. The Project would develop 67 single-family residences. Vehicular access to the Project site would be provided by two ingress and egress driveways from Oliver Street and Brodiaea Avenue. The Project includes 5 new internal streets that would provide circulation for passenger car traffic onsite. A scoping agreement was prepared for the Project and approved on October 18, 2021 (see Appendix J). As shown on Table T-1, the Project is anticipated to generate approximately 632 daily trips with 47 trips during the AM peak hour and 63 trips during the PM peak hour.

Table T-1: Project Trip Generation

			AM Peak Hour			PM Peak Hour			
Land Use	Units	Daily	In	Out	Total	In	Out	Total	
<u>Trip Rates</u>									
Single-Family Detached Housing ¹	DU	9.430	0.182	0.518	0.700	0.592	0.348	0.940	
<u>Project Trip Generation</u>									
Single Family	67	DU	632	12	35	47	40	24	63
Total Trip Generation			632	12	35	47	40	24	63

¹ Trip rates from the Institute of Transportation Engineers, *Trip Generation, 11th Edition*, 2017. Land Use Code 210 - Single-Family Detached Housing.

Source: Discovery Scoping Agreement (Appendix J)

The Project site has been designed to construct onsite roadway improvements consistent with the City guidelines. The Project would also include offsite street road improvements on Oliver Street and Brodiaea would occur in order to build out ultimate curb and gutter along the Project frontage. In addition, the Project would pay Development Impact Fees as conditioned by the City. The fees shall

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be collected and utilized as needed by the City to construct the improvements necessary to maintain the required Level of Service (LOS) and build or improve roads to their build-out level.

Alternative Transportation

The Riverside Transit Agency (RTA) operates Route 20 along Alessandro Boulevard with a bus stop at the corner of Nason Street and Cactus Avenue. Additionally, the Project would include a sidewalk along Oliver Street and Brodiaea Avenue. The Project would improve the existing pedestrian access to nearby locations. Therefore, the Project would also not conflict with pedestrian facilities. Overall, Project impacts to transit, bicycle, and pedestrian facilities would be less than significant.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) ?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. Senate Bill (SB) 743 was signed by Governor Brown in 2013 and required the Governor’s Office of Planning and Research (OPR) to amend the State CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. SB743 specified that the new criteria should promote the reduction of GHGs, the development of multimodal transportation networks and a diversity of land uses. In response, Section 15064.3 was added to the CEQA Guidelines beginning January 1, 2019. Section 15064.3(c) states that the provisions of the section shall apply statewide beginning on July 1, 2020.

State CEQA Guidelines Section 15064.3 - Determining the Significance of Transportation Impacts states that VMT is the most appropriate measure of transportation impacts and provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT.

The City of Moreno Valley TIA Guidelines for CEQA were consulted to determine whether a VMT analysis would be required for the Project. The Project is consistent with the RTP/SCS, which designates the site as Medium Density Single Family Residential with a target density of 3-8 dwelling units per acre. The Project proposes a density of 7.61 dwelling units per gross acre. The City’s VMT guidelines state that “if a project is consistent with the RTP/SCS, then the cumulative impacts shall be considered less than significant subject to consideration of other substantial evidence. The RIVTAM Screening Tool identifies that the City of Moreno Valley was found to have a VMT per Capita of 13.269, and the VMT of the Project is 13.262 per Capita. As the Project is consistent with the RTP/SCS and is located in a low VMT area according to the RIVTAM screening tool, the VMT impacts of the Project would be considered less than significant (Appendix J). Therefore, impacts related to VMT would be less than significant; and the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. Vehicular access to the Project site would be provided via ingress and egress driveways connecting to Oliver Street and Brodiaea Avenue. Vehicular traffic to and from the Project site would utilize the existing network of regional and local roadways that currently serve the Project area. The Project would not introduce any new roadways or introduce a land use that would conflict with existing urban land uses in the surrounding area. The Project includes internal driveways that would provide vehicular access to the single-family residences. Design of the Project, including the internal private roadway, ingress, egress, and other streetscape changes are subject to the City’s development standards. For example, the design of the Project circulation would be reviewed to ensure fire engine accessibility and turn around area is provided to the fire code standards. As a result, impacts related to vehicular circulation design features would be less than significant.

d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

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Less than Significant.**Construction**

The construction activities, including equipment and supply staging and storage, would occur within the Project site, and would not restrict access of emergency vehicles to the Project site or adjacent areas. The installation of driveways and connections to existing infrastructure systems that would be implemented during construction of the Project could require the temporary closure of one side or portions of Oliver Street and Brodiaea Avenue for a short period of time (i.e., hours or a few days). However, the construction activities would be required to ensure emergency access in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which would be ensured through the City's permitting process. Thus, implementation of the Project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access impacts to a less than significant level.

Operation

As described previously, the Project area would be accessed from two driveways connecting to Oliver Street and Brodiaea Avenue. The construction permitting process would provide adequate and safe circulation to, from, and through the Project area, and would provide routes for emergency responders to access different portions of the Project area. Because the Project is required to comply with all applicable City codes, as verified by the City, potential impacts related to inadequate emergency access would be less than significant.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 10 – Open Space and Conservation Element
 - Chapter 6 – Safety Element
2. Draft Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021
 - Section 4.10 – Hydrology and Water Quality
 - Section 4.15 – Public Services
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls
5. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (NPDES).
6. Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste
7. Eastern Municipal Water District, 2020 UWMP, <https://www.emwd.org/post/urban-water-management-plan>
8. <https://riversideca.gov/publicworks/sewer/master-plan/2019%20Sewer%20Master%20Plan%20Volume%201.pdf>

XVIII. TRIBAL CULTURAL RESOURCES – Would the project:

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

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) , or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant with Mitigation. Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California tribes as part of the CEQA process and equates significant impacts on “tribal cultural resources” with significant environmental impacts (Public Resources Code [PRC] § 21084.2). AB 52 requires that lead agencies undertaking CEQA review evaluate, just as they do for other historical and archeological resources, a project’s potential impact to a tribal cultural resource. As such, the City sent notices on February 15, 2022 regarding the Project to the following California Native American tribes that may have knowledge regarding tribal cultural resources in the Project vicinity:

- Agua Caliente Band of Cahuilla Indians
- Desert Cahuilla / Torres Martinez Indians
- Morongo Band of Mission Indians
- Pechanga Band of Luiseño Indians
- Rincon Band of Luiseño Indians
- San Manuel Band of Mission Indians
- Soboba Band of Luiseño Indians

The San Manuel Band of Mission Indians responded to the City’s AB 52 consultation notice and did not request formal consultation. However, the Tribe requested inclusion of mitigation due to the potential of the Project to unearth previously undocumented tribal cultural resources during construction. The Rincon Band of Luiseno Indians responded to the notice and requested formal consultation within the 30-day period. Formal consultation was conducted with the tribe and concluded on May 16, 2022. Additional measures were provided by Rincon Band of Luiseno Indians due to the potential of the Project to unearth previously undocumented tribal cultural resources during construction. The Project site does not contain any known tribal cultural resources.

The Project site does not contain known resources eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Therefore, the Project would result in no impact.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 . In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1 , the lead agency shall	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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consider the significance of the resource to a California Native American tribe.

Response:

Less than Significant. As discussed above, to avoid potential adverse effects to cultural resources, MM CUL-1 has been included, which requires archaeological monitoring during project grading and preparation of a CRMP. Additionally, MM TCR-1 through TCR-10 have been included, as agreed upon during AB 52 consultation, to provide for Native American monitoring of excavation and grading activities to avoid potential impacts to tribal cultural resources that may be unearthed by Project construction activities. No information has been provided to the Lead Agency indicating any likelihood of uncovering tribal cultural resources on the Project site, there are no known tribal cultural resources on or adjacent to the Project site, and no potentially significant impacts are anticipated. Mitigation measures MM CUL-1 and MM TCR-1 through TCR-10 are included in the event of any inadvertent discoveries during construction activities.

Additionally, as described previously, California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the Project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, with implementation of MM CUL-1 and MM TCR-1 through MM TCR-10, impacts to TCRs would be less than significant.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

MM TCR-1: Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist, who meets the U.S. Secretary of the Interior Standards, to conduct monitoring of all mass grading and trenching activities.

The Project Archaeologist, in consultation with the Consulting Tribe(s) including Rincon Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in TCR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.

MM TCR-2: Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Rincon Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days' advance notice to the tribes of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.

MM TCR-3: Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

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- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.
 - ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to MM CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-1. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

MM TCR-4: Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a) Project description and location;
- b) Project grading and development scheduling;
- c) Roles and responsibilities of individuals on the Project;
- d) The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
- e) The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
- f) The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.

Contact information of relevant individuals for the Project.

MM TCR 5: Grading Plan. The City shall verify that the following note is included on the Grading Plan:

"If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."

MM TCR 6: Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the

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

MM TCR 7: Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant”. The “most likely descendant” shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

MM TCR 8: Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

MM TCR 9: Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

MM TCR 10: Tribe Notification. The Rincon Band of Luiseno Indians – Cultural Resources Department (RBLI) shall be contacted regarding any precontact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. In the event of any precontact and/or historic-era finds, RBLI shall be included as a consulting tribe under TCR-1 through TCR-9.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 7 – Conservation Element – Section 7.2 – Cultural and Historical Resources
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
 - Section 5.10 – Cultural Resources
 - Figure 5.10-1 – Locations of Listed Historic Resource Inventory Structures
 - Figure 5.10-2 – Location of Prehistoric Sites
 - Figure 5.10-3 – Paleontological Resource Sensitive Areas
 - Appendix F – Cultural Resources Analysis, Study of Historical and Archaeological Resources for the Revised General Plan, City of Moreno Valley, Archaeological Associates, August 2003.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Title 7 – Cultural Preservation
5. Cultural Resources Inventory for the City of Moreno Valley, Riverside County, California, prepared by Daniel F. McCarthy, Archaeological Research Unit, University of California, Riverside, October 1987 (*This document cannot be provided to the public due to the inclusion of confidential information pursuant to Government Code Section 6254.10.*)

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant.
Water Infrastructure

The Project applicant would develop the Project site with 67 single-family residences, which is currently served by Eastern Municipal Water District (EMWD) water infrastructure and would install new water infrastructure on the Project site that would connect to existing water infrastructure within Oliver Street. The new onsite water system would convey water supplies to the proposed residential units and landscaping through plumbing/landscaping fixtures that are compliant with the CalGreen Plumbing Code for efficient use of water.

The Project would continue to receive water supplies through the existing water lines located within the Oliver Street right-of-way that have the capacity to provide the increased water supplies needed to serve the Project, and no expansions of the water pipelines that convey water to the Project site would be required. Installation of the new onsite water distribution lines would only serve the Project and would not provide new water supplies to any off-site areas.

The construction activities related to the onsite water infrastructure that would be needed to serve the Project is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this IS/MND. For example, a discussion of construction emissions from excavation and installation of the water infrastructure is included in Sections III, *Air Quality* and VIII, *Greenhouse Gas Emissions*. Therefore, the Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Wastewater

The Project site is currently served by the existing EMWD sewer lines. The Project includes installation of onsite sewer lines that would connect to the existing sewer lines within Oliver Street and Brodiaea Avenue. The existing sewer lines would accommodate development of the Project site and would not require expansion to serve the Project. The necessary onsite installation of wastewater infrastructure

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is included as part of the Project and would not result in any physical environmental effects beyond those identified in other sections of this IS/MND.

Storm Drainage

As discussed previously, the Project site is relatively flat, and runoff onsite would be conveyed into catch basins to collect stormwater runoff and direct flows to four proposed bioretention basins for treatment.

Due to the appropriate sizing of the onsite drainage features, as ensured through the Project permitting process, operation of the Project would not substantially increase stormwater runoff, and the Project would not require or result in the construction of new off-site storm water drainage facilities or expansion of existing offsite facilities, the construction of which could cause significant environmental effects. The required installation of the proposed drainage features is included as part of the Project and would not result in any physical environmental effects beyond those identified in other sections of this IS/MND. Overall, impacts related to stormwater drainage facilities would be less than significant.

Electric Power

The Project would connect to the existing Southern California Edison electrical distribution facilities that are adjacent to the Project site along the east side of Oliver Street and would not require the construction of new electrical facilities. New underground electrical service lines would be installed as part of the backbone infrastructure for the Project. The existing overhead electrical lines need to be undergrounded, along the property frontages of Oliver Street.

Natural Gas

The Project would connect to the existing Southern California Gas natural gas distribution facilities within Brodiaea Avenue.

The installation of the utilities at the locations as described above are evaluated throughout this IS/MND and found to be less than significant.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant: Water service would be provided to the Project site by the EMWD. The 2020 EMWD Urban Water Management Plan (UWMP), adopted in July 2021, describes that the EMWD service area includes seven incorporated cities (including a portion of Moreno Valley) in addition to unincorporated areas of Riverside County (Eastern Municipal Water District, 2021). The Project site has an existing land use designation of R5 which allows for the development of 44 residences. The Project includes a general plan amendment to R10 and zone change to Residential Single-Family 10 District (RS10) which would allow for the development of 67 single-family residences.

According to the UWMP, EMWD has a diverse portfolio of local and imported supplies. Local supplies include recycled water, potable groundwater, and desalinated groundwater. Additionally, groundwater is produced from two management agencies within the service area. In addition to the production of potable groundwater, EMWD treats brackish groundwater at two locations, with a third desalter scheduled to come online this year (2021). In addition to local supplies, EMWD receives imported water from the Metropolitan Water District of Southern California (Metropolitan) in three forms: delivered directly as potable water, delivered to EMWD as raw water and then treated at EMWD's two local filtration plants, or delivered to EMWD as raw water for non-potable use and groundwater recharge. Approximately half of the water used in the EMWD service area is imported by Metropolitan.

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The 2020 EMWD UWMP details that EMWD has adequate supplies to serve its customers during normal, dry year, and multiple dry year demand through 2045 with projected population increases and accompanying increases in water demand. To track new developments, EMWD updates a Geographic Information System (GIS) database that tracks proposed development quarterly. Currently, EMWD is tracking the status of over 800 proposed projects and over 125,000 equivalent dwelling units. Growth rates were based on a forecast of future population prepared by the Southern California Association of Governments (SCAG). EMWD's growth forecasts include both the retail and wholesale service areas. Proposed density of the Project would be 7.6 dwelling units per acre. The City's MoVal 2040 General Plan Draft Program Environmental Impact Report (DEIR) identified that the buildout of the General Plan would be consistent with 2040 SCAG projections.

The 2020 UWMP describes that the total demand for water in 2025 would be 102,600 AFY that would increase to 123,000 AFY in 2045. However, as shown in Table UT-1, EMWD would have a supply of 145,930 AFY in 2025 and a supply of 187,100 AFY in 2045. This provides an estimated surplus of 43,330 AFY in 2024 and a surplus of 61,100 AFY in 2045. The Project would include 23 additional residences in comparison to the General Plan assumptions. Based on SCAG housing data of 46,378 single family residences within the City and the 52,162 AFY demand for single family residences in the EMWD UWMP, a single-family residence demands 1.12 AFY. Thus, the additional 23 units would result in an additional 25.76 AFY. Therefore, the Project would be within the EMWD UWMP projected water demand. Thus, sufficient water supplies are available to serve the Project. Impacts related to water supplies would be less than significant.

Table UT-1: EMWD UWMP Projected Water Demand (Acre Feet per Year)

	2025	2030	2035	2040	2045
Water Demand					
Single Family Residential Demand	66,900	71,700	76,700	80,500	84,000
Total EMWD Demand	102,600	108,300	114,400	118,900	123,000
Water Supply					
Total EMWD Supply	145,930	157,320	168,900	178,700	187,100

Source: 2020 EMWD UWMP

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. EMWD is responsible for all wastewater collection and treatment in its service area. It has four regional water reclamation facilities (RWRFs) located throughout EMWD. Wastewater from the Project site would be conveyed to the Moreno Valley Regional Water Reclamation Facility that typically treats 11 million gallons per day (MGD). The Moreno Valley Reclamation Facility has a current capacity of 16 MGD and an ultimate capacity of 18 MGD. Thus, the plant currently has additional capacity of 5 MGD and future additional capacity of 7 MGD.

The EMWD 2015 Wastewater Collection System Master Plan Update identifies the estimated wastewater generation that would result from different land use categories based upon a generation rate of 235 gallons per day (gpd) equivalent dwelling unit (EDU). The Wastewater Master Plan also identifies that single-family residences with an average density of 6 units per acre (the closest land use category to the Project) generate 0.9 EDU per residence.

Based on this information, the proposed 67 residences Project would generate approximately 15,646 gallons per day, which would be within the existing and future additional capacity of the Moreno Valley Regional Water Reclamation Facility. Therefore, impacts related to wastewater system capacity would be less than significant.

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d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. In 2019, the majority of the solid waste from the City, which was disposed of in landfills, went to the El Sobrante Landfill. The El Sobrante Landfill is permitted to accept 16,054 tons per day of solid waste and is permitted to operate through 2051. In June 2019, a maximum of 13,796 tons in a day was disposed at the El Sobrante Landfill, which provides for a remaining capacity of 2,258 tons per day.

Construction

Project construction would generate solid waste for landfill disposal in the form packaging and discarded materials would be generated by the Project over the 14-month construction period. However, Section 5.408.1 of the 2016 California Green Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 35 percent of the waste generated.

As described above, the El Sobrante Landfill has additional capacity of approximately 2,258 tons per day. Therefore, the El Sobrante Landfill would be able to accommodate solid waste from construction of the Project.

Operation

The CalEEMod modeling for operation of the project (Appendix A) estimated that operation of the Project would generate approximately 79 tons per solid waste per year; or 1.5 tons per week. However, at least 75 percent of the solid waste is required by AB 341 to be recycled, which would reduce the volume of landfilled solid waste to approximately .4 tons per week. As the El Sobrante Sanitary Landfill has additional capacity of approximately 3,488 tons per day, the solid waste generated by the Project would be within the capacity of the landfill. Thus, the Project would be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs and the Project would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. The Project would result in new development that would generate an increased amount of solid waste. All solid waste generating activities within the City are subject to the requirements set forth in Section 5.408.1 of the 2016 California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste.

In addition, as stated in Response IX(d) above, the Project would be required comply with the City’s Municipal Code Chapter 8.80, Recycling and Diversion of Construction and Demolition Waste, which requires that developments must divert at least 50 percent of waste generated from demolition and construction and submit a waste management plan. In addition, the Project would be required to comply with all federal, State, and local regulations related to solid waste. Furthermore, the Project would comply with all standards related to solid waste diversion, reduction, and recycling during Project construction and operation. Therefore, the Project is anticipated to result in less than significant impacts

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related to potential conflicts with federal, State, and local management and reduction statutes and regulations pertaining to solid waste.

Existing Plans, Programs, or Policies (PPPs)

PPP E-1: CalGreen Compliance. As listed previously in Section VI, Energy.

PPP UT-1: AB 341. Implementation of the project shall comply with AB 341 that would divert a minimum of 75 percent of operational solid waste from landfill facilities.

PPP UT-2: Implementation of the project shall comply with the City’s Municipal Code Chapter 8.80, Recycling and Diversion of Construction and Demolition Waste, which requires that developments must divert at least 50 percent of waste generated from demolition and construction and submit a waste management plan.

Project Design Features

None.

Mitigation Measures

None.

Sources:

- 9. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 10 – Open Space and Conservation Element
 - Chapter 6 – Safety Element
- 10. Draft Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021
 - Section 4.10 – Hydrology and Water Quality
 - Section 4.15 – Public Services
- 11. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
- 12. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls
- 13. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (NPDES).
- 14. Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste
- 15. Western Municipal Water District, 2020 UWMP, https://www.wmwd.com/DocumentCenter/View/5433/Western-Final-Adopted-UWMP_20210630?bidId=
- 16. <https://riversideca.gov/publicworks/sewer/master-plan/2019%20Sewer%20Master%20Plan%20Volume%201.pdf>

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:

Less than Significant. According to the CAL FIRE Fire Hazard Severity Zone map, the Project site is not within an area identified as a Fire Hazard Area that may contain substantial fire risk or a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2021). The Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. As stated in Section IX of this IS/MND, the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, the Project does not include any characteristics (e.g., permanent road closures or long-term blocking of road access) that would substantially impair or otherwise conflict with an emergency response plan or emergency evacuation plan. Therefore, impacts

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related to emergency response and evacuation plans associated with construction of the Project would be less than significant.

The Project does not include any changes to public or private roadways that would physically impair or otherwise conflict with an emergency response plan or emergency evacuation plan. Further, the Project would not obstruct or alter any transportation routes that could be used as evacuation routes during emergency events. In addition, during the operational phase of the Project, onsite access would be required to comply with standards established by the City and Moreno Valley Fire Department. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to City and Fire Department’s standards. The Project would provide adequate emergency access to the site via driveways from Brodiaea Avenue and Oliver Street; the driveways and Oliver Street; the driveways would connect to an internal access way that would ensure access for emergency vehicles within the interior of the site. Further, access to and from the Project site for emergency vehicles would be reviewed and approved by the Moreno Valley Fire Department and the City as part of the Project approval process to ensure the Project is compliant with all applicable codes and ordinances for emergency vehicle access. Because the Project is required to comply with all applicable City codes, as verified by the City, any potential impacts related to an emergency response or evacuation (if any) would be less than significant.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. As stated previously, the Project site is not located within a VHFHSZ. Additionally, the Project site and surrounding area are currently developed, are being developed, or are vacant and disturbed and therefore, lack extensive combustible materials and vegetation necessary for the uncontrolled spread of a wildfire.

The Project site is relatively flat and there are limited elevation changes in the Project vicinity. The Project proposes a residential development in a relatively urbanized area characterized by existing residential and commercial uses. As such, the Project itself would not exacerbate wildfire risks as compared to existing conditions because it is representative of existing development in the area. Thus, no impact related to other factors that would expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would occur from the Project.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response:
No Impact. The Project does not require the installation or maintenance of associated infrastructure (including roads, fuel breaks, emergency water sources, power lines, or other utilities) that would exacerbate fire risk or that would result in impacts to the environment. Although the Project includes new driveways within the Project site, the Project does not include any changes to public or private roadways that would exacerbate fire risk or that would result in impacts to the environment. Although utility improvements, including domestic water, recycled water, sanitary sewer, and storm drain lines proposed as part of the Project would be extended throughout the Project site, these utility improvements would be underground and would not exacerbate fire risk. Project design and implementation of utility improvements would be reviewed and approved by the City as part of the Project approval process to ensure the Project is compliant with all applicable design standards and regulations. Therefore, the Project would not include infrastructure (such as roads, fuel breaks,

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emergency water sources, power lines, or other utilities), that would exacerbate fire risk or that would result in impacts to the environment.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Response:
Less than Significant. As discussed in Section X of the IS/MND, the Project site is located in FEMA Zone A which is within a special flood hazard area subject to inundation by the 1% annual chance flood with no base flood elevations determined. However, the Project would be required to comply with Section 8.12.170 of the City’s Municipal Code which establishes construction standards for areas of special flood hazards. During Project construction soil would be compacted, and drainage patterns would be temporarily altered due to grading, and there would be an increased potential for flooding compared to existing conditions. However, construction BMPs would be identified and implemented as part of the Project. Implementation of construction BMPs would control and direct surface runoff to prevent flooding, and as such, Project construction would not expose people or structures to significant risks related to downslope and downstream flooding. Therefore, impacts would be less than significant.

During operation, the Project would not substantially alter the existing on-site drainage patterns. Compliance with the proposed operational BMPs would ensure onsite storm drain facilities would be sized to accommodate stormwater runoff from the Project site so that onsite flooding would not occur. Therefore, impacts would be less than significant.

As established in Section VII of this IS/MND, there are no landslide zones close to or within the boundaries of the Project site. The Project site is relatively flat; therefore, the risk of slope failure represents a limited level of concern on the Project site. Further, projects in the City of Moreno Valley are required to comply with the CBC, which would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structures so that it would withstand the effects of strong ground shaking. These features would reduce potential impacts related to landslides to a less than significant level. Therefore, with implementation of the CBC, the Project would not expose people or structures to significant risks, including downslope or downstream landslides, and impacts (if any) would be less than significant.

Existing Plans, Programs, or Policies (PPPs)

None.

Project Design Features (PDFs)

None.

Mitigation Measures

None.

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021
 - Chapter 6 – Safety
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified May 20, 2021
 - Section 4.9 – Hazards and Hazardous Materials
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf

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5. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf • Threat Assessment 3 – Wildfire				
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant with Mitigation Incorporated. As discussed in Section IV of this IS/MND, the Project site is not populated or used by any species identified as a candidate, sensitive, or special status, and does not contain habitat that would support sensitive species. Furthermore, the Biological Resources Assessment determined that the Project would be consistent with the provisions of the MSHCP through payment of fees. The Project would implement MM BIO-1 requiring nesting bird surveys. In addition, MM BIO-2 requires that a 1602 Streambed Alteration Agreement shall be obtained from the CDFW for the proposed impacts to 0.15 acres of CDFW jurisdiction. The proposed 0.05 acres of impacts to waters of the State would require waste discharge requirements (WDR) under Porter-Cologne from the Santa Ana RWQCB. A MSHCP DBESP shall be prepared for impacts to 0.15 acre of riverine resources. In addition, the Project shall purchase offsite mitigation at a 2:1 ratio to accommodate the impacts to the 0.15 acres from an agency-approved mitigation bank. Therefore, impacts related to biological resources would be less than significant with incorporation of mitigation measures.</p> <p>As discussed in Section V, <i>Cultural Resources</i>, there are no historic resources located with the Project site. In addition, surveys revealed that the potential for encountering archaeological and paleontological resources on the site is high. However, with incorporation of MM CUL-1, MM PAL-1, and MM TCR-1 through MM TCR-10, impacts to cultural and paleontological resources and TCRs would be less than significant.</p>				
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant with Mitigation Incorporated. The Project would develop the site with 67 single-family residences and an onsite open space pedestrian trail. As presented in this IS/MND, potential Project-related impacts are either less than significant or would be less than significant with mitigation incorporated. Based on the analysis contained in this IS/MND, Project-related impacts would be reduced to less than significant levels with the incorporation of mitigation measures. Given that the potential Project-related impacts would be mitigated to a less than significant level, implementation of the Project would not result in impacts that are cumulatively considerable when evaluated with the impacts of other current projects, or the effects of probable future projects. Therefore, the Project’s contribution to any significant cumulative impacts would be less than cumulatively considerable. As discussed in Sections I through XX of this IS/MND, mitigation would be required and incorporated as necessary. Therefore, impacts would be less than significant with mitigation incorporated.</p>				

Attachment: Exhibit A - Final Initial Study/Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Less than Significant with Mitigation Incorporated. Based on the Project Description and the preceding responses in Sections I through XX of this IS/MND, implementation of the Project would not cause substantial adverse effects to human beings because all potentially significant impacts of the Project would be mitigated to a less than significant level. Therefore, since all potentially significant impacts of the Project are expected to be mitigated to a less than significant level, implementation of the Project would not cause substantial adverse effects on human beings.</p>				
<p>Existing Plans, Programs, or Policies (PPPs)</p> <p>None.</p> <p>Project Design Features (PDFs)</p> <p>None.</p> <p>Mitigation Measures</p> <p>None.</p>				

Attachment: Exhibit A - Final Initial Study/Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)

DOCUMENT PREPARERS AND CONTRIBUTORS

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Exhibit B

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

Attachment: Exhibit B - Notice of Intent to Adopt a Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)

**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 (PEN21-0203), Change of Zone (PEN21-0204), Tentative Tract Map No. 38237 (PEN21-0199), Conditional Use Permit to allow a Planned Unit Development (PEN22-0162)

Applicant: Megan Kay Whieldon, D.R. Horton Los Angeles Holding Company, Inc.

Owner: Discovery Christian Church, Moreno Valley

Location: Northeast corner of Oliver Street and Brodiaea Avenue (APNs: 486-240-010)

Proposal: The Applicant proposes to develop an 8.77-acre site with a 67-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 67 single-family lots, including park areas, common parking, and a Tentative Tract Map to subdivide the parcel.

Council District: 3

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 an 8.77-acre site with a 67-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 67 single-family lots, including park areas, common 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 30-day public review period for the Initial Study/Mitigated Negative Declaration, which begins October 14, 2022, and ends November 14, 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 30-day review period, 5:30 p.m. on November 14, 2022. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Kirt Coury, Contract Planner
14177 Frederick Street

Post Office Box 88005
Moreno Valley, California 92552
Phone: (951) 413-3206
Email: kirtc@moval.org

Press-Enterprise

October 14, 2022

Sean Kelleher
Planning Official/Planning Division Manager
Community Development Department

Newspaper

Date of Publication

Attachment: Exhibit B - Notice of Intent to Adopt a Mitigated Negative Declaration [Revision 1] (6022 : Dr Horton Tract 38237)

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM

Attachment: Exhibit C - Mitigation Monitoring and Reporting Program [Revision 1] (6022 : Dr Horton Tract 38237)

Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented. The City of Moreno Valley is the Lead Agency for the project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies, and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
BIOLOGICAL RESOURCES			
<p>MM BIO-1: Nesting Bird Survey. Prior to ground disturbances and construction activities, including vegetation removal, the Project Applicant shall ensure that impacts to nesting bird species at the Project site are avoided through the implementation of pre-construction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Application shall adhere to the following:</p> <ol style="list-style-type: none"> 1. Applicant shall designate a biologist (Designated Biologist) experienced in : identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures. 2. A pre-activity field survey shall be conducted by the Designated Biologist prior to the issuance of grading permits for, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. Surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not 	<p>Submittal of pre-activity field survey results report. Prior to construction.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C - Mitigation Monitoring and Reporting Program [Revision 1] (6022 : Dr Horton Tract

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.</p> <p>3. If active nests are found during nesting bird surveys, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite Designated Biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found.</p>			

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>MM BIO-2: State Drainages. A 1602 Streambed Alteration Agreement shall be obtained from the CDFW for the proposed impacts to 0.346 acres of CDFW jurisdiction.</p> <p>The proposed 0.29 acres of impacts to waters of the State would require waste discharge requirements (WDR) under Port-Cologne from the Santa Ana RWQCB.</p> <p>A MSHCP DBESP shall be prepared for impacts to 0.346 acre of riverine resources. In addition, the Project shall purchase offsite mitigation at a 2:1 ratio by purchasing 0.692 acres of re-establishment credits at River Park Mitigation Bank to accommodate the impacts to the 0.15 acres from an agency-approved mitigation bank.</p>	<p>Obtain 1602 Streambed Alteration Agreement and WDR. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>MM BIO-3: Waters of the United States. A USACE Nationwide Permit 29 and RWQCB Section 401 Water Quality Certification under the Clean Water Act shall be obtained for the proposed impacts to 0.29 acre of ephemeral stream considered Waters of the U.S.</p>	<p>Obtain Permit 29. Prior to Grading Permit.</p>		
<p>MM BIO-4: Tree Replacement. Trees within the Project site will be surveyed by a qualified arborist prior to construction. Trees removed as part of the Project will be replaced per Chapter 9.17, Landscape and Water Efficiency Requirements, of the City’s Municipal Code, which states that projects necessitating the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved.</p>	<p>Submittal of arborist report. Prior to Grading Permit.</p>		

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
CULTURAL RESOURCES			
<p>MM CUL-1: Archaeological Monitoring and Cultural Resources Monitoring Plan (CRMP) An archaeological monitoring program prepared for the Project shall stipulate that a qualified archaeologist shall conduct monitoring during the grading of the first three to five feet of the property. Prior to the granting of a grading permit for the Project, the archaeologist shall prepare a CRMP for review and concurrence by the City. The CRMP should stipulate the local locations and depths for archaeological monitoring, the procedures and protocols for discoveries, and the treatment of any artifacts recovered. Should cultural resources be discovered during earthwork, the CRMP will stipulate that the archaeologist shall have the authority to detour grading away from the discovery until an evaluation can be made.</p> <p>Should the discovery be determined to be significant, the CRMP shall include specific additional mitigation measures, such as data recovery, to mitigate adverse impacts to the discovered resource to a less than significant impact. All cultural resource discoveries will require that the site be registered at the EIC and that the City of Moreno Valley be immediately notified of the discovery and any additional mitigation measures.</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and during subsurface excavation.</p>	<p>City of Moreno Valley Community Development Department</p>	
PALEONTOLOGICAL			
<p>MM PAL-1: Paleontological Monitoring. Prior to the issuance of a grading plan, a paleontologist shall prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) for submittal and review by the City. Implementation of the PRIMP will ensure that adverse impacts to potentially significant paleontological resources are mitigated to a level less than significant. The PRIMP should follow the outline below:</p>	<p>Submittal of a Paleontological Resource Impact Mitigation Plan. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<ol style="list-style-type: none"> 1. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. The PRIMP shall stipulate that monitoring will be conducted either full or part time at the determination of the paleontologist, based upon the identification of undisturbed sediments of Pleistocene very old alluvial fan deposits (“Qvofa”). Monitoring of Holocene young sandy alluvial fan deposits (“Qyfa”) is not recommended; however, these deposits are likely relatively thin and overlie Pleistocene very old alluvial fan deposits. Therefore, monitoring in areas mapped as young sandy alluvial fan deposits may commence when those deposits are graded away and the very old alluvial fan deposits become exposed. The Project paleontologist is responsible to periodically visit the property during the initial stages of grading to identify the Pleistocene deposits and direct the initiation of monitoring. 2. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. The monitor shall notify the Project paleontologist, who will then notify the concerned parties of the discovery. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. 3. Fossils shall be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes shall be taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites shall be protected by flagging to prevent them from being over-run by earthmovers (scrapers) before salvage begins. Fossils shall be collected in a similar 			

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>manner, with notes and photographs being taken before removing the fossils. Precise location of the site shall be determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor’s construction equipment may be solicited to help remove the jacket to a safe location.</p> <p>4. Isolated fossils shall be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes shall be taken on the map location and stratigraphy of the site, which shall be photographed before it shall be vacated and the fossils are removed to a safe place.</p> <p>5. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as many as 20 to 40 five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.</p> <p>6. In accordance with the “Microfossil Salvage” section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil “microvertebrates” to test the feasibility of the deposit to yield fossil bones and teeth.</p> <p>7. In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking</p>			

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).</p> <p>8. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.</p> <p>9. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the Western Science Center) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Moreno Valley) will be consulted on the repository/museum to receive the fossil material.</p> <p>10. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.</p> <p>11. Decisions regarding the intensity of the PRIMP will be made by the Project paleontologist based on the significance of the paleontological resources and their biostratigraphic, biochronologic, paleoecologic, taphonomic, and taxonomic attributes, not upon the ability of a Project proponent to fund the PRIMP.</p>			

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
TRIBAL			
<p>MM TCR-1: Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist, who meets the U.S. Secretary of the Interior Standards, to conduct monitoring of all mass grading and trenching activities.</p> <p>The Project Archaeologist, in consultation with the Consulting Tribe(s) including Rincon Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in TCR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>	<p>Submit a CRMP prepared by Professional Archaeologist in consultation with Tribe. Prior to Grading Permit.</p>	<p>Qualified Professional Archeologist/ City of Moreno Valley Community Development Department</p>	
<p>MM TCR-2: Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Rincon Band of Luiseño Indians for tribal monitoring. The City is also required to provide a minimum of 30 days' advance notice to the tribes of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>	<p>Secure Tribal Monitoring Agreements. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>MM TCR-3: Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <p>a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to MM CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-1. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p>	<p>Treatment of human remains and/or associated funerary objects. Upon unanticipated discovery of human and/or funerary remains.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>MM TCR-4: Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has</p>	<p>Submit a CRMP prepared by Professional Archaeologist in consultation with Tribe. Prior to Grading Permit.</p>	<p>Qualified Professional Archeologist/ City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C - Mitigation Monitoring and Reporting Program [Revision 1] (6022 : Dr Horton Tract

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) Project description and location; b) Project grading and development scheduling; c) Roles and responsibilities of individuals on the Project; d) The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e) The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f) The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g) Contact information of relevant individuals for the Project. 			
<p>MM TCR 5: Grading Plan. The City shall verify that the following note is included on the Grading Plan:</p> <p>"If any suspected archaeological resources are discovered during ground – disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>	<p>Verify note is included in Grading Plan. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>MM TCR 6: Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities</p>	<p>Cease all ground disturbing activity within 100 feet of the</p>	<p>City of Moreno Valley Community Development Department</p>	

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Community Development Department for consideration and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in MM TCR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>	<p>uncovered resource and contact qualified persons, consulting Tribes, and site monitors. In the case of an inadvertent historic or cultural find.</p>		
<p>MM TCR 7: Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>	<p>Cease all ground disturbing activity and contact NAHC within 24 Hours per PRC 5097.98 if remains are potentially Native American. In the case of an inadvertent</p>	<p>City of Moreno Valley Community Development Department</p>	

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Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
	discovery of human remains.		
<p>MM TCR 8: Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p>	<p>Reburial locations shall not be publicly disclosed. Pre- and post-project.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>MM TCR 9: Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>Submittal of two (2) copies of the Phase III and IV Data Recovery Reports (if required). Prior to Final Inspection.</p>	<p>Developer/Archaeologist/ City of Moreno Valley Community Development Department</p>	
<p>MM TCR 10: Tribe Notification. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted regarding any precontact and/or historic-era finds and be provided information after the</p>	<p>Contact San Manuel Band of Mission Indians Cultural Resources</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C - Mitigation Monitoring and Reporting Program [Revision 1] (6022 : Dr Horton Tract

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. In the event of any precontact and/or historic-era finds, SMBMI shall be included as a consulting tribe under TCR-1 through TCR-9.	Department (SMBMI). In the event of any precontact and/or historic-era finds.		

PPP	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
AIR QUALITY			
<p>PPP AQ-1: Rule 403. All applicable measures included in Rule 403, shall be incorporated into Project plans and specifications as implementation of Rule 403, which include but are not limited to (1):</p> <ul style="list-style-type: none"> • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. 	Compliance with Rule 403. Construction.	City of Moreno Valley Community Development Department	
<p>PPP AQ-2 Rule 1108. All asphalt used during construction and operation shall comply with Rules 1108 and 1108.1:</p> <ul style="list-style-type: none"> • VOC contents of asphalt shall be limited and regulated during construction and any on-going maintenance. 	Compliance with Rule 1108. Construction.	City of Moreno Valley Community Development Department	
<p>PPP AQ-2: Rule 1113. The following measures shall be incorporated into Project plans and specifications as implementation of SCAQMD Rule 1113 (2):</p> <ul style="list-style-type: none"> • Only “Low-Volatile Organic Compounds (VOC)” paints (no more than 50 gram/liter of VOC) consistent with SCAQMD Rule 1113 shall be used. 	Compliance with Rule 1113. Construction.	City of Moreno Valley Community Development Department	
CULTURAL RESOURCES			

<p>PPP CUL-1: Should human remains be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.</p>	<p>Cease all ground disturbing activity and contact NAHC within 24 Hours per PRC 5097.98 if remains are potentially Native American. In the case of an inadvertent discovery of human remains.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>GEOLOGY</p>			
<p>PPP GEO-1: California Building Code. The Project is required to comply with the California Building Code as included in the City’s Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.</p>	<p>Comply with California Building Cod. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	
<p>WATER QUALITY</p>			
<p>PPP WQ-1: SWPPP. Prior to grading permit issuance, the Project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) pursuant to the Municipal Code Section 8.21.170. The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to comply with the National Pollutant Discharge Elimination System (NPDES) requirements to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the</p>	<p>Review and approval of SWPPP. Prior to Grading Permit.</p>	<p>City of Moreno Valley Community Development Department</p>	

Attachment: Exhibit C - Mitigation Monitoring and Reporting Program [Revision 1] (6022 : Dr Horton Tract

construction site by City of Moreno Valley staff or its designee to confirm compliance.			
UTILITIES			
PPP E-1: CalGreen Compliance.	Comply with CalGreen standards. Prior to Final Inspection.	City of Moreno Valley Community Development Department	
PPP UT-1: AB 341. Implementation of the Project shall comply with AB 341 that would divert a minimum of 75 percent of operational solid waste from landfill facilities.	Comply with AB 341. During Project operation.	Developer/City of Moreno Valley Community Development Department	
PPP UT-2: Implementation of the Project shall comply with the City's Municipal Code Chapter 8.80, Recycling and Diversion of Construction and Demolition Waste, which requires that developments must divert at least 50 percent of waste generated from demolition and construction and submit a waste management plan.	Comply with Municipal Code Chapter 8.80. During Project construction.	Developer/City of Moreno Valley Community Development Department	

RESOLUTION NUMBER 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (PEN21-0203), TO AMEND THE GENERAL PLAN LAND USE MAP, CHANGING THE LAND USE DESIGNATION FROM RESIDENTIAL 5 (R5) TO RESIDENTIAL 10 (R10), CONDITIONAL USE PERMIT (PEN 22-0162) AND TENTATIVE TRACT MAP 38237 (PEN21-0199), FOR A PLANNED UNIT DEVELOPMENT LOCATED AT THE NORTHEAST CORNER OF OLIVER STREET AND BRODIAEA AVENUE (APN: 486-240-010) AND THE NECESSARY AND CORRESPONDING AMENDMENTS TO THE CITY'S ZONING ATLAS

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California, and has the authority to approve amendments to the City's General Plan and City's Zoning Atlas; and

WHEREAS, DR Horton Los Angeles Holding Company Inc., ("Applicant") has submitted applications for Discovery Residential Project which includes approval of General Plan Amendment (PEN21-0203), Conditional Use Permit (PEN22-0162), and Tentative Tract Map 38237 (PEN21-0199) for the development of a 67 single-family lot residential project with associated amenities and public improvements ("Proposed Project"), located on the northeast corner of Oliver Street and Brodiaea Avenue (APN 486-240-010) ("Project Site"); 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, 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 City 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, the applications for the Proposed Project have been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) and Chapter 9.14 (Land Divisions), respectively, of the Municipal Code with consideration given to the City's General Plan, Zoning Ordinance, and other applicable laws and regulations; 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 December 20, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record with 600 feet of the Site; and

WHEREAS, on November 17, 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 17, 2022, a hearing was conducted by the Planning Commission to consider General Plan Amendment (PEN21-0203), whereby the Planning Commission approved Planning Commission Resolution 2022-49, a recommendation that the City Council approve General Plan Amendment (PEN21-0203); and

WHEREAS, on November 17, 2022, a hearing was conducted by the Planning Commission to consider Conditional Use Permit (PEN22-0162) and Tentative Tract Map 38237 (PEN21-0199), whereby the Planning Commission approved Planning Commission Resolution 2022-51, a recommendation that the City Council approve Conditional Use Permit (PEN22-0162) and Tentative Tract Map 38237 (PEN21-0199); and

WHEREAS, on November 17, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the Planning Commission considered and recommended that the City Council approve Resolution 2022-48 recommending that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the DR Horton Discovery Residential project located on the northeast corner of Oliver Street and Brodiaea Avenue (APN 486-240-010); and

WHEREAS, on December 20, 2022 the public hearing to consider the Proposed Project was duly conducted by the City Council at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, on December 20, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Council considered and approved Resolution 2022-___ adopting the Proposed Project's Mitigated Negative Declaration, and adopting a Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, THE CITY COUNCIL 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, 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 City Council 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 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 relevant provisions contained therein as shown on Exhibit A;
- (d) Applications for a General Plan Amendment (PEN21-0203), Change of Zone (PEN21-0204) and corresponding amendment to the City’s Zoning Atlas, Conditional Use Permit (PEN22-0162), and Tentative Tract Map 32837(PEN21-0199), and all documents, records and references contained therein;
- (e) Staff Report prepared for the City Council’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, comments and correspondence from all persons that were 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 City Council makes the following findings:

- (a) The proposed General Plan Amendment and Change of Zone are consistent with the existing goals, objectives, policies, and programs of the General Plan;
- (b) The proposed General Plan Amendment and Change of Zone will not adversely affect the public health, safety, or general welfare;
- (c) The Proposed Project is consistent with the purposes and intent of Title 9;
- (d) The Proposed Project is consistent with the goals, objectives, policies, and programs of the general plan;
- (e) The Proposed Project complies with all applicable zoning and other regulations;
- (f) The Proposed Project will not be detrimental to the public health, safety, or

- welfare or materially injurious to properties or improvements in the vicinity;
- (g) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity;
 - (h) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
 - (i) That the Project Site is physically suitable for the type of development;
 - (j) That the Project Site of the proposed land division is physically suitable for the proposed density of the development;
 - (k) 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 and/or their habitat;
 - (l) That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
 - (m) 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;
 - (n) That the requirements of CEQA have been satisfied;
 - (o) That the proposed land division is not subject to the Williamson Act pursuant to the California Land Conservation Act of 1965;
 - (p) That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city;
 - (q) 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
 - (r) 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 set forth above, the City Council hereby approves Proposed Project, including but not limited to the General Plan Amendment (PEN21-0203) as depicted in the exhibit attached hereto as Exhibit A, 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, subject to the Conditions of Approval for Conditional Use Permit (PEN22-0162) and Tentative Tract Map 38237 (PEN21-0199), attached hereto and Exhibit B.

Section 6. Repeal of Conflicting Provisions

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

Section 7. Severability

That the City Council 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 City Clerk shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 20th day of December, 2022.

Ulises Cabrera, Mayor

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: General Plan Amendment Land Use Designation Map

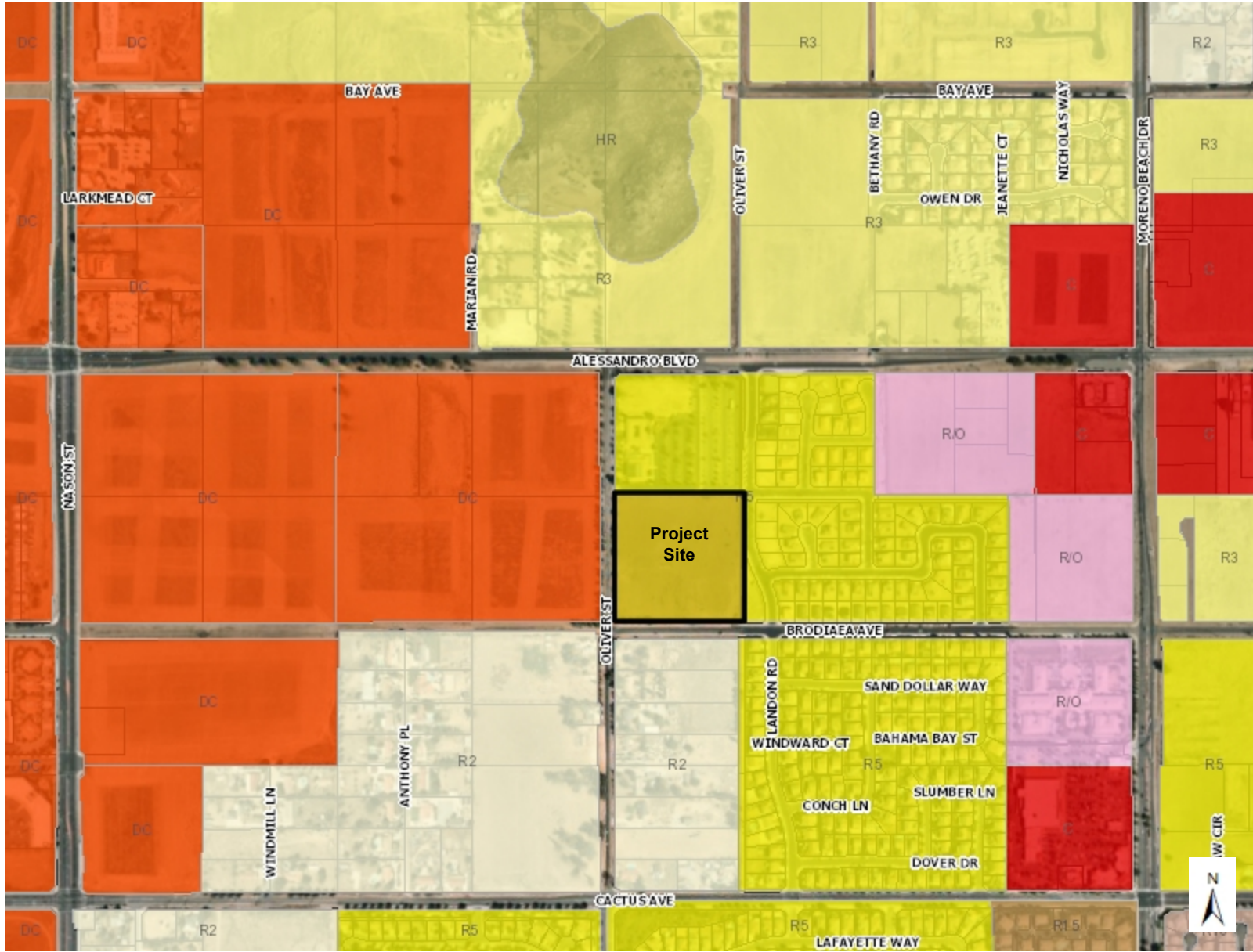
Exhibit B: Conditional Use Permit (PEN22-0162) and Tentative Tract Map 38237
(PEN21-0199) Conditions of Approval

Exhibit A
General Plan Amendment Land Use Designation Map

Attachment: Resolution No. 2022-XX - General Plan Amendment, Conditional Use Permit, and Tentative Tract Map [Revision 1] (6022 : Dr



General Plan Land Use



Legend

- Current Land Use
- Residential 5 (R5)
- Proposed Land Use
- Residential 10 District (R10)

1,491.1 0 745.54 1,491.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 11/3/2022

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.

Notes:

Exhibit B

**Conditional Use Permit (PEN22-0162) and Tentative Tract Map 38237 (PEN21-0199)
Conditions of Approval**

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN21-0199)

Conditional Use Permit (PEN22-0162)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Tentative Tract Map (PEN21-0199)
 Conditional Use Permit (PEN22-0162)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. 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.
2. 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)
3. 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)
4. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN21-0199)

Conditional Use Permit (PEN22-0162)

Page 2

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.

5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

Special Conditions

7. Prior to the issuance of a grading permit, the Developer shall secure agreements with the appropriate Native American Tribes for tribal monitoring. The City is also required to provide a minimum of 30 days advance notice to the tribes of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. If the Native American Tribal Representatives suspect that an archaeological resource may have been unearthed, the Project Archaeologist or the Tribal Representatives shall immediately redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the Native American Tribal Representatives, the Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2. (only applicable if tribes require monitoring)
8. The site has been approved for a General Plan Amendment and a Change of Zone application to change the existing land use designation from Residential 5 Residential to Residential Single-Family 10 District. Approval also includes a Tentative Tract Map (TTM 38237) to subdivide 8.77 gross acres of vacant land into sixty-seven (67) single-family residential lots and associated amenities and public improvements, and a Conditional Use Permit for a Planned Unit Development. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation of the Conditional Use Permit.
9. Prior to approval of any grading permit, the tree plan shall be submitted to and

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN21-0199)

Conditional Use Permit (PEN22-0162)

Page 3

- approved by the Panning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the Planning Official. (GP Objective 4.4, 4.5, DG)
10. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
 11. Prior to grading plan approval, Basin fencing shall include wrought iron fencing with pilasters
 12. 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.
 13. Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.
 14. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
 15. Prior to grading plan approval, decorative block walls shall be provided along the street side for all corner lots. (MC 9.08.070)
 16. The site shall be developed in accordance with the approved tentative 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)
 17. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
 18. A drought tolerant landscape palette shall be utilized throughout the tract in compliance with the City's Landscape Requirements. (9.17)
 19. 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

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN21-0199)

Conditional Use Permit (PEN22-0162)

Page 4

shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

20. Prior to issuance of building permit issuance, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to and approved by the Planning Division for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins more than 18 inches in depth.
21. 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)
22. 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.
23. 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)
24. 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.)
25. 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

CONDITIONS OF APPROVAL
 Tentative Tract Map (PEN21-0199)
 Conditional Use Permit
 (PEN22-0162)
 Page 5

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 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. Maintenance of all front yard landscaping for all home sites within Tract Map 38237.
- e. 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.
- f. Oleander plants or trees shall be prohibited on open space lots adjacent to multi-use trails.

Prior to Grading Permit

26. 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

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN21-0199)

Conditional Use Permit (PEN22-0162)

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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 shall make a determination based on the provisions of CEQA and consideration of the religious beliefs, customs and practices of the Tribe(s).

27. 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.
28. 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)
29. Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation,

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the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Wildlife and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)

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 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 approval of any grading permits, the applicant shall have a qualified hazardous materials specialist examine the site to determine if there are any toxic or hazardous materials on-site which might pose a threat to human health. The examination shall include soil tests if deemed necessary by the consultant. A copy of the report, including recommended remediation or other clean-up measures, shall

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- be provided to the Planning Division and the Public Works Department - Land Development Division by the consultant prior to any grading permits being issued. (Ord.)
34. 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]
 35. 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]
 36. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
 - a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
 37. Prior to issuance of any grading permit, all Mitigation Measures and Conditions of Approval shall be printed on the building plans.

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38. 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.
39. Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Homeowner's Association shall be submitted to the Planning Division. All landscape plans shall be approved by the Planning Division prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins.
40. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
- a. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - c. Diamond planters shall be provided every 3 parking stalls.
 - d. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed) E. Street trees shall be provided every 40 feet on center in the right of way.
 - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - g. Enhanced landscaping shall be provided at all driveway entries and street corner locations. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.

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41. Prior to issuance of building permits, for projects that will be phased, a phasing plan shall be submitted to and approved by the Planning Division if occupancy is proposed to be phased.

Building Division

42. 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.
43. Contact the Building Safety Division for permit application submittal requirements.
44. 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.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
46. 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.
47. 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. EMWD utility services shall be provided to each parcel within the development. Contact the water district at 951.928.3777 for specific details.
48. 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.
49. 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).
50. 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)

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FIRE DEPARTMENTFire Prevention Bureau

51. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
52. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
53. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
54. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
55. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
56. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
57. 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.
58. 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.

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59. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
60. 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])
61. 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])
62. 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)
63. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
64. 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 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
65. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
66. 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)
67. 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)

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68. 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)
69. 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)
70. 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).
71. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
72. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
73. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
74. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

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FINANCIAL & MANAGEMENT SERVICES DEPARTMENTMoreno Valley Utility

75. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
76. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

77. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer’s expense, for any and all costs associated with the relocation of any of Moreno Valley Utility’s underground electrical distribution facilities, as determined by Moreno Valley Utility, which may

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be in conflict with any developer planned construction on the project site.

78. This project may be subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. Payment shall be required prior to issuance of building permits.

PUBLIC WORKS DEPARTMENT

Land Development

79. 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.
80. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
81. 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.
82. 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.

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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.

83. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
84. 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]
85. 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)]
86. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
87. 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.
88. 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.

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89. The proposed private storm drain system shall connect to the project's proposed public storm drain system and the existing public storm drain system, as applicable. 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.
90. 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.
91. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. 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 with striping, RCFC storm drain, sewer / water, etc.) (prior to encroachment permit issuance);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Easements, dedications, vacations, etc. (prior to building permit issuance);
 - h. As-Built revision for all plans (prior to Occupancy release).
92. 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 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. If residential, it and its maintenance shall be turned over to an established Homeowner's Association (HOA).

Prior to Grading Plan Approval

93. Resolution of all drainage issues shall be as approved by the City Engineer.
94. 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

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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.

95. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
96. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
 - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

97. Tract 31590 (PEN20-0144) is awaiting the project's LOMR approval from FEMA, which is anticipated to eliminate the requirement for a CLOMR/LOMR for PEN21-0199. If the approval does not occur and/or if PEN21-0199 lies within a flood hazard area as defined below, the following is required:
- The developer shall comply with the rules and regulations of FEMA and City Municipal Code 8.12 for development within a flood hazard area (defined as Zones A, AE and AH).
- For developments required to submit a CLOMR(-F) / LOMR(-F), the following items (prepared by a licensed civil engineer or land surveyor) shall be submitted:
- a. Prior to plan approval, a Floodplain Development Permit (application available at the City).
 - b. Prior to issuance of the first building permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City Engineer and FEMA.
 - c. Prior to issuance of the certificate of occupancy, a Letter of Map Revision (LOMR) package with appropriate fees shall be submitted and approved by the City Engineer and FEMA.
 - d. Prior to 90% reduction of public improvement securities, a Letter of Map Revision (LOMR) approved by FEMA shall be submitted to the City.

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98. 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.
99. 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.
100. 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.
101. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
102. The developer shall pay all remaining plan check fees.
103. 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.
104. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

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Prior to Grading Permit

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

Prior to Map Approval

113. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
114. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted

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- 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.
115. As applicable, the developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
 116. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
 117. Resolution of all drainage issues shall be as approved by the City Engineer.
 118. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
 119. 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.
 120. 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]
 121. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).
 122. The developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.
 123. All street dedications shall be free of all encumbrances, irrevocably offered to the

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public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

124. 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 shall 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.

Prior to Improvement Plan Approval

125. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
126. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
127. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
128. 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.
129. 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.
130. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
131. 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.

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132. 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.
133. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.
134. 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.
135. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

136. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
137. All applicable inspection fees shall be paid.
138. 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.

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

Prior to Building Permit

140. 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.
141. For all subdivision projects, the map shall be recorded (excluding model homes). [MC 9.14.190]
142. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
- (a) The necessary street right of way dedication on the east side of Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
 - (b) The necessary street right of way dedication on the north side of Brodiaea Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) along the project frontage. Any existing R/W in excess of 33' along the north side of Brodiaea Avenue shall be vacated.
 - (c) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0 on Oliver Street and Brodiaea Avenue.
 - (d) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets and intersecting public streets with private streets, as directed by the City Engineer.
143. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
144. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

145. All outstanding fees shall be paid.
146. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
147. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
148. 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. Undergrounding 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.
149. 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 the following thresholds:
- a. Issuance of a certificate of occupancy for the last 20% or last 5 homes (whichever is more) of any Map Phase.
150. Prior to occupancy, Master Drainage Plan (MDP) Line H public storm drain shall be constructed of reinforced concrete pipe (RCP) in Oliver Street. MDP Line H-5a public storm drain shall be constructed of reinforced concrete pipe (RCP) in Brodiaea Avenue. Line H shall connect to existing Line H in Oliver Street north of Cactus Avenue. Final design, sizing, and alignment shall be coordinated with the City and Riverside County Flood Control and Water Conservation District (RCFC & WCD), and shall be as approved by the City Engineer. Note that because Tract 38236 (PEN21-0184) is also conditioned to construct Line H in Oliver Street, the tract that goes to construction first will be responsible for this condition as it pertains

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to Line H.

151. 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.
152. 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.
153. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.
154. Prior to occupancy, the following improvements shall be completed:
- Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32', plus an additional 18' of pavement, along the entire project's west frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-1. Any missing or deficient improvements along the

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project's east frontage shall be constructed prior to issuance of a certificate of occupancy.

Oliver Street (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2), between Brodiaea Avenue and Cactus Avenue, shall be constructed to achieve the Minor Arterial street section, with a minimum width of 24'. Final street design shall be coordinated with the MDP Line H storm drain design, and shall be as approved by the City Engineer. Note that because Tract 38236 (PEN21-0184) is also conditioned to construct Line H in Oliver Street, the tract that goes to construction first will be responsible for this condition.

155. Prior to occupancy, the following improvements shall be completed:

Brodiaea Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) shall be constructed to achieve a half-width of 22', plus an additional 14' of pavement, along the entire project's south frontage. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.

Special Districts Division

156. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
157. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation

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(i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the

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developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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

160. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
161. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
162. Zones A and C. The parcel(s) associated with this project is included in Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). Zone A is levied on the property tax bill on a per parcel or dwelling unit basis. Zone C is levied on the property tax bill on a per parcel basis. Zone A and Zone C are levied against all assessable parcels, and any

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subdivision thereof.

163. CFD 2014-01. Prior to City Council action authorizing the recordation of the final map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for a) Street Lighting Services for capital improvements, energy charges, and maintenance and/or b) street and storm drain maintenance.

This condition must be fully satisfied prior to issuance of the 1st Building Permit. 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 forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

164. NPDES Funding. Prior to City Council action authorizing recordation of the final map for the development and if the Land Development Division requires this project to provide a funding source for the City's National Pollutant Discharge Elimination System (NPDES) program, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the balloting/annexation fee or fund an endowment) to provide an ongoing funding source for the NPDES program. This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful special election process into the NPDES program, or other special financing district, and payment of all costs associated with the special election process. Participation in the NPDES program requires an annual payment of the annual special tax, assessment, rate or fee levied against the property tax bill,

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or other lawful means, of the parcels of the project for such district. At the time of the City Council action to consider the ballot/annexation into or formation of the district, the qualified elector(s) will not protest the ballot/annexation or formation, but will retain the right to object to any eventual tax/assessment/rate/fee that is not equitable should the financial burden of the tax/assessment/rate/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. (City of Moreno Valley Municipal Code Title 3, Section 3.50.050). Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

165. Park Maintenance Funding. Prior to City Council action authorizing the recordation of the map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

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

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

PARKS & COMMUNITY SERVICES DEPARTMENT

166. This project is subject to current Development Impact Fees.
167. This project is subject to current Quimby Fees.

Standard Conditions

168. Detailed final plans (mylars, PDF, and AutoCAD file on a DVD-R) for parks, trails/bikeways, fencing, and adjoining landscaped areas shall be submitted to and approved by the Director of Parks and Community Services, or his/her designee, prior to the issuance of any building permits. All plans are to include a profile showing grade changes.
169. Within the improvements for PCS, the applicant shall show all existing and planned easements on all maps and plans. Easements on City/CSD owned or maintained parks, trails, bikeways, and landscape shall be identified on each of these plans with the instrument number of the recorded easement.
170. Prior to recordation of the Final Map, the applicant shall post security to guarantee construction or modification of parks, trails and/or bikeways for the City/CSD. Copies of said documentation shall be provided to PCS, prior to the approval of the Final Map.
171. Applicable plan check and inspection fees shall be paid, per the approved City fee schedule.
172. A restriction shall be placed on lots that back up to City/CSD owned or maintained parks, trails, bikeways, and landscaped areas, preventing openings or gates accessing the City/CSD owned or maintained property. This shall be documented through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee, prior to the recordation of the Final Map.
173. The following plans require PCS written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to bikeways; trail improvement plans. PCS will not approve any permits without review and approval of the above items.

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CHANGE OF ZONE (PEN21-0204) TO AMEND THE CITY ZONING ATLAS FROM RESIDENTIAL 5 (R5) DISTRICT TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) DISTRICT, FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF OLIVER STREET AND BRODIAEA AVENUE (APN 486-240-010)

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 D.R. Horton Los Angeles Holding Company, Inc., (“Applicant”) has submitted an application for the approval of the proposed Discovery Residential project, which includes the approval of a Change of Zone (PEN21-0204) (“Proposed Project”) requesting to amend the City’s Zoning Atlas from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District for the property located at the northeast corner of Oliver Street and Brodiaea Avenue (APN 486-240-010) (“Project Site”); and

1.2 At the duly noticed November 17, 2022, regular Planning Commission meeting, the commission considered the Change of Zone and associated entitlements for the proposed Discovery Residential project and recommended approval to the City Council; and

1.3 Upon recommendation of the Planning Commission, a duly noticed public hearing was held before the City Council on December 20, 2022, for deliberations and decision; and

1.4 The City Council fully discussed, and the public and other agencies were given opportunity to present testimony and documentation; and

1.5 An Initial Study has been prepared for the Proposed Project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the Initial Study including all supporting technical evidence, it was determined that the Proposed Project impacts have been reduced to less than significant with mitigation measures and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment in a manner that would otherwise require the preparation and certification of an Environmental Impact Report, and approval of a Mitigated Negative Declaration is an appropriate environmental determination for the Proposed Project.

SECTION 2 EVIDENCE:

That the City Council has considered all of the evidence submitted into the administrative record for Change of Zone (PEN21-0204), including, but not limited to, the following:

Attachment: Ordinance No. XXX [Revision 2] (6022 : Dr Horton Tract 38237)

- (a) Moreno Valley General Plan and all relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all relevant provisions therein;
- (c) The change the zoning designation of the site from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District, and all other relevant provisions contained therein as shown on Exhibit A;
- (d) Application for the approval of Change of Zone (PEN21-0204) and all documents, records and references contained therein;
- (e) Staff Report prepared for the Planning Commission’s and City Council’s consideration and all documents, records and references related thereto, and Staff’s presentation at the public hearings;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearings; and
- (g) Testimony comments and/or correspondence from all persons that were provided in written format or correspondence, at, or prior to, the public hearings.

SECTION 3 FINDINGS:

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby finds as follows:

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

SECTION 4 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

4.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 981, on August 3, 2021, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification to page 100 of the Official Zoning Atlas as shown on the attached map marked “Exhibit A” and included herein by reference and on file in the office of the City Clerk.

SECTION 5 SEVERABILITY

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

SECTION 6 REPEAL OF CONFLICTING PROVISIONS

2
Ordinance No. 2022-XX
Date Adopted: _____, 2023

Attachment: Ordinance No. XXX [Revision 2] (6022 : Dr Horton Tract 38237)

6.1 That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7 EFFECTIVE DATE

7.1 That this Ordinance shall take effect thirty (30) days after its second reading.

Section 8 CERTIFICATION

8.1 That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

APPROVED AND ADOPTED this 18th day of January, 2022.

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Attachment: Ordinance No. XXX [Revision 2] (6022 : Dr Horton Tract 38237)

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. YYYY-__ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____ day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

4
Ordinance No. 2022-XX
Date Adopted: _____, 2023

EXHIBIT A

Attachment: Ordinance No. XXX [Revision 2] (6022 : Dr Horton Tract 38237)



Attachment: Ordinance No. XXX [Revision 2] (6022 : Dr Horton Tract 38237)

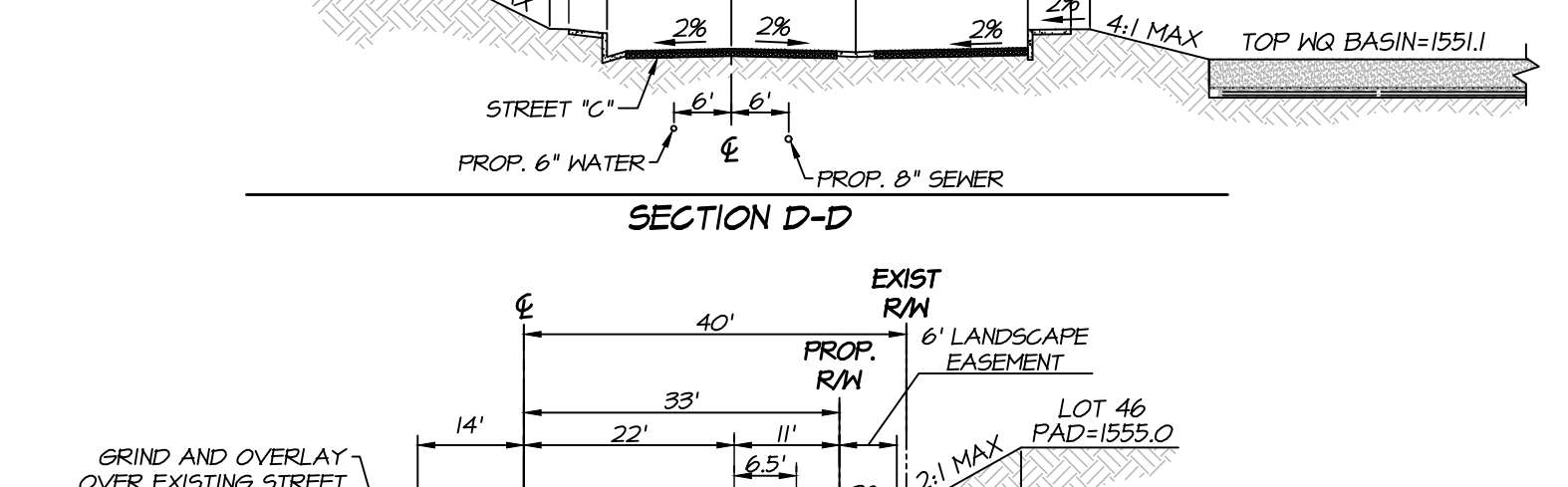
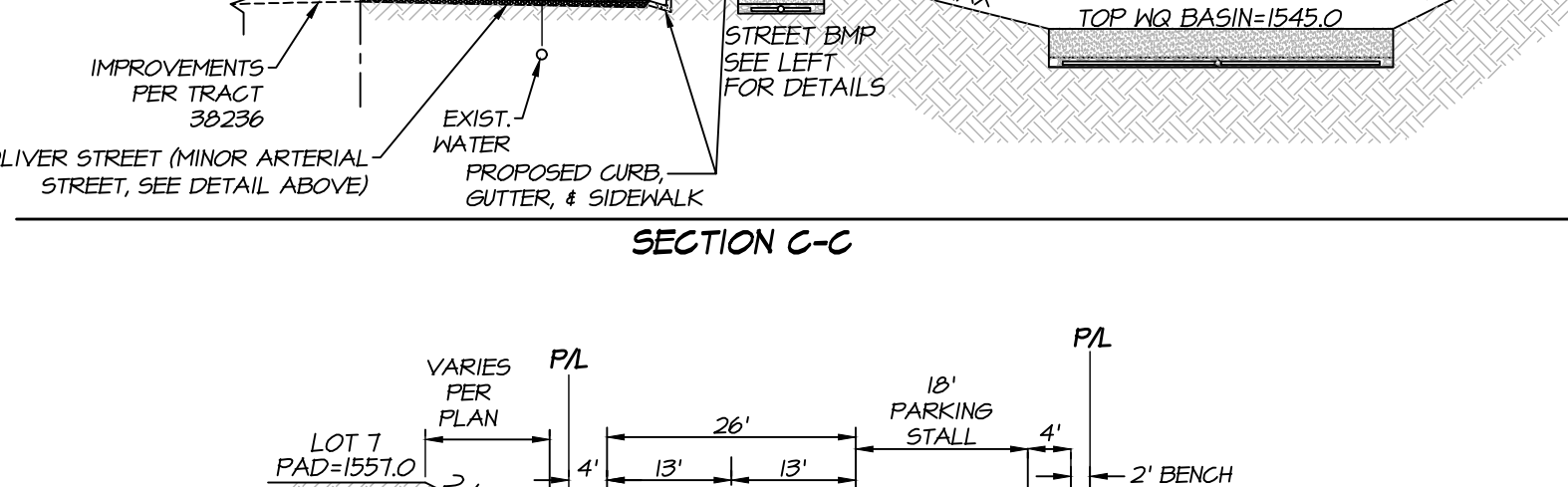
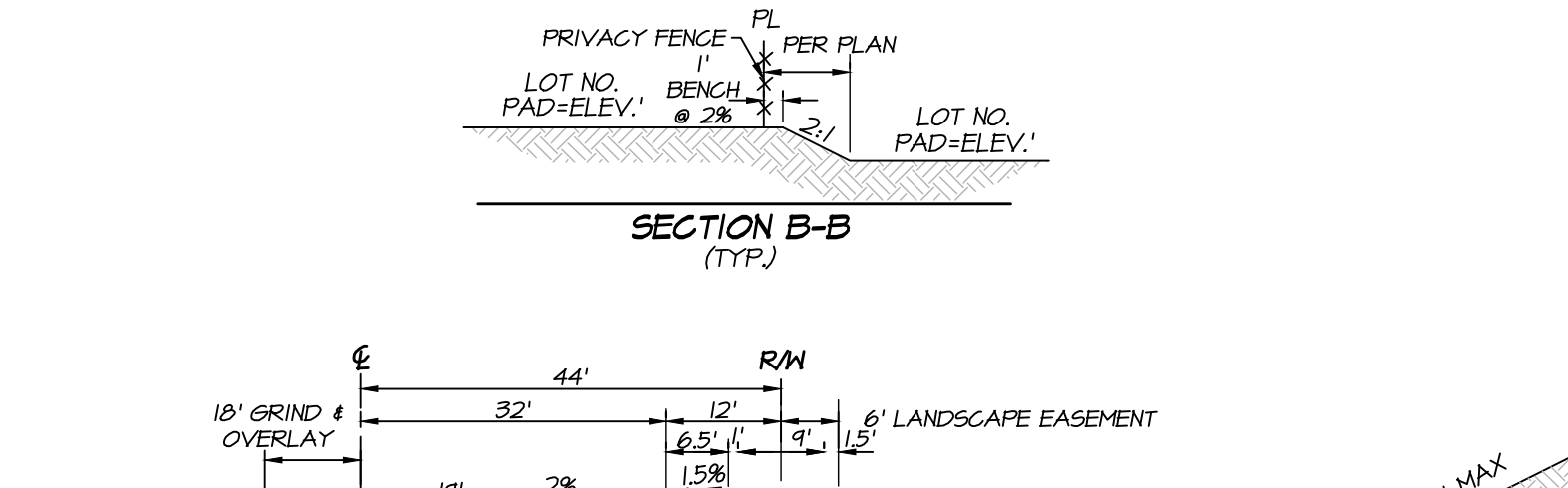
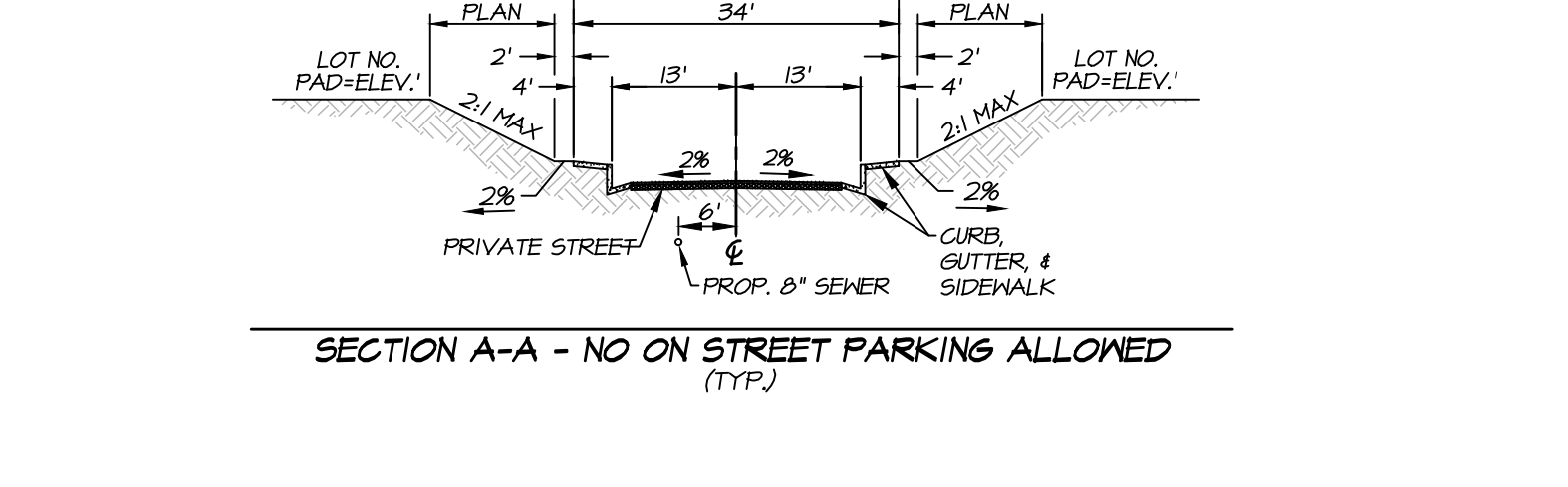
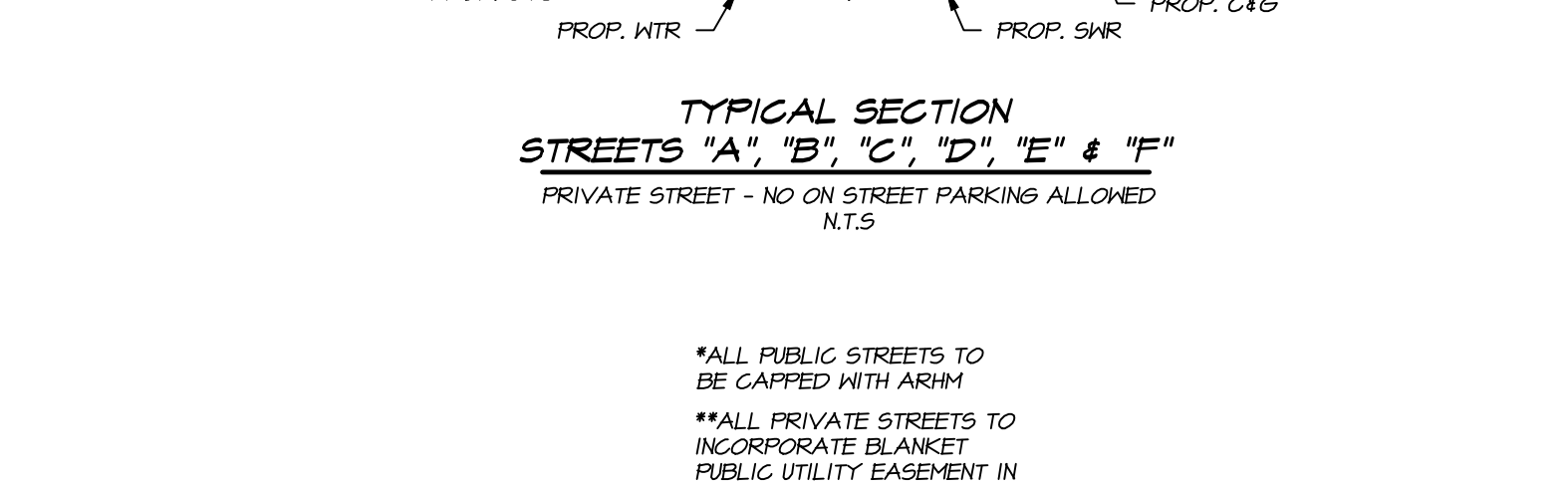
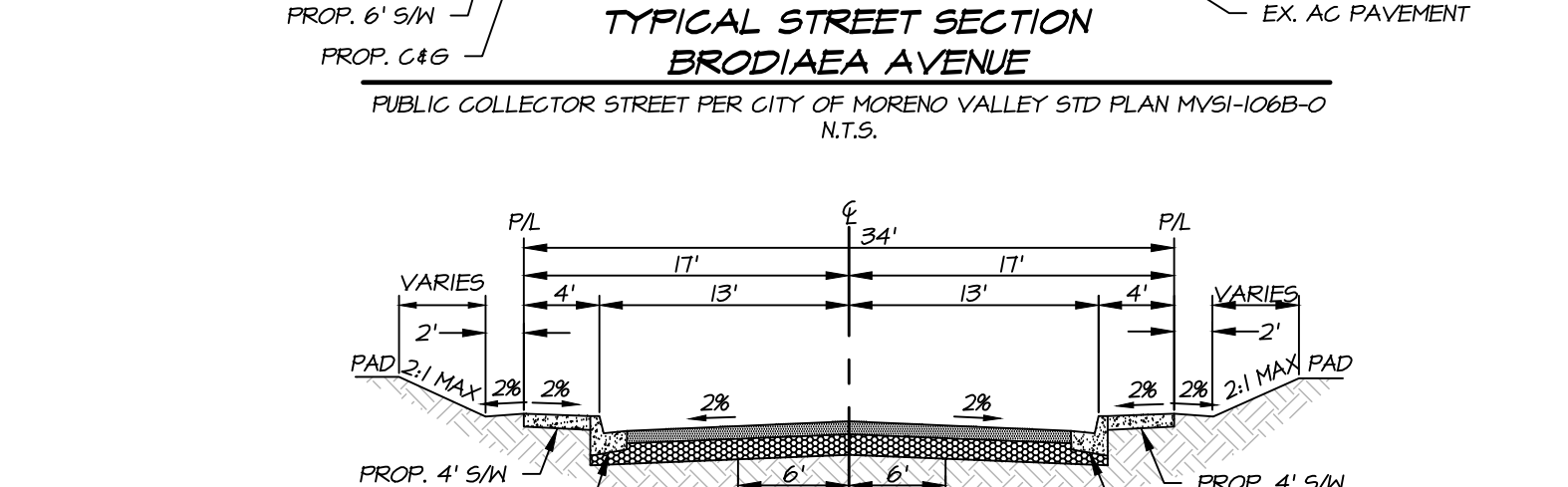
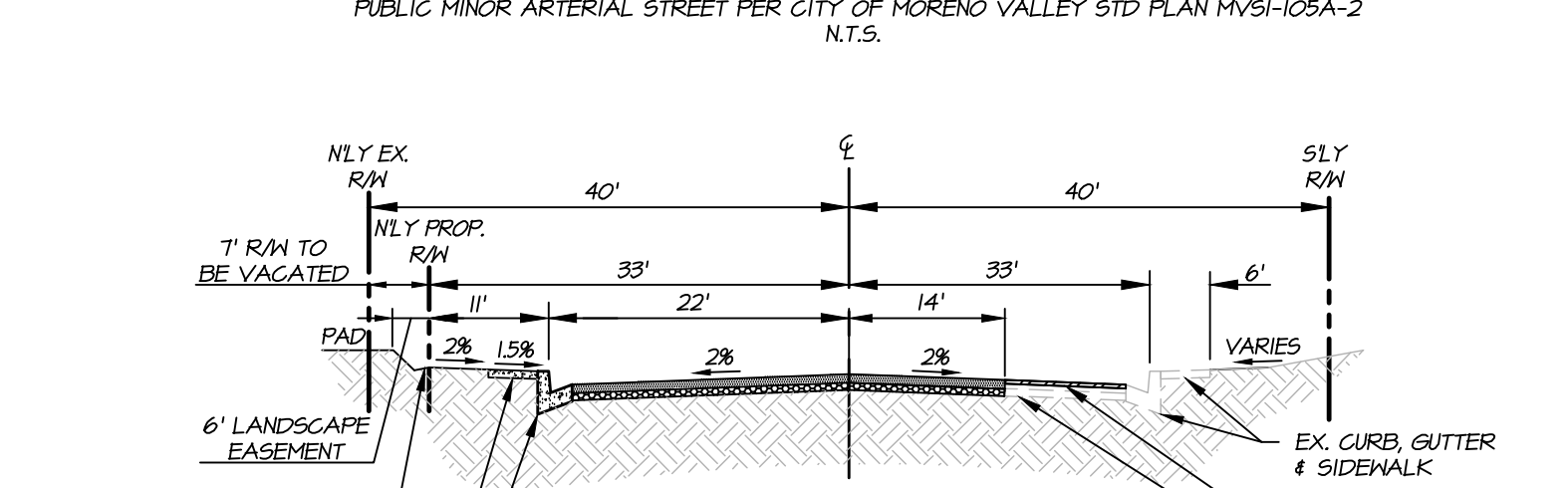
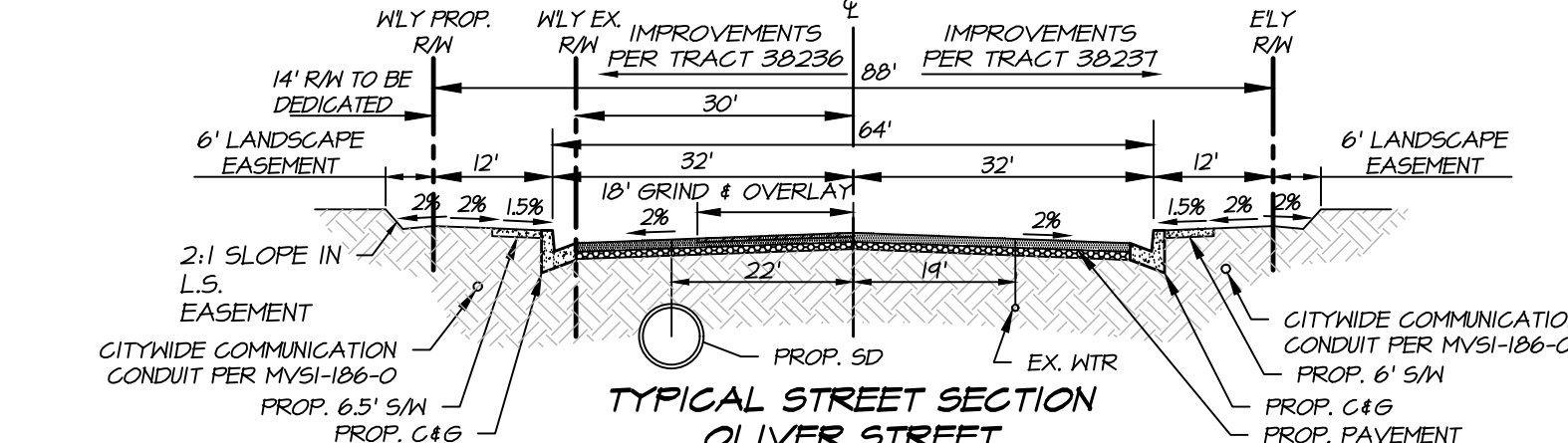
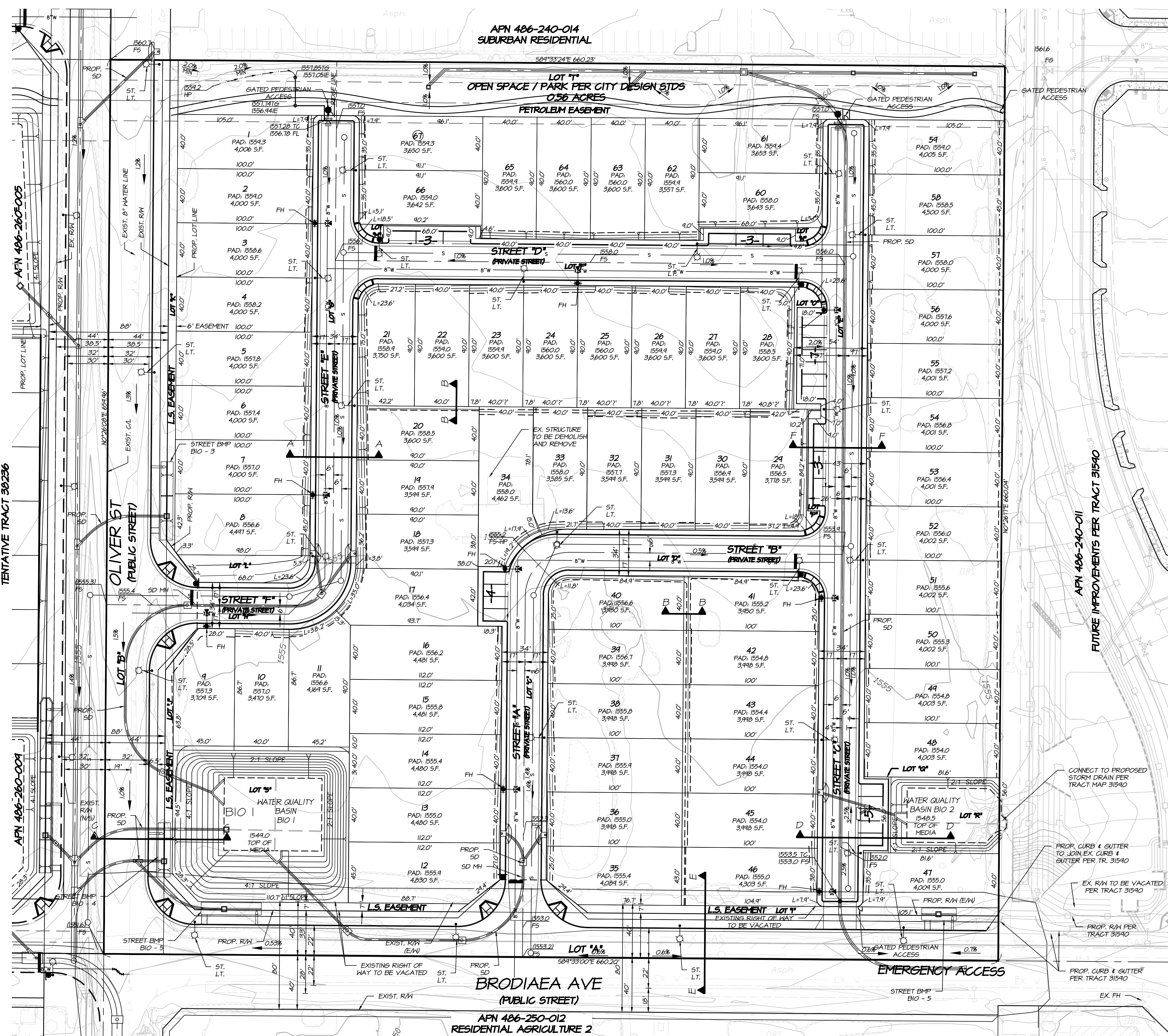
PEN21-0199 - Change of Zone

Proposed Change from Residential 5 (R5) to Residential Single-Family 10 (RS10)

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
TENTATIVE TRACT MAP 38231

DR HORTON

JULY 2021



APPLICANT
MEGAN WHEELDON
D.R. HORTON
2230 WARDLAW CIRCLE, SUITE 100
CORONA, CA 92628
RHS) 212-4000
MHWHEELDON@DRHORTON.COM

OWNER
DISCOVERY CHRISTIAN CHURCH OF MORENO VALLEY
3755 ALESSANDRO AVE
CORONA, CA 92504
PH: (909) 418-1176 x 301
dcvchhcn3@gmail.com

ENGINEER
adkan ENGINEERS
6875 AIRPORT DRIVE
RIVERSIDE, CA 92504
REVISION: 08-21-2021
MADKINSON@ADKAN.COM

PROJECT NOTES

- THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THIS PLAN. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THIS DRAWING.
- THE EXISTING AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THIS PLAN. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THIS DRAWING.
- CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, HE/SHE WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS RESPONSIBILITY SHALL BE MAINTAINED CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL LIABILITY INSURANCE COMPANY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.
- 2010 THOMAS BROS. MAP BOOK: PAGE 718, GRID C-9
- LAND IS LOCATED IN LOW LIQUEFACTION AREA AND IS SUSCEPTIBLE TO SUBSIDENCE.
- LAND IS SUBJECT TO OVERFLOW INUNDATION OR FLOOD HAZARD.
- PROJECT IS NOT LOCATED IN A HIGH FIRE AREA.
- ALL IMPROVEMENTS SHALL BE PER SCHEDULE "A" SUBDIVISION ORDINANCE 460.
- NO SUBSURFACE SEPTIC TANKS OR SEPTIC SYSTEMS ARE INTENDED.
- THIS MAP DOES NOT INCLUDE THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVISION SHALL BE MAINTAINED CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL LIABILITY INSURANCE COMPANY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.
- NO KNOWN EXISTING WELLS ON OR AROUND THE PROJECT LOCATION IS NOT IN A FAULT ZONE OR FAULT.
- SITE IS LOCATED IN A HIGH SENSIBILITY PALEONTOLOGICAL AREA.
- SITE IS LOCATED WITHIN THE MORENO VALLEY UNIFIED SCHOOL DISTRICT.
- ALL PUBLIC STREETS TO BE CARRIED WITH ARRM.
- NO STREET PARKING WILL BE ALLOWED ON EITHER SIDE OF THE STREET. PARKING STALLS HAVE BEEN PROVIDED THROUGHOUT THE COMMUNITY FOR GUESTS.

LEGEND

PROPOSED DOMESTIC WATER
PROPOSED SEWER
TRACT BOUNDARY
OLD TRACT BOUNDARY
A/D ACCESS RAMP
PROPOSED BLOCK WALL

SD = STORM DRAIN
TC = TOP OF CURB
FS = FINISH SURFACE
SH = SEWER
CL = CENTER LINE
PS = FINISHED GRASS
MTR = WATER
PL = PROPERTY LINE
RL = RIGHT OF WAY
A.R. = A/D ACCESS RAMP

SH = SIDEWALK
() = EXISTING ELEVATION
C.G. = CURB AND GUTTER
SF = SQUARE FEET
FS = FINISH SURFACE
FH = FINISH HYDROANT
TH = TOP OF WALL
TF = TOP OF FOOTING
FL = FLOOR LINE
T.B.S. = TO BE REMOVED

EARTHWORK QUANTITIES
CUT: 1712 CY FILL: 11726 CY IMPORT: 3754 CY
SHRINKAGE 1 SUBSIDENCE: 2000 CY - SITE WILL BALANCE
THE QUANTITY SHOWN ABOVE IS FOR DISCUSSION PURPOSES ONLY.

TENTATIVE TRACT SUMMARY

TOTAL AREA GROSS: 10.0 ACRES
TOTAL AREA NET: 8.8 ACRES
EXISTING ZONING: RS-10
PROPOSED ZONING: SUBURBAN RESIDENTIAL
EXISTING LAND USE: SUBURBAN RESIDENTIAL
PROPOSED LAND USE: SUBURBAN RESIDENTIAL
EXISTING SURROUNDING ZONING: RA-2, R-3, R-5

BENCHMARK

1/4" 52
BRASS DISK AT THE NW CORNER OF ALESSANDRO BLVD. AND REDLANDS BLVD. 170.0 FEET NORTH OF ALESSANDRO BLVD.; 43.0 FEET WEST OF REDLANDS BLVD. 2.0 FEET SE OF POWER POLE #21599 C.W.T.; 1.0 FEET NORTH OF A MARKER POST. A BRASS DISK SET IN THE TOP OF A CONCRETE POST AND MARKED "76 52 1981".
ELEVATION: 1603.71 NAVD 1988

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, CC83, ZONE 6, BASED LOCALLY ON CONTROL STATIONS "P482", "P478", AND "S80C" (NAD 83(NRIS2011)) EPOCH 2010.00 AS SHOWN HEREON. ALL BEARINGS SHOWN ON THIS MAP ARE GRID BEARINGS AND DISTANCES FROM REFERENCE POINTS OR BEARS ARE AS SHOWN PER THAT RECORD REFERENCE. ALL DISTANCES SHOWN ARE GROUND DISTANCES UNLESS SPECIFIED OTHERWISE. GRID DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GROUND DISTANCE BY A CORRECTION FACTOR OF 0.999379. CALCULATIONS ARE MADE AT 17° TAGGED "S 5174" DOWN 0.2" IN WELL PER TRACT 38862, MB 45437-39 WITH COORDINATES OF: N: 227362.550000, E: 6280631.21000000 USING AN ELEVATION OF 1565.533.

TOPOGRAPHY SOURCE

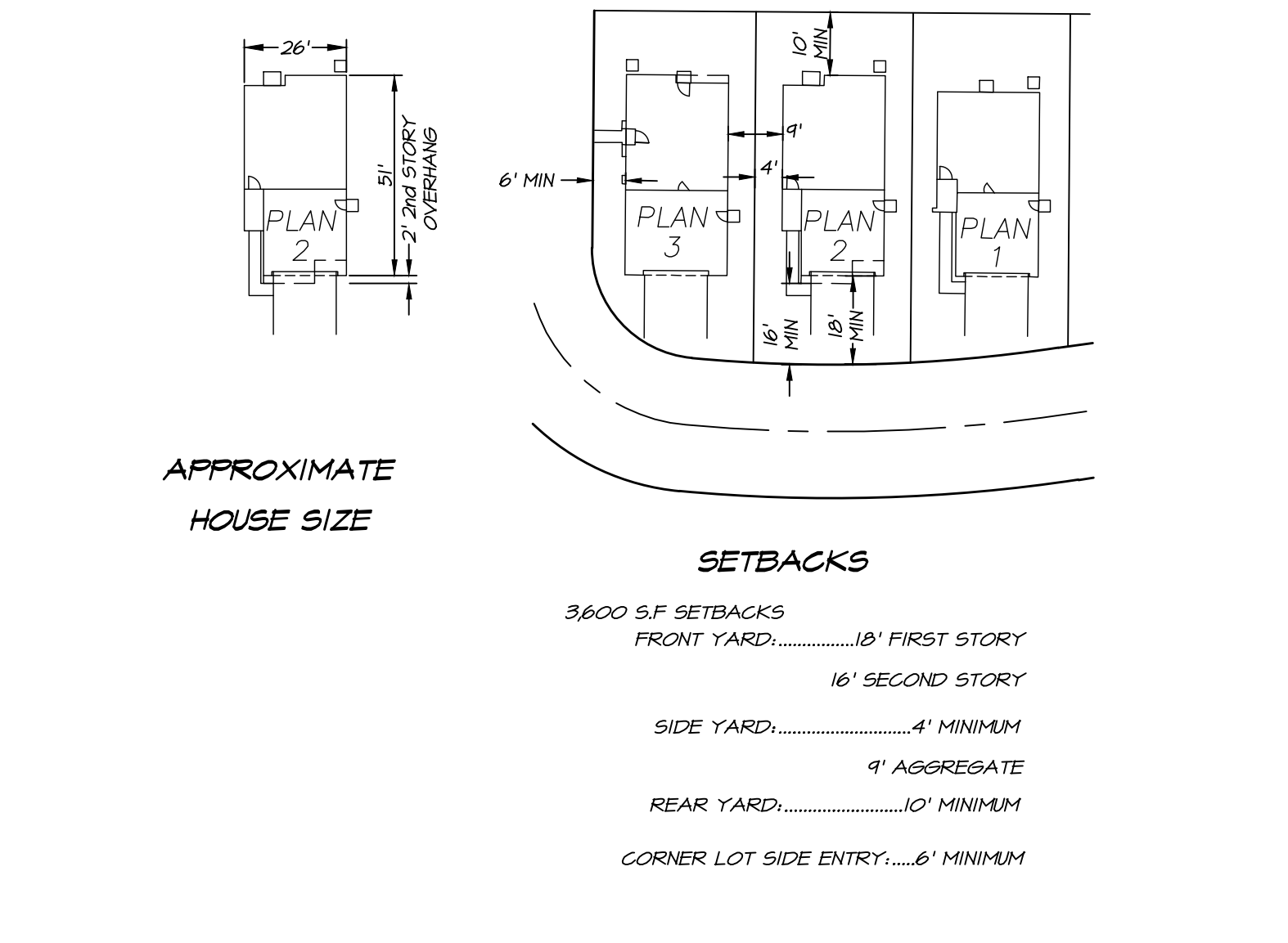
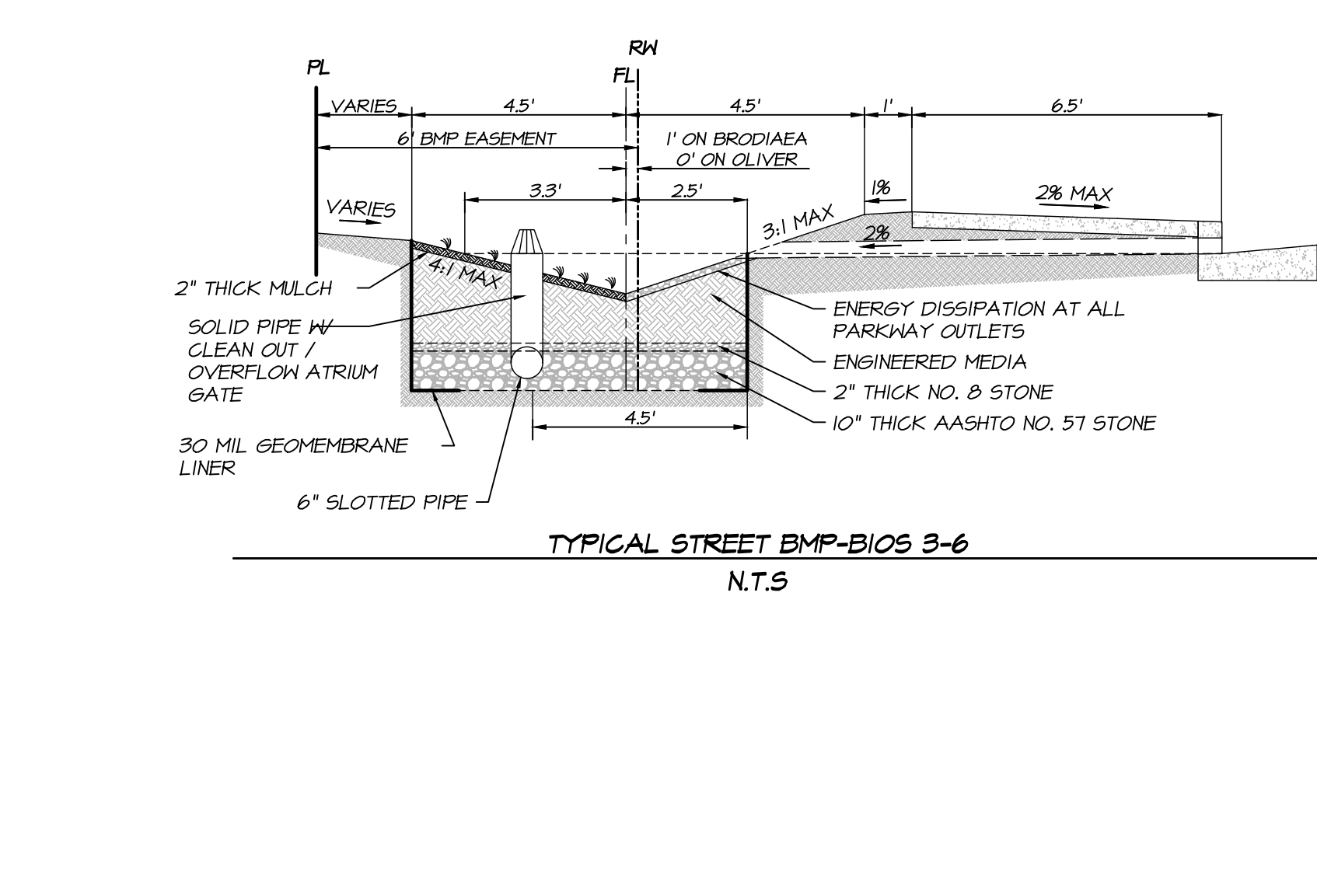
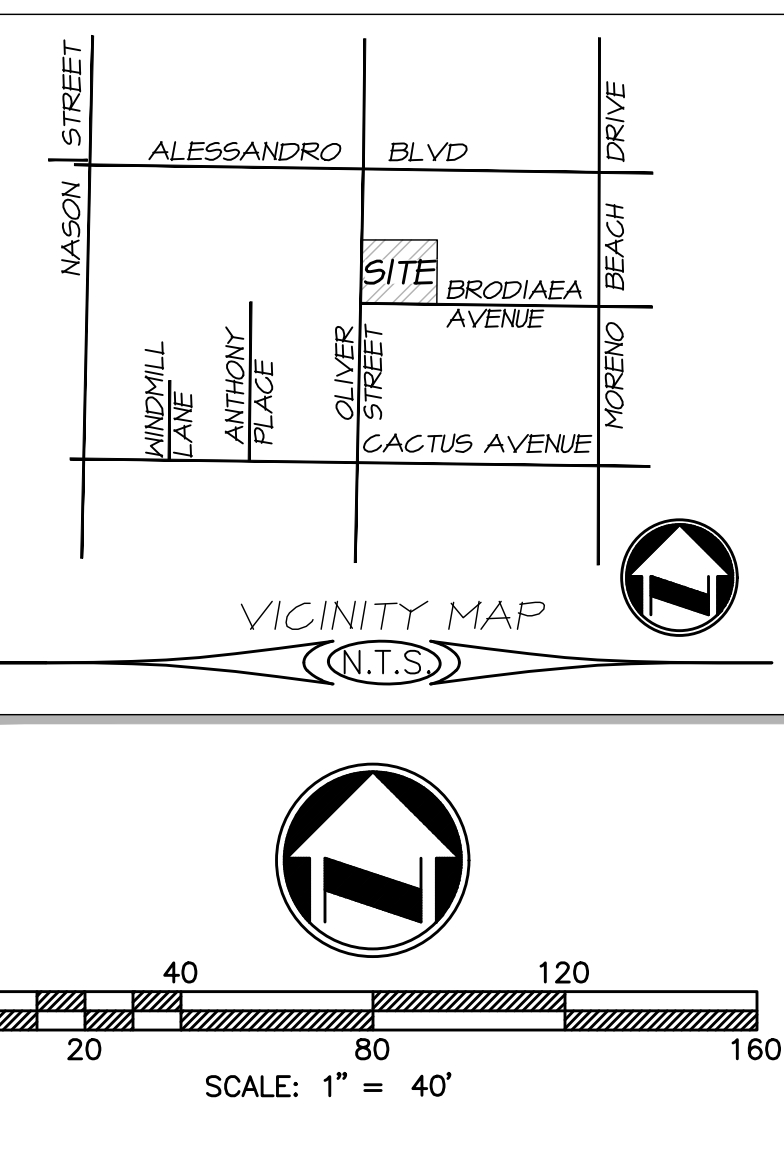
TOPOGRAPHY COMPILED PHOTOGRAMMETRICALLY BY INLAND AERIAL SURVEY INC. ON 05-14-20 AND 05-26-21

PROJECT DENSITY TABLE

LOT	NET AREA	LOT	NET AREA	LOT	NET AREA
1	4006	31	3541	61	3648
2	4000	32	3541	62	3601
3	4000	33	3555	63	3601
4	4000	34	4462	64	3601
5	4000	35	4024	65	3601
6	4000	36	3949	66	3594
7	4000	37	3949	67	3601
8	4447	38	3949		
9	3704	39	3949		
10	3470	40	3950		
11	4164	41	3950		
12	4830	42	3949		
13	4480	43	3949		
14	4480	44	3949		
15	4480	45	3949		
16	4480	46	3949		
17	4034	47	4001		
18	3941	48	4001		
19	3941	49	4001		
20	3600	50	4002		
21	3750	51	4002		
22	3600	52	4002		
23	3600	53	4001		
24	3600	54	4001		
25	3600	55	4001		
26	3600	56	4000		
27	3600	57	4000		
28	3600	58	4500		
29	3718	59	4005		
30	3941	60	3668		

MIN LOT SIZE = 3600 S.F.
SUBDIVISION DENSITY: 0.44 DU/ACRE

LOT SIZES:
3600 S.F. 40' X 90' 67 LOTS
TOTAL = 67 LOTS 28 SPOTS
PARKING STALLS 28 SPOTS
PARK AREA: 0.56 ACRES



LEGAL DESCRIPTION

LOT 5 IN BLOCK 111, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN ON MAP RECORDED IN BOOK 18 PAGE 107 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPT THAT PORTION DEEDED TO THE COUNTY OF RIVERSIDE IN A DEED RECORDED MARCH 10, 1971 AS INSTRUMENT NO. 4004, OFFICIAL RECORDS.

EASEMENTS

- A EASEMENT FOR PIPELINES, CONDUITS, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, RECORDED MARCH 4, 1958 AS BOOK 1102 PAGES 461, 552 AND 554, ALL OF OFFICIAL RECORDS.
- IN FAVOR OF EASTERN MUNICIPAL WATER DISTRICT AFFECTS, AS DESCRIBED THEREIN THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.
- AN EASEMENT FOR PIPELINES, CONDUITS, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, RECORDED MARCH 25, 1954 AS INSTRUMENT NO. 20404 OF OFFICIAL RECORDS.
- IN FAVOR OF EASTERN MUNICIPAL WATER DISTRICT AFFECTS, AS DESCRIBED THEREIN THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

PARKING COUNT

67 (REGULAR STALLS) 15
83 (2) (PARALLEL STALLS) 4
TOTAL 82

adkan ENGINEERS
Civil Engineering - Surveying - Planning
6875 Airport Drive, Riverside, CA 92504
181(051) 688-0151 FAX(051) 688-0599
PREPARATION DATE: JULY 2021
REVISED DATE:
PEN21-0199
Plot Date: 7/22/2022

TRACT 38237

SINGLE FAMILY DETACHED HOMES
MORENO VALLEY, CALIFORNIA
PLANNED UNIT DEVELOPMENT



PLAN 1.1775 | B - TRADITIONAL

PLAN 2.2059 | A - SPANISH

PLAN 3.2384 | C - CRAFTSMAN

3,600 Bella Sera

Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



Table of Content

- 1.1 Introduction
- 1.2 Residential Development Standards
 - Setback and Height Table
 - Floor Plans/Lot Ratio Table
 - Cul-De-Sac Minimum Lot Frontage
- 1.3 Residential Design Guidelines
 - Varied Plot Plans
 - Elevations and Front Yards
 - Massing/Proportion/Scale
 - Typical Lot Module
- 1.4 Typical Lot Module
- 1.5 Architectural Style Palettes
 - Spanish
 - Traditional
 - Craftsman
- 1.6 Overall Conceptual Landscape Plan
- 1.7 Conceptual Wall and Fence Plan
- 1.8 Conceptual Monument Sign

1.1 Introduction

PROJECT LOCATION

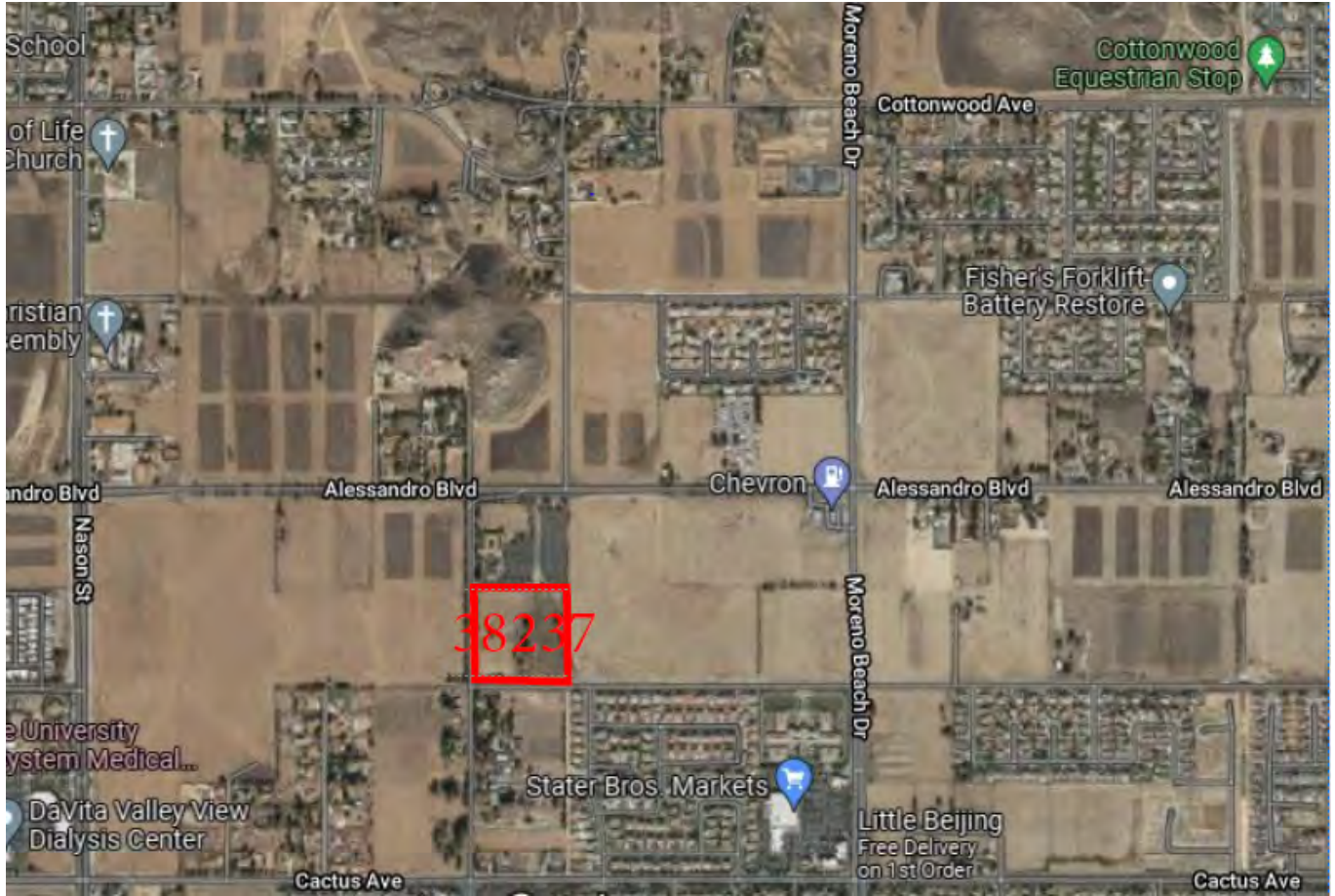
Tract 38237 is located on approximately 8.8 acres in the City of Moreno Valley, Riverside County, California. Specifically, located south of Alessandro Blvd east of Oliver Street.

The location of Tract 38237 is depicted on Figure 1-1, *Vicinity Map*

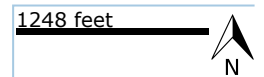
This Planned Unit Development guideline is for the design of homes within Tract 38237 Neighborhood.

The handbook includes both Standards and Guidelines. Standards are meant to provide information that is more definitive while Guidelines provide a vision for the project.

Vicinity Map



Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



1.2 Residential Design Standards

3,600 Square Foot Lots - Tract 38237	
Requirement	
1. Maximum Density (DU's per net acre)	11.08
2. Minimum Lot Size (sq. ft net area)	3,470
3. Minimum Lot Width, in feet	40'
4. Minimum Lot Depth, in feet	90'
5. Minimum Front Yard Setback	
1st Floor	18'
2nd Floor	16'
Front Facing Garages	18'
Buildings other than Front Facing Garages	16'
6. Minimum Side Yard Setback, in feet	
Interior Side Yard	4'
Street Side Yard	6'
7. Minimum Rear Yard Setback, in Feet	10'
8. Maximum Lot Coverage	50%
9. Maximum building and structure height, in feet	30-35'
10. Minimum dwelling size (sq. ft.)	1000 sq ft
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	9'
12. Floor area ratio	
one story home	0.5
multiple story home	0.75

Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)

Homeowners Association (HOA)

A Homeowners Association (HOA) will be formed to own and maintain the private facilities throughout the community. The HOA will be responsible for the maintenance of the following common areas, open space landscape areas, perimeter landscape not included in the City's LMD District. The HOA will be solely responsible for the maintenance of the Water Quality Basins. The HOA will also be responsible for the ownership and maintenance of the private interior streets.

Private Streets

Tract 38237 is proposed as a non-gated private community. All interior streets will be private streets owned and maintained by the Homeowners Association. The perimeter streets, Oliver Street and Brodiaea Avenue will remain public streets owned by the City of Moreno Valley.

Entry Monument, Perimeter Landscaping, Walls/Fences

Entry monument signs representing the marketing name Bella Sera will be located on the perimeter wall to advertise the community. Final locations will be determined during the design phase. Perimeter landscape will be designed in accordance with the requirements provided by The Planning department during the design phase. The Perimeter landscaping will be maintained by the HOA.

Please refer to Exhibit L-6, Conceptual Fence and Wall Plan for block wall and vinyl fencing details and locations.

1.3 Residential Design Guidelines

Varied Plot Plans

Streets within the project should vary in their architectural character to create a sense of individual ownership and personality.

Similar plans and elevations will be plotted as far from one another as possible.

Homes with identical:

- Floor plan
- Elevation Style
- Color Palette
- Orientation

Shall not be plotted within four (4) lots of one another on either side of the street. However, if one of those four (4) elements are changed, floor plans may be moved closer to one another as follows:

Different floor plans plotted next to one another shall provide different elevation styles with dissimilar color palettes.

The same floor plan with different elevation styles, color palettes, and garage orientation can be plotted within two (2) lots of one another.

The same floor plan with different elevation styles, color palettes, but the same garage orientation can be plotted within three (3) lots of one another.

The same floor plan with different elevation styles, but similar color palettes, and the same garage orientation can be plotted within four (4) lots of one another.

The same floor plan with the same elevation style, dissimilar color palettes, and different garage orientation can be plotted within four (4) lots of one another.

Elevation and Front Yards

All windows and doors shall be trimmed. Each elevation style should have a different trim design in keeping with the style of the home. This trim should be composed in accordance with the style.

Elevations should be painted in an architecturally authentic way based on the elevation style's historical precedents.

Each elevation style should have a different roofing color

All elevations visible from streets or common open space shall have the same level of detailing as is present on the front elevation.

Varied window grid patterns in each elevation style is recommended. The grid pattern should be historically accurate.

Front elevation siding/veneer, if different from that on the side elevations, should return a minimum of 3' down on the side elevations.

Windows in garage doors should be optioned.

A walkway shall join principle entry doors directly to the public sidewalk.

Trash and recycling bins shall be screened fully with walls or fencing in keeping with the architectural style of the home.

Composition shingle roofing should be 40 year minimum

Minimum plate heights:

8' for first

9' for second floors

Foundation walls should be painted to match siding where visible from streets or common open space.

Condenser units shall be placed in private side yards to screen them from view.

Massing

Minimum building height when possible and appropriate to the style of the home.

Try to use side to side roofs and hip main spans whenever possible to minimize the impact of the roof on neighboring homes.

Use single story porches against two story masses to help break them down.

Proportion

Individual building elements and masses shall be sized in proportion to one another.

Entry elements can be proportioned so as to make them the dominant feature of an elevation.

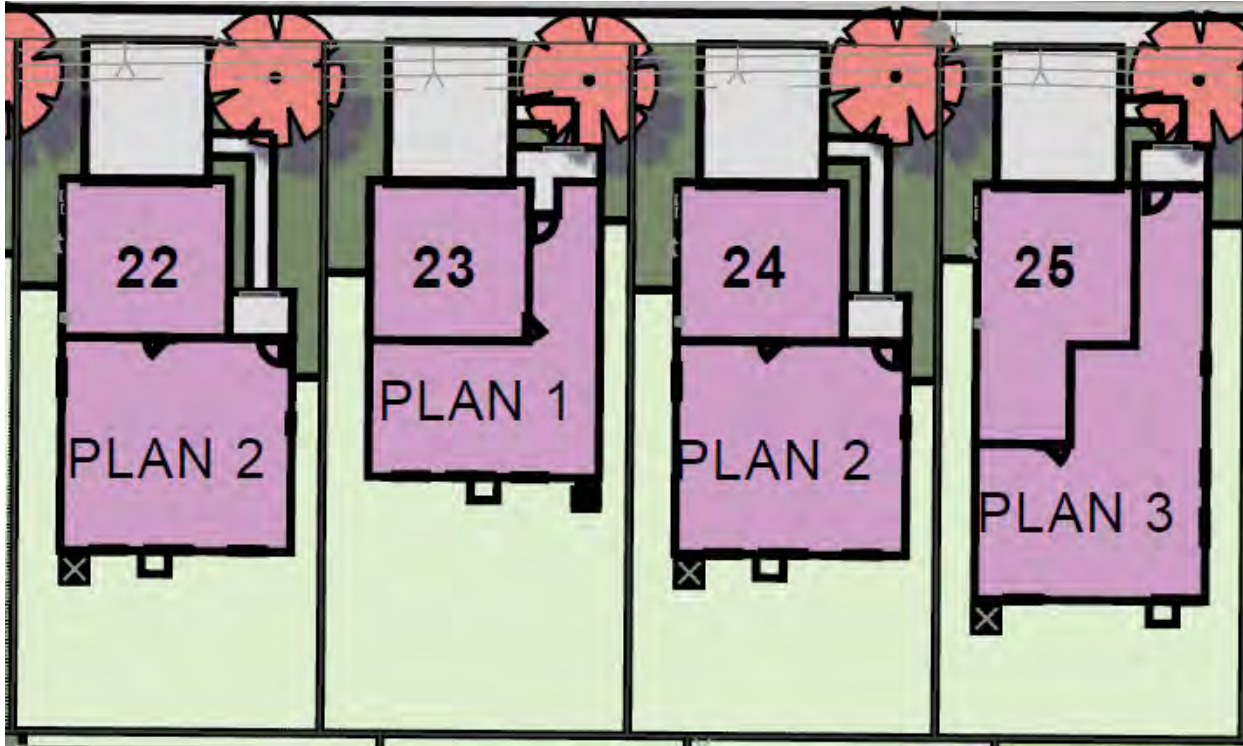
To reduce the proportional dominance of garage doors on any elevation style, they should be more detained in design so as to become an important part of the elevations style for a more appealing appearance.

Scale

Scale is important in that elements of a building's composition need to be in balance, as do buildings sited next to one another. That is to say, one element of a building should not be so dominant as to outweigh other elements in a building's makeup. Likewise, a building on one site, should not dominate a building on an adjacent lot.

1.4 Typical Lot Module

This typical lot module demonstrates how the homes are meant to be plotted throughout the project.



3,600 - 40' x 90'

1.5 Architectural Style Palettes

This section will focus on the architectural styles envisioned for the housing in Tract 38237.

The 3,600 square foot lots offer three architectural characters including Craftsman, Spanish and Traditional.

The following images and text provide an outline of each styles roof and details for reference.



STYLE DESCRIPTION

Influenced by the earlier Mission aesthetic, the Craftsman style emphasizes natural materials and attention to detail. Shallow roof pitches vary from 3:12 to 4:12 with deep overhangs. Porches supported by square or tapered columns of either stucco or wood with stone veneer bases. Additional elements include stucco walls, gable end treatments of board and battens with wood brackets, and paired windows.

KEY ELEMENTS

- A Concrete flat tile roof.
- B Stone veneer accents.
- C Board and batten gable end detailing.
- D Deep overhangs at eaves.
- E Square or tapered columns.

CRAFTSMAN STYLE

Craftsman

The Craftsman style was inspired by the English Arts and Crafts Movement of the late 19th century. Of the utmost importance was that all exterior and interior elements received both tasteful and “artful” attention. The movement influenced numerous California architects such as Greene and Greene, and Bernard Maybeck.

The resulting Craftsman style responded with extensive built-in elements and by treating details such as windows or ceilings as if they were furniture. The style was further characterized by the rustic texture of building materials, broad overhangs with exposed rafter tails at the eaves and trellises over the porches. The overall affect was the creation of a natural, warm and livable home. In Southern California, the Craftsman style spun out of bungalows that were the production home of the time.

ELEMENT	MENU OF COMMON FEATURES
Form	<ul style="list-style-type: none"> • Simple 2-story boxed massing with vertical and horizontal breaks
Roof	<ul style="list-style-type: none"> • 4:12 to 6:12 roof pitch • 16” to 24” overhangs • Concrete tile (slate or shake) • Basic gabled roof - side to side with cross gables
Walls	<ul style="list-style-type: none"> • Stucco with horizontal siding accents. • Board and Batten accents also permitted. • Stone base accents on walls and/or porch.
Windows	<ul style="list-style-type: none"> • Vertical window with window grids at front elevation • Windows with grids on side and rear elevations in high visibility public view areas • Use windows individually or in groups
Details	<ul style="list-style-type: none"> • Porches with heavy square columns or posts on stone or brick piers • Surface mounted fixtures on front elevations must complement architectural style • Garage and front door patterns to complement style • Stone and brick base accents • Open eave overhangs with shaped roof rafter tails • Wood trim at doors and windows • Triangulated knee braces
Colors	<p>Field: Light to dark earth tones Trim: Light to dark earth tones in harmony or contrasting with field Accents: Light to dark earth tones in contrast with field</p>

Where “wood” is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish



STYLE DESCRIPTION

Inspired by the architecture of Spain and the Spanish missions, the Spanish style consists of simple one to two story massing with mostly gable end roofs of concrete “S” tile. Shallow roof pitches vary from 3:12 to 5:12 with minimal overhangs. Exterior walls consist of light-colored smooth stucco with sand finish. Other elements include recessed windows, gable end tile detailing and plank shutters.

KEY ELEMENTS

- Ⓐ Concrete “S” tile roof
- Ⓑ Stucco finish with light colors.
- Ⓒ Clay or ceramic tile gable end detail.
- Ⓓ Round arches at entrances and/or porches
- Ⓔ Plank Shutters

SPANISH STYLE

Spanish

The Spanish style attained wide-spread popularity after the Panama-California exposition of 1915-1916 in San Diego. The Spanish style’s most notable characteristics include the use of “S” or barrel tile roofs, stucco walls, feature entry doors and porticos, highlighted ornamental iron work and carefully proportioned windows appropriate to its wall mass.

Key features of this style were adapted to the California lifestyle. Plans were informally organized around a courtyard with the front elevation very simply articulated and detailed. The charm of this style lies in the directness, adaptability and contrasts of materials and textures.

ELEMENT	MENU OF COMMON FEATURES
Form	<ul style="list-style-type: none"> • 2 story asymmetrical massing with strong one story element
Roof	<ul style="list-style-type: none"> • 4:12 to 6:12 roof pitch • 12” to 16” overhang • Simple hip or gable roof with one intersecting gable roof • Barrel or ‘S’ shape concrete tiles
Walls	<ul style="list-style-type: none"> • Stucco
Windows	<ul style="list-style-type: none"> • Vertical window at front elevation with window grids • Windows with window grids on side and rear elevations in high visibility public view areas • Feature recessed arched window • Single or grouped round top windows
Details	<ul style="list-style-type: none"> • Stucco over foam window and door trim • Feature arched window or door • Surface mounted fixtures on front elevations must complement architectural style • Shaped rafter tails • Garage and front door patterns to complement style • Decorative iron details and railings • Simple Plank shutters • Gable vent tubes
Colors	<p>Field: Whites, beige, or warm tints Trim: Dark shades to contrast field color Accents: Deep tones of green, blue, red (on shutters, door, balcony trim)</p>

Where “wood” is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish



STYLE DESCRIPTION

Derived from the Bungalow and Ranch styles, the Traditional style consists of one to two story volumes with gable and hip roofs. Exterior walls comprised of stucco and horizontal siding. The roof pitches vary between 4:12 to 6:12 with average overhangs, and concrete flat tile. Other exterior elements include; porches with square columns or posts, board and batten shutters and pot shelves.

KEY ELEMENTS

- A Concrete flat tile.
- B Square columns with stucco over, or wood posts.
- C Stucco walls with horizontal siding accents.
- D Board and batten shutters

TRADITIONAL STYLE

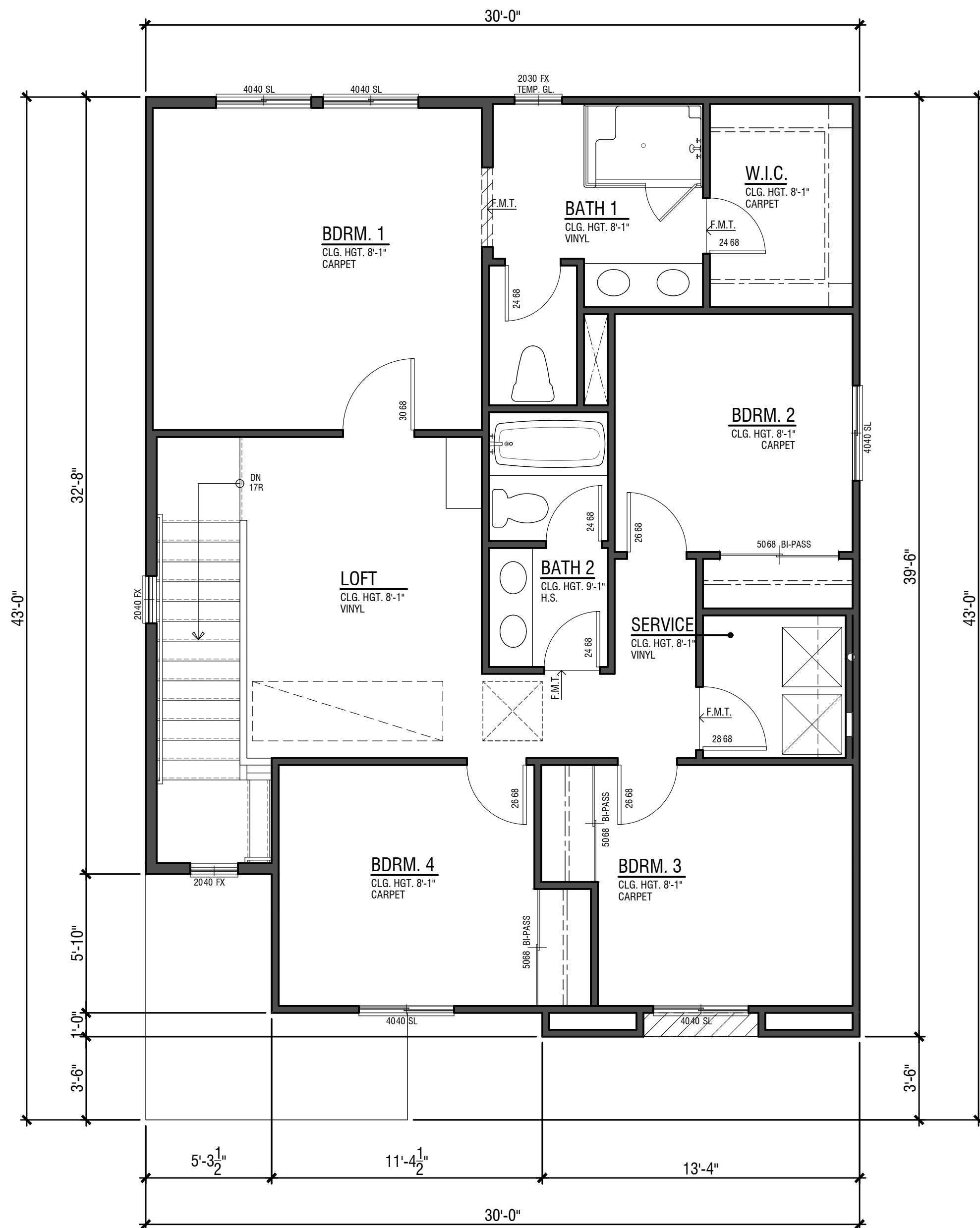
Traditional

The American Traditional style as manifested in Southern California was often realized as an East Coast derived expression with Cape Cod influences, and displayed the aspects of practicality and functional elegance. This expression evolved from early Colonial beginnings and truly began to proliferate as an American building style from the 1850s to the early 20th century. In Southern California, the style was employed from the foothill neighborhoods of Pasadena to Los Angeles communities such as Westwood and was occasionally used in combination with the Monterey and Ranch styles to create homes which opened to the exterior gracefully yet retained a sense of formality and reserve.

Features of this style include simple gable roof forms, louvered shutters, and articulated entry surrounds. Dormers and second-floor wood decks are also occasionally used.

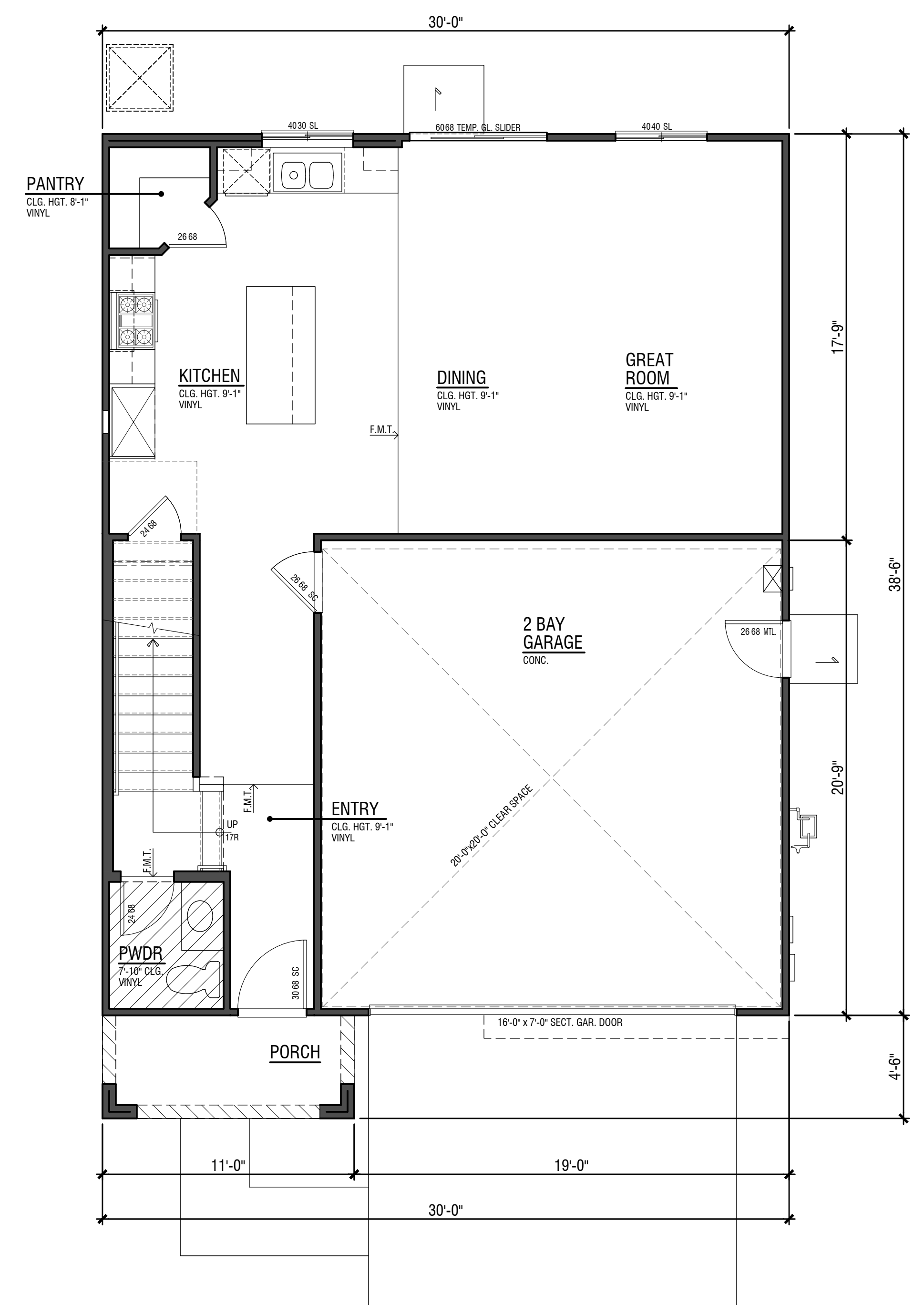
ELEMENT	MENU OF COMMON FEATURES
Form	<ul style="list-style-type: none"> • Asymmetrical massing with a vertical and a horizontal break
Roof	<ul style="list-style-type: none"> • 4:12 to 12:12 roof pitch • 16" to 24" overhangs • Concrete tile (slate or shake) • Front to back gable or hip roof with intersecting hip or gable roofs
Walls	<ul style="list-style-type: none"> • Stucco • Wood siding, brick, or board and batten accents
Windows	<ul style="list-style-type: none"> • Vertical window at front elevation with window grids • Windows with window grids on side and rear elevations in high visibility public view areas • Round top accent or bay window
Details	<ul style="list-style-type: none"> • Simplified cornice trim at gable ends • Header window wood accent trim • 2x6 window and door trim - wood on siding, foam on stucco • Surface mounted fixtures on front elevations must complement architectural style • Porches and/or balconies • Garage and front door patterns to complement style • Square wood columns with trim • Brick veneer on base
Colors	<p>Field: Whites, off-white, dark or light colors Trim: White or contrasting with field color Accents: White, light or dark colors in contrast or harmony with field color</p>

Where "wood" is referred to, it can also be interpreted as simulated wood. In addition, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Similarly, pre-cast elements can be satisfied by high-density foam or other similar materials in a style-appropriate finish



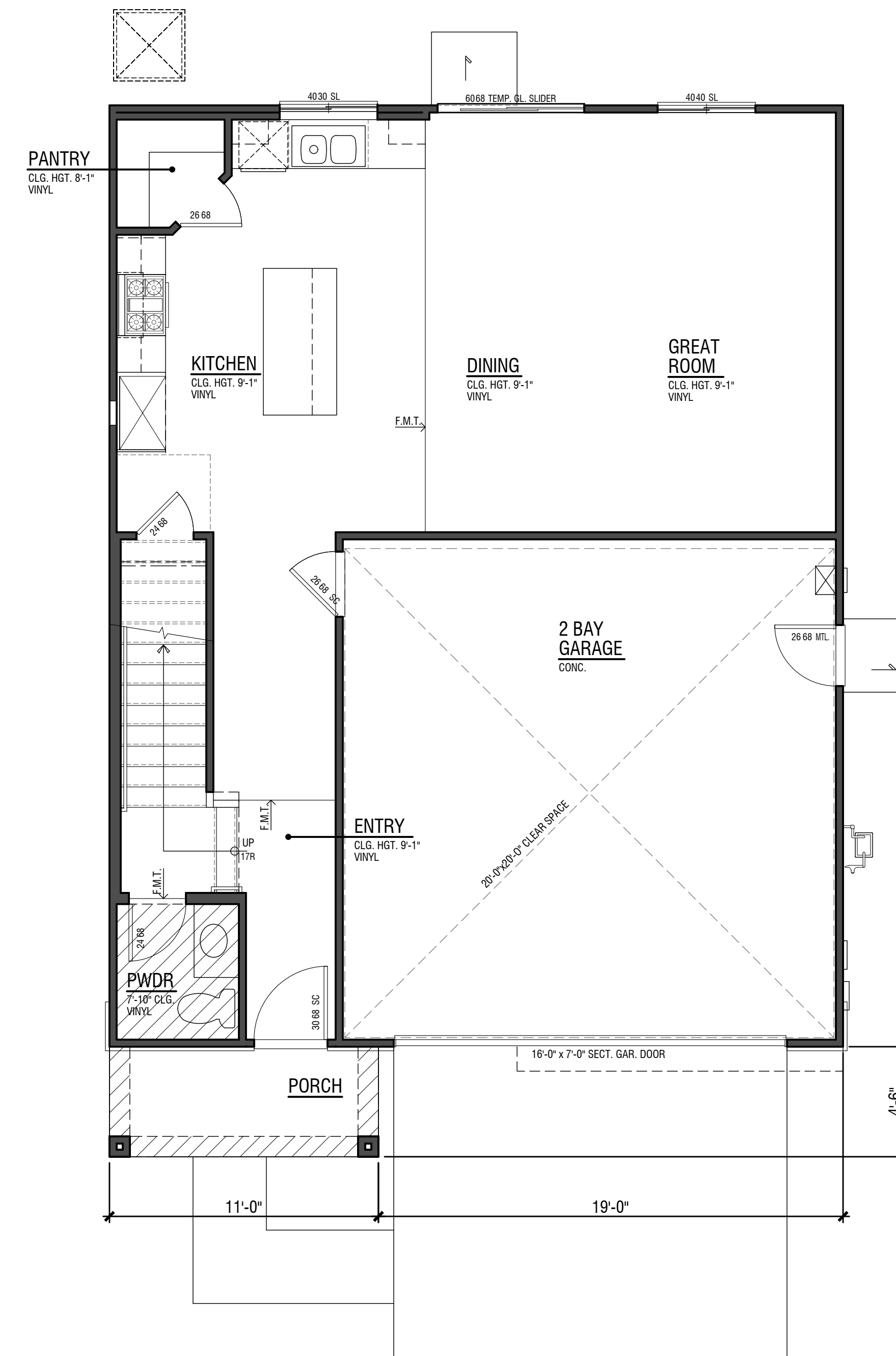
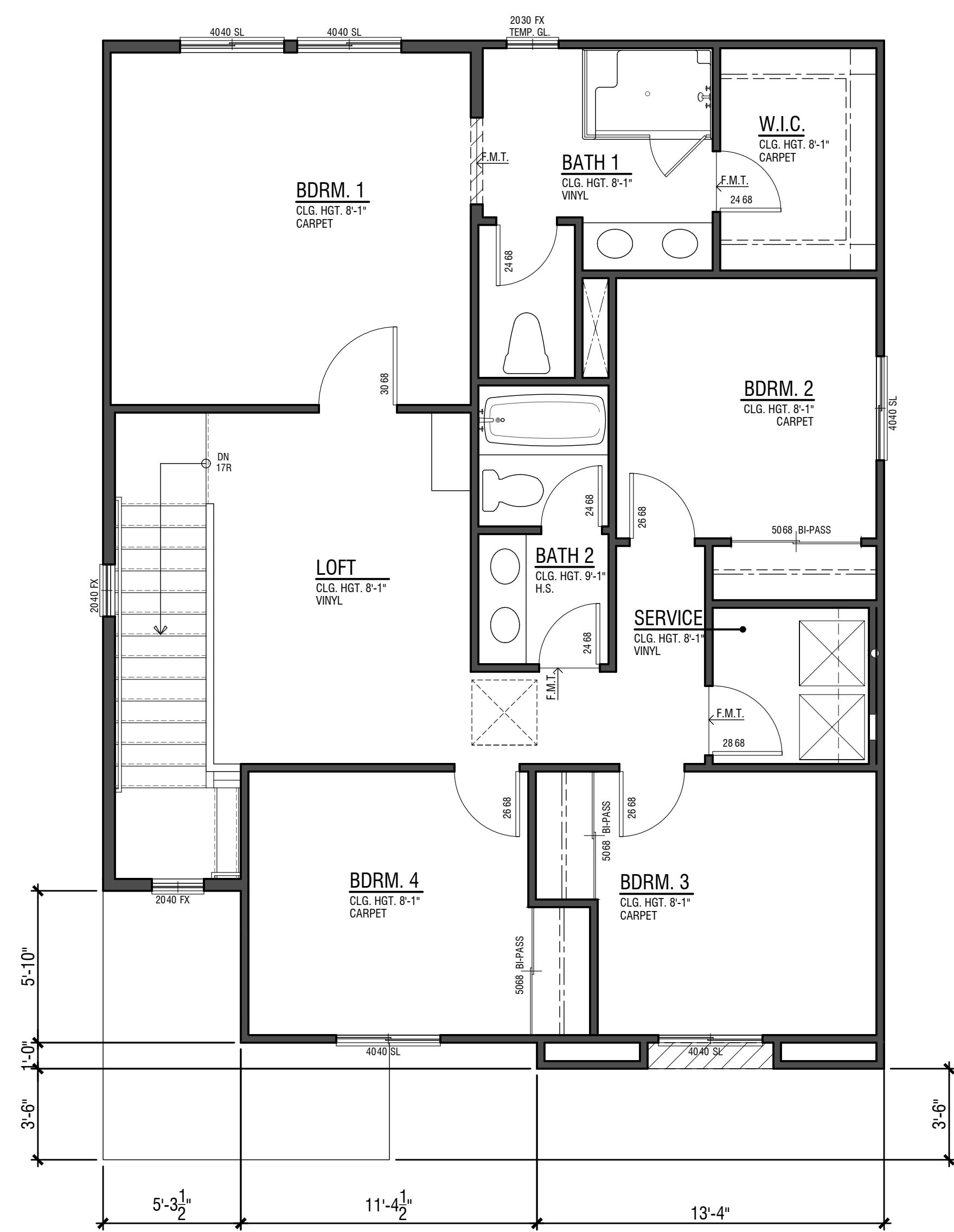
Upper Floor - 1062 SF

PLAN 1.1775
 1,775 SF
 4 Bdrm | 2.5 Bath | Loft
 2 Bay Garage
 8' | 8' Plates



Lower Floor - 713 SF

1A | SPANISH



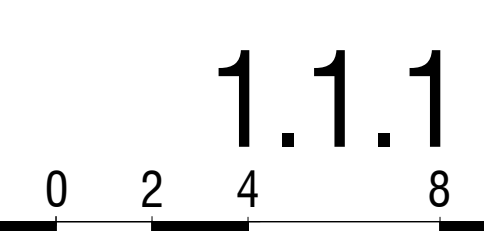
PLAN 1.1775
 1,775 SF
 4 Bdrm | 2.5 Bath | Loft
 2 Bay Garage
 8' | 8' Plates

1B | TRADITIONAL

BELLA SERA
 MORENO VALLEY, CA



HORTEN E

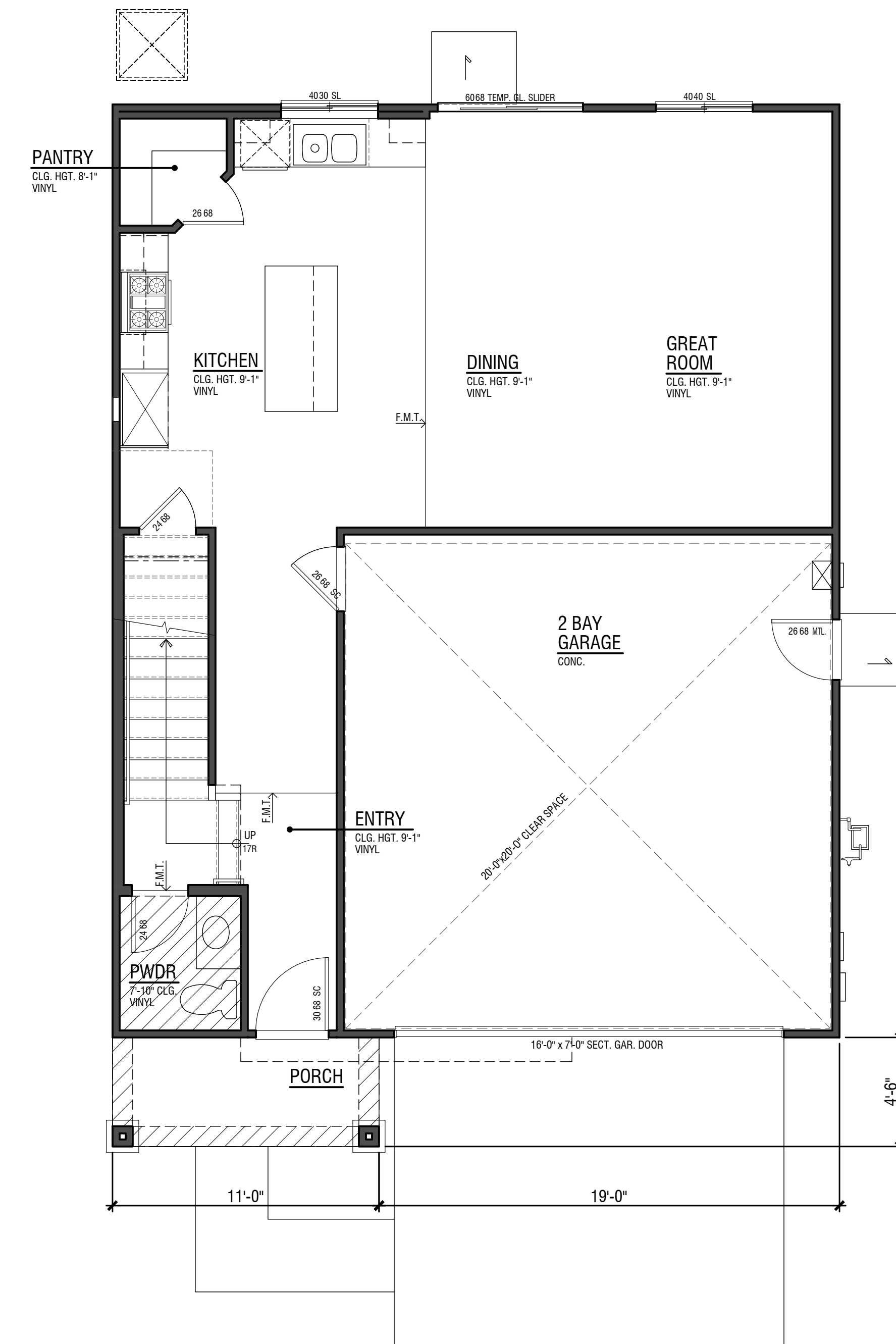
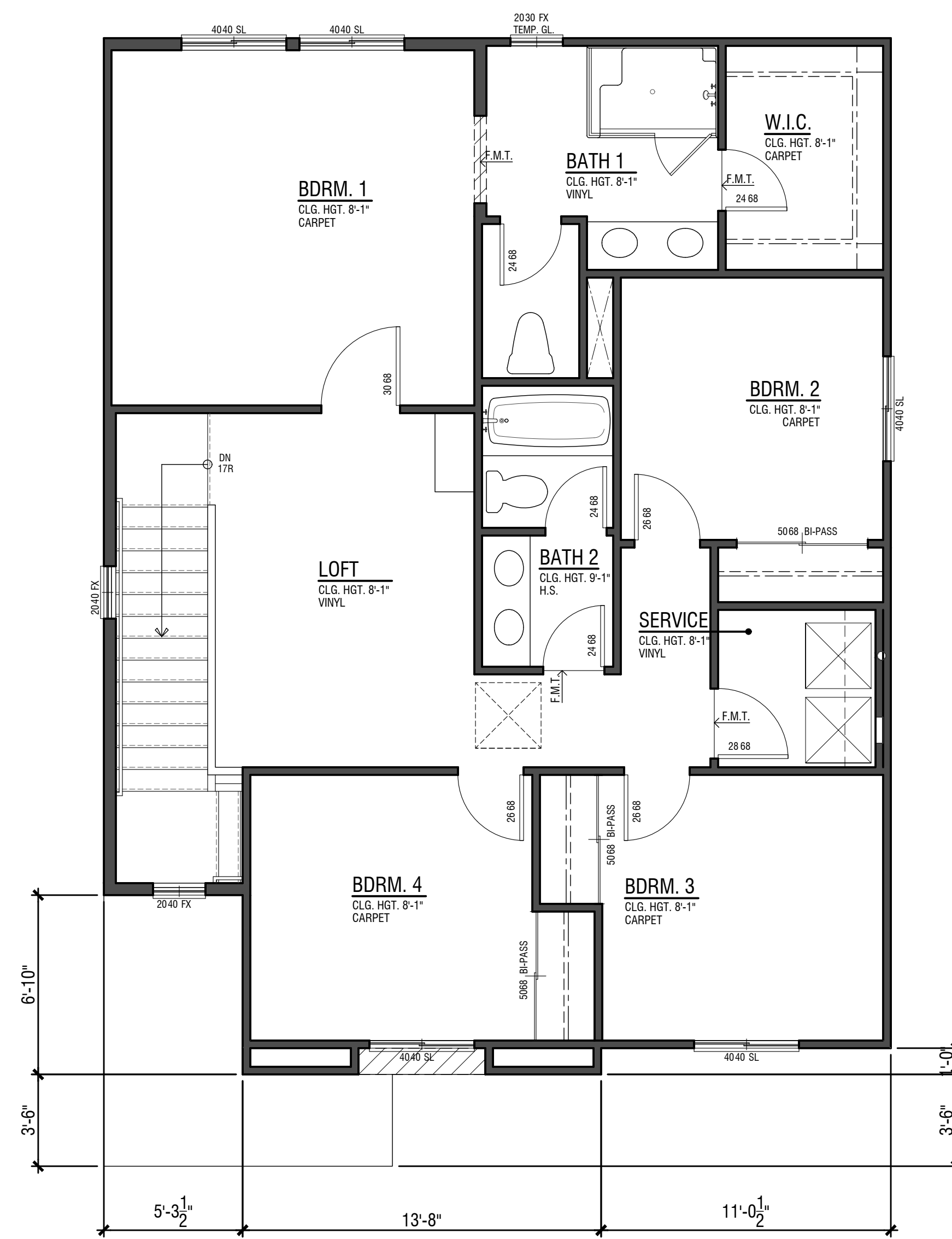


1.1.1
 PUD DESIGN RE-SUBMITTAL

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ORANGE COUNTY . LOS ANGELES . BAY AREA



PLAN 1.1775

1,775 SF
 4 Bdrm | 2.5 Bath | Loft
 2 Bay Garage
 8' | 8' Plates

1C | CRAFTSMAN

BELLA SERA

MORENO VALLEY, CA



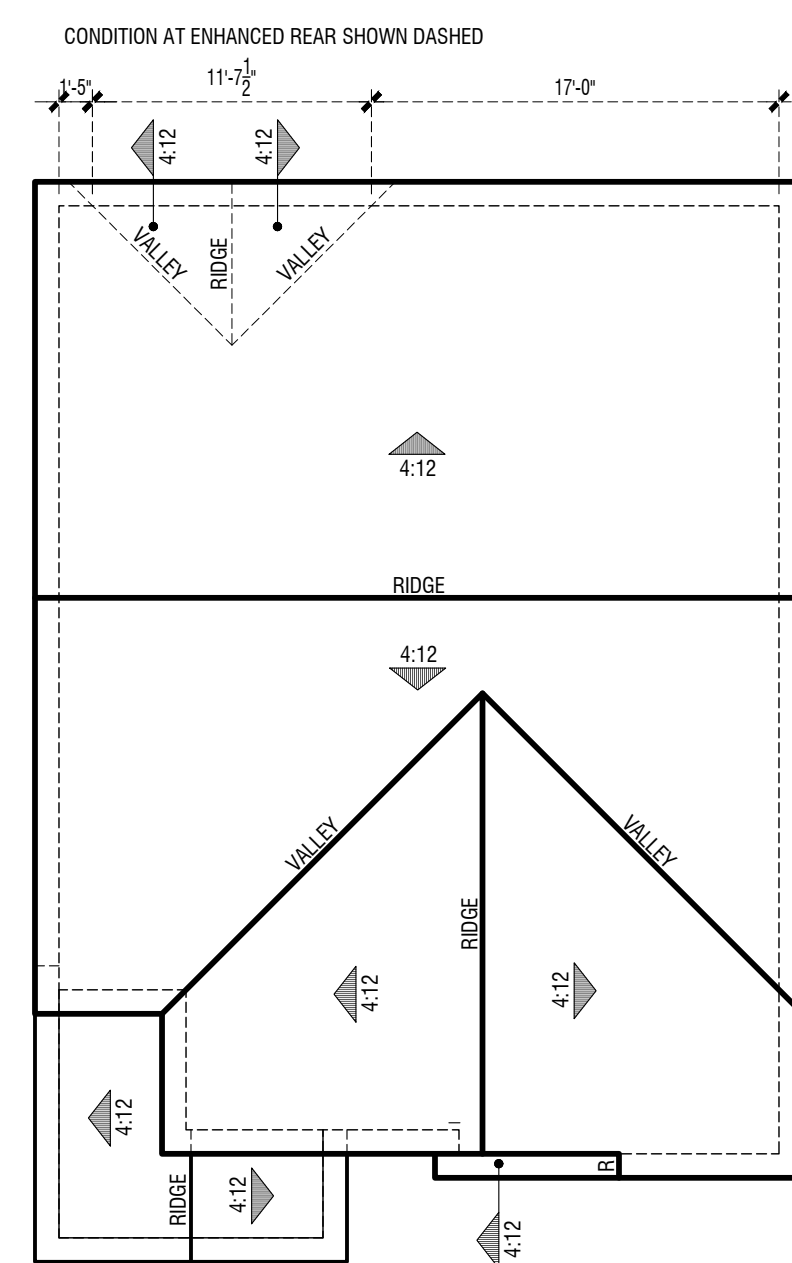
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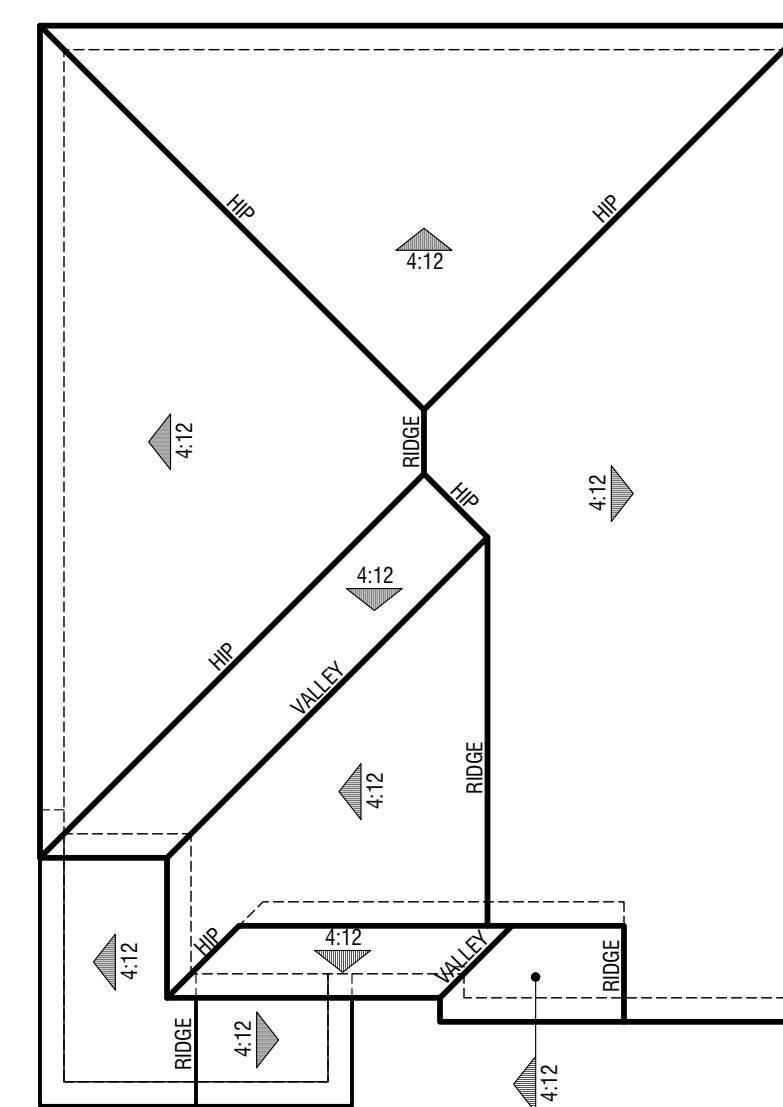
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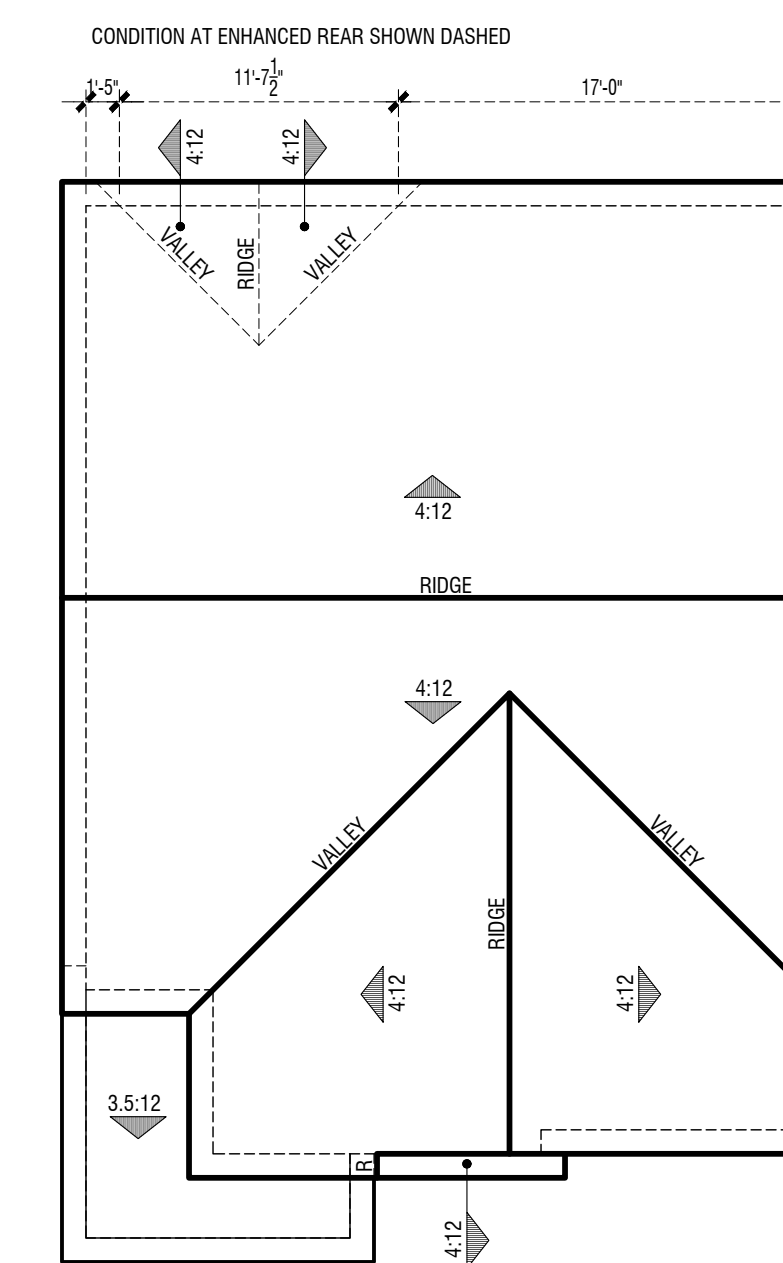
1A | SPANISH

Eave 12" / Rake 12"
Concrete Low "S" Tile



1B | TRADITIONAL

Eave 12" / Rake 12"
Concrete Flat Tile



1C | CRAFTSMAN

Eave 12" / Rake 12"
Concrete Flat Tile

PLAN 1.1775

Roof Plans

BELLA SERA

MORENO VALLEY, CA



1A | SPANISH



1C | CRAFTSMAN



1B | TRADITIONAL

PLAN 1.1775

Front Elevations

BELLA SERA

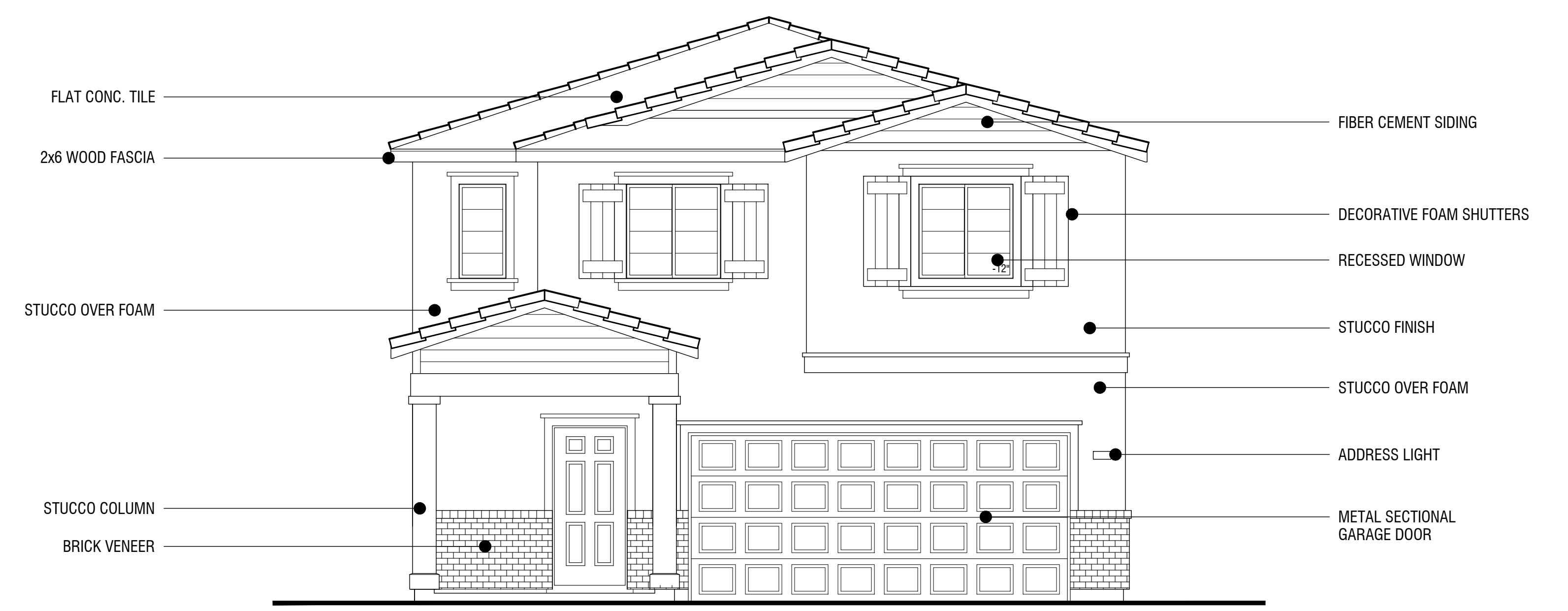
MORENO VALLEY, CA



1A | SPANISH



1C | CRAFTSMAN



1B | TRADITIONAL

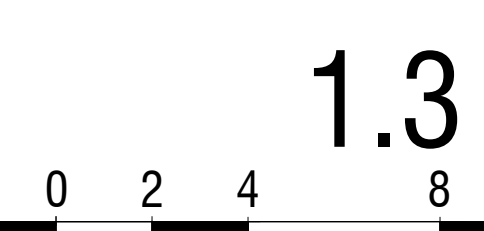
PLAN 1.1775
Front Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

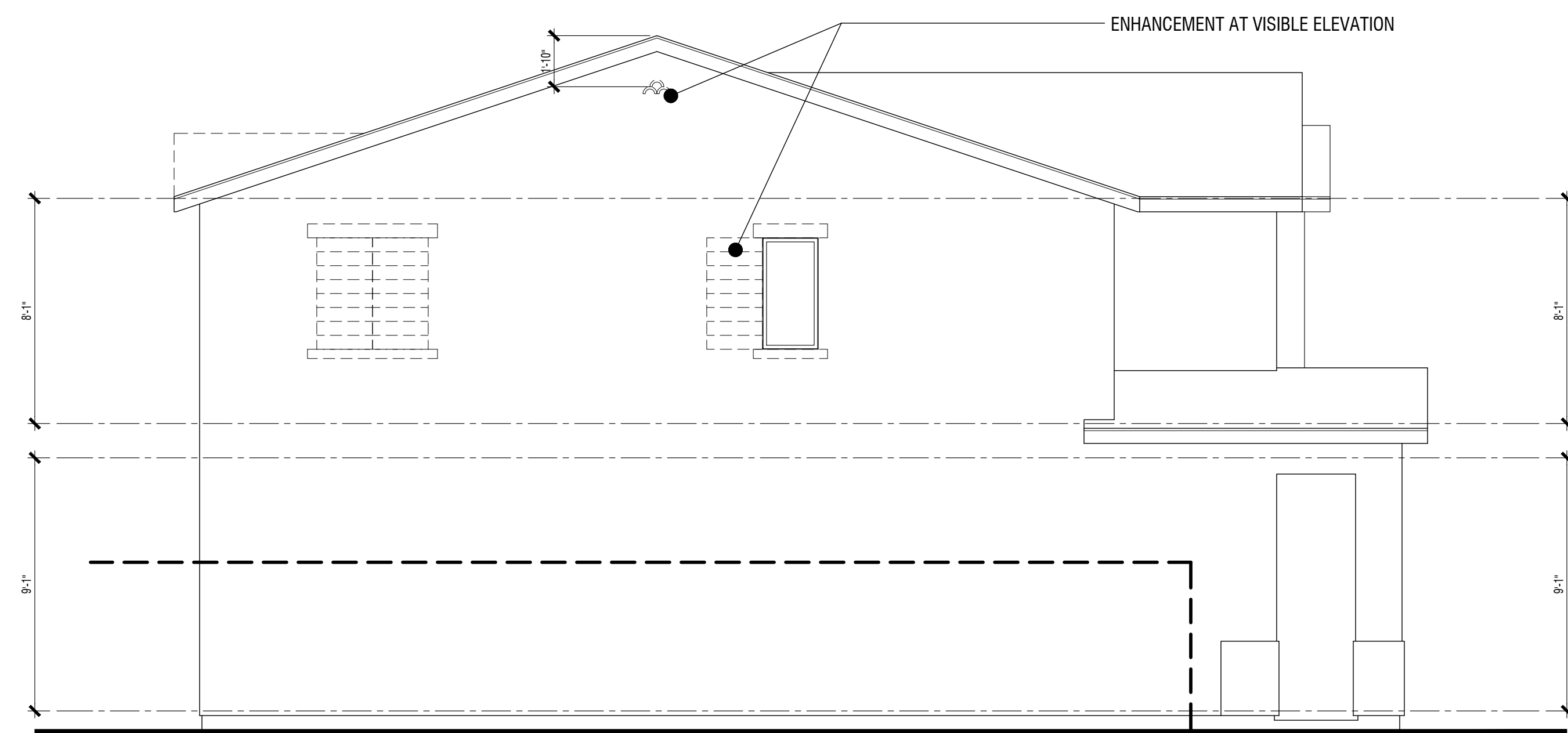


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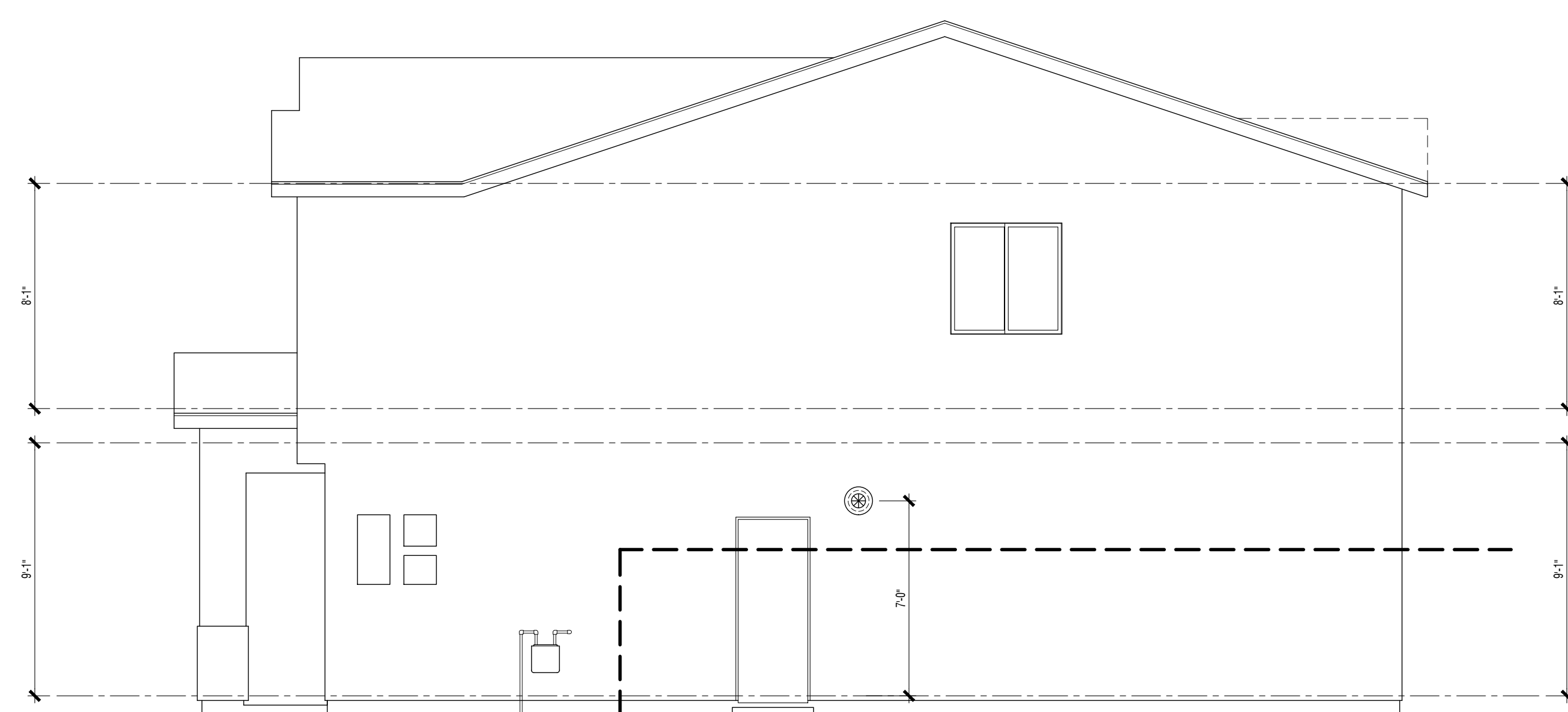
ORANGE COUNTY . LOS ANGELES . BAY AREA



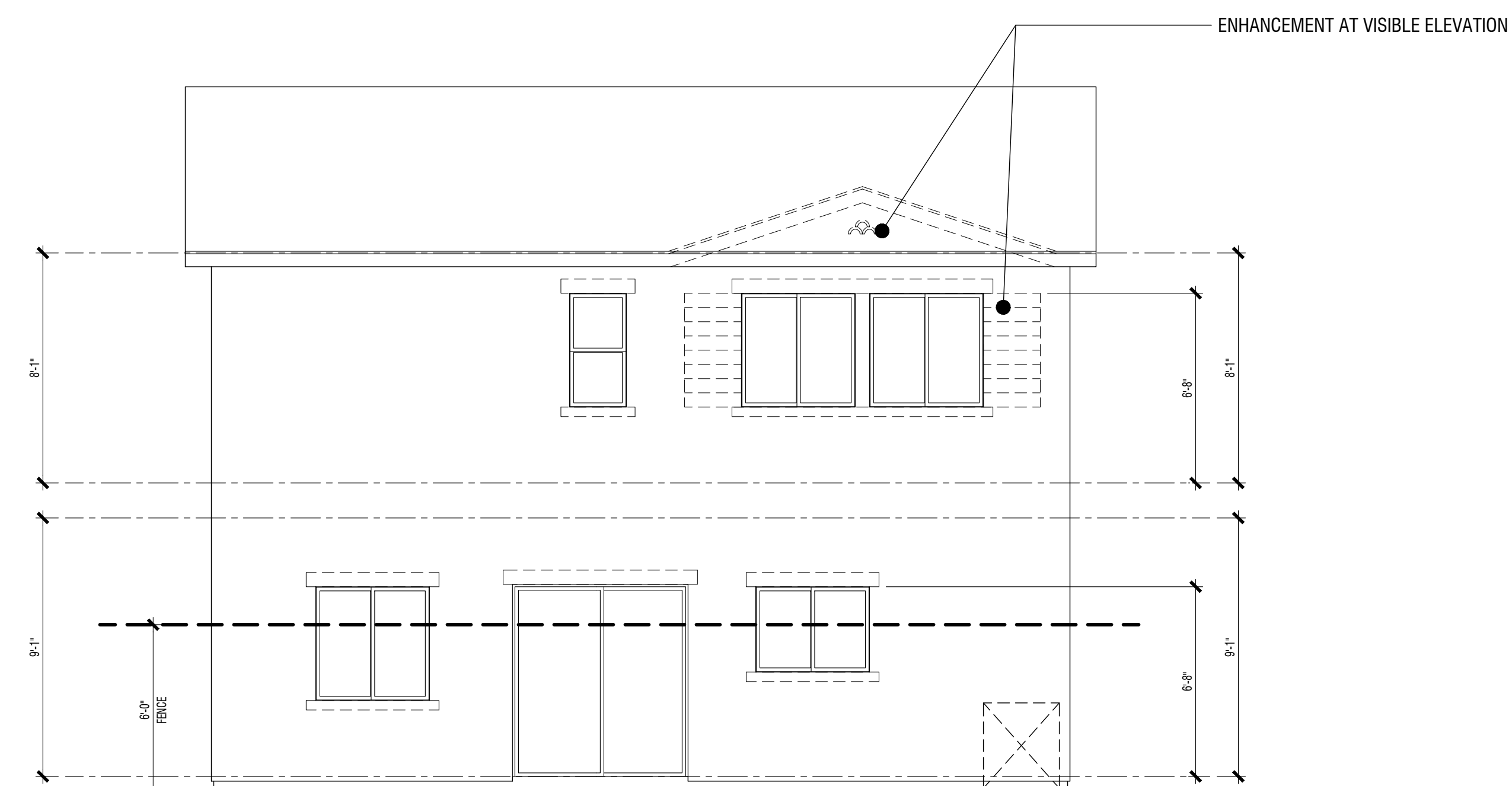
Left



Front



Right



Rear

PLAN 1.1775 | A - SPANISH

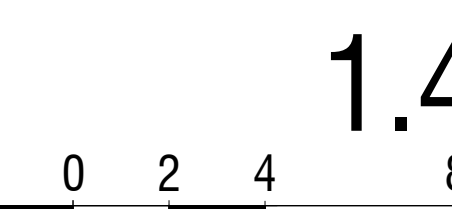
Building Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E



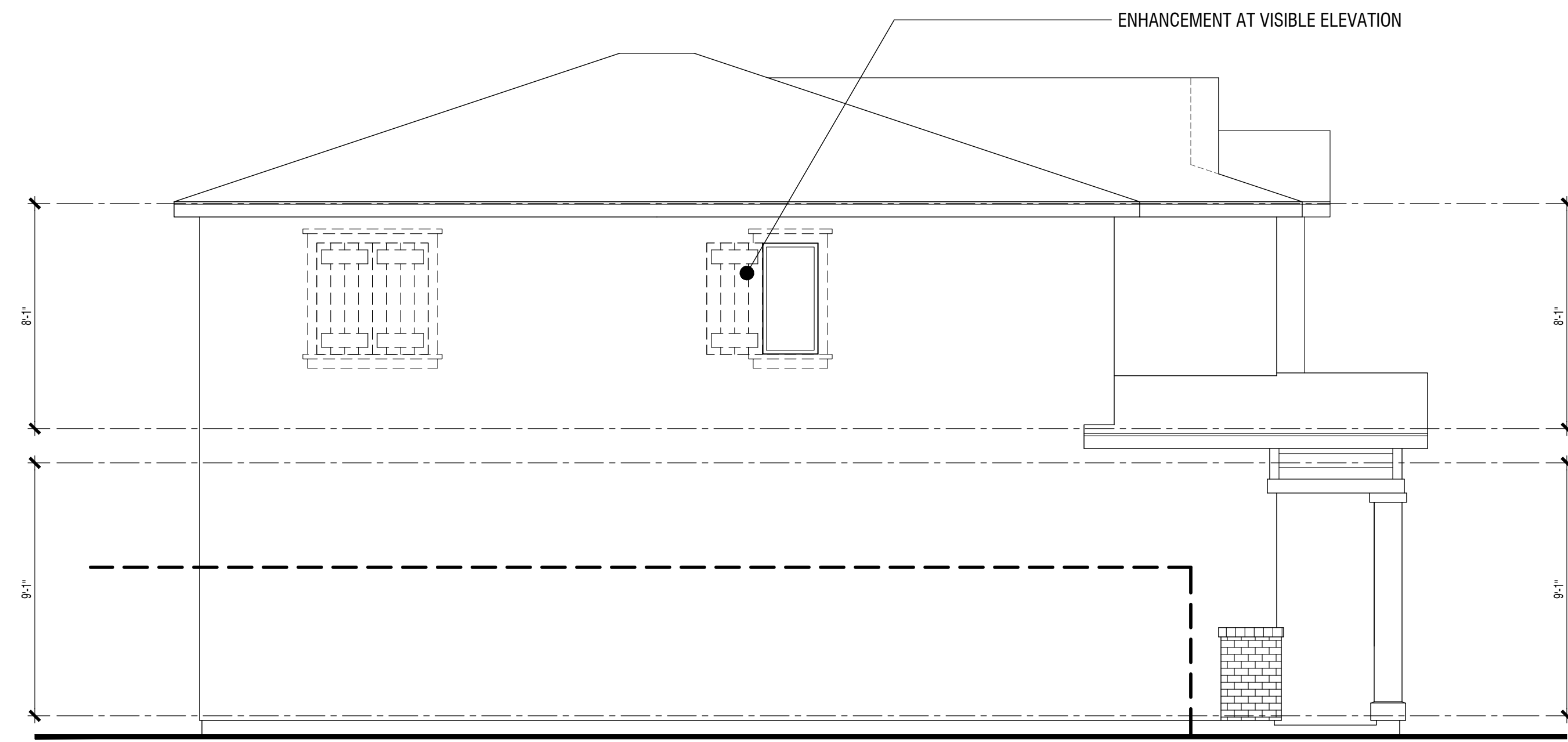
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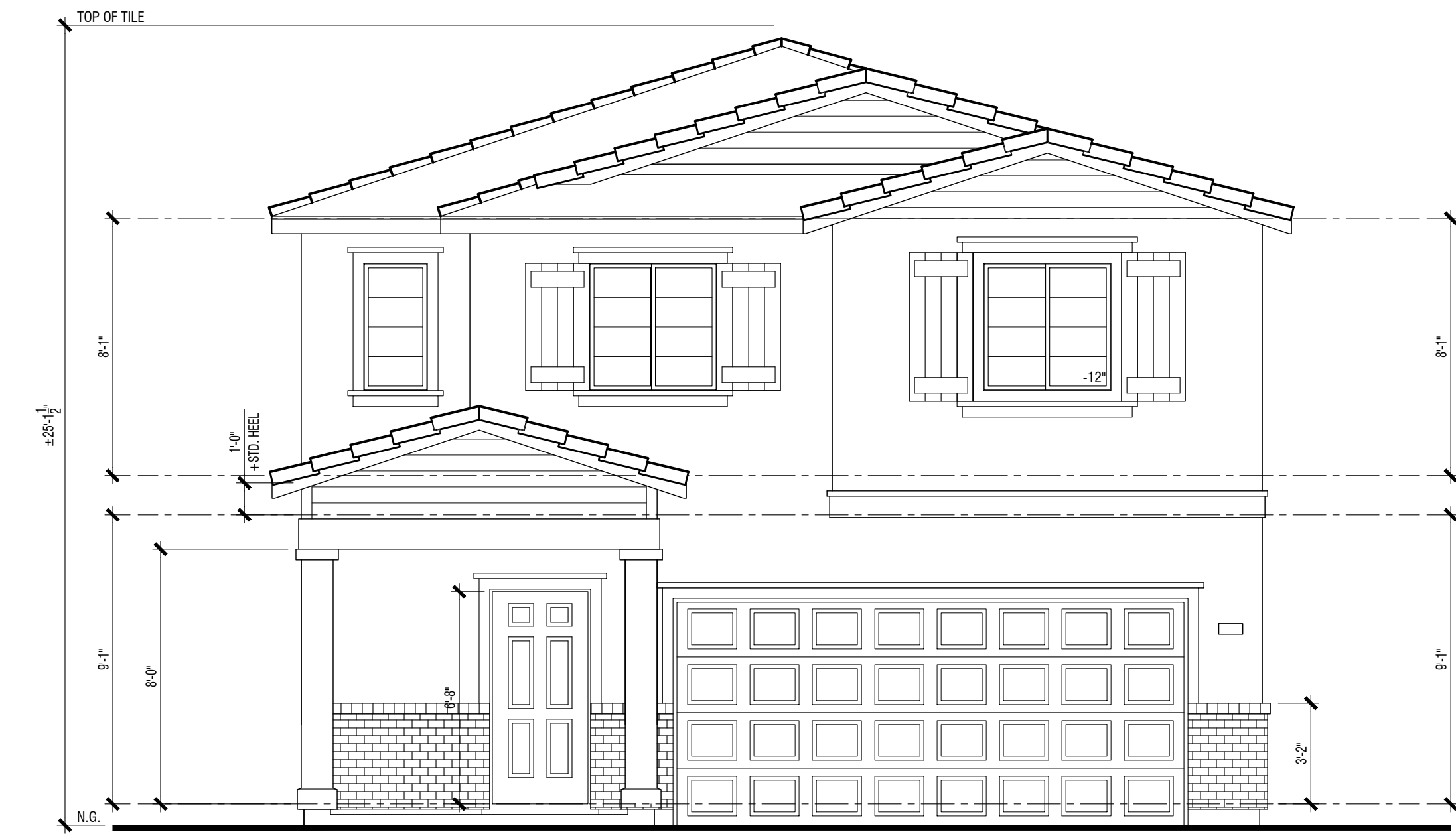
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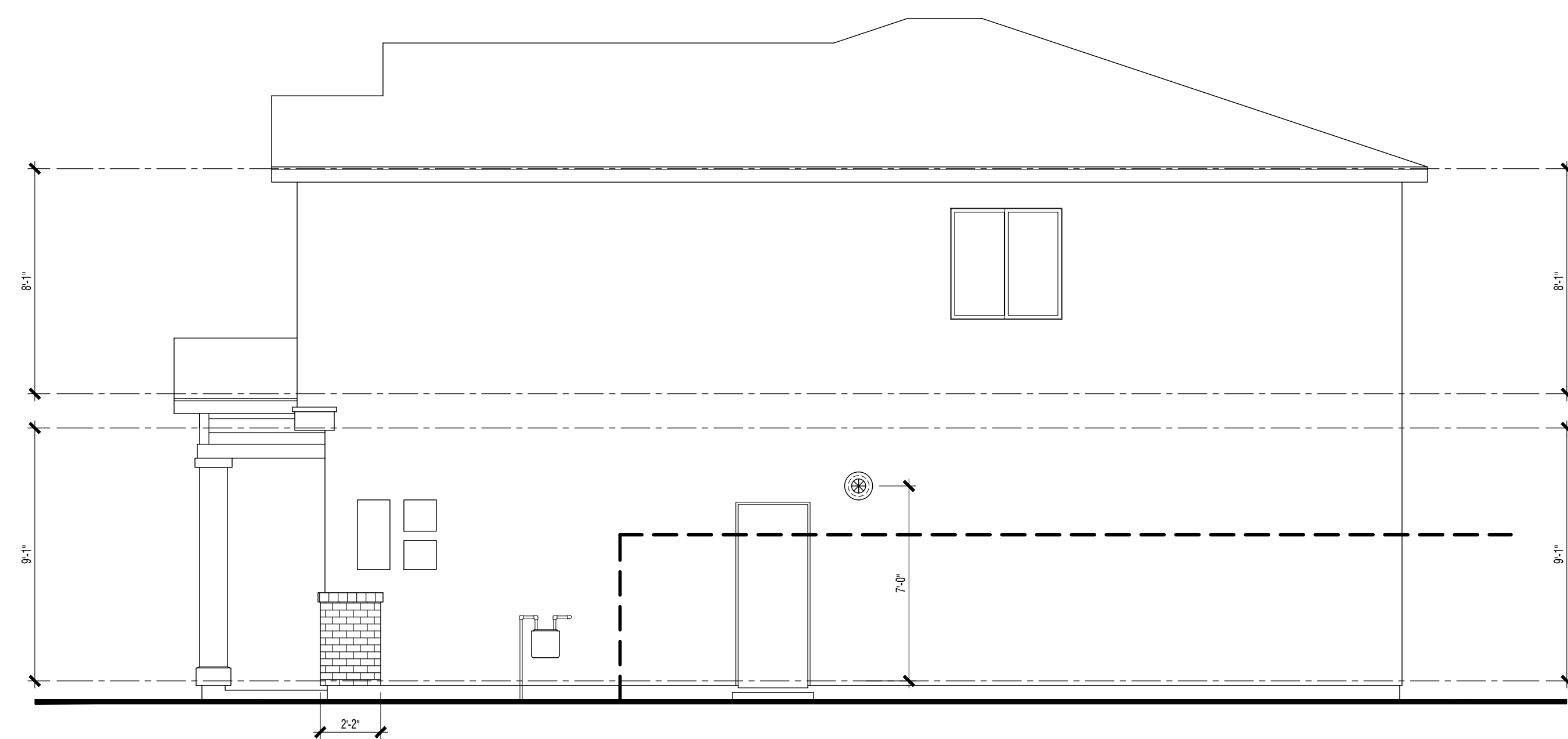
ORANGE COUNTY . LOS ANGELES . BAY AREA



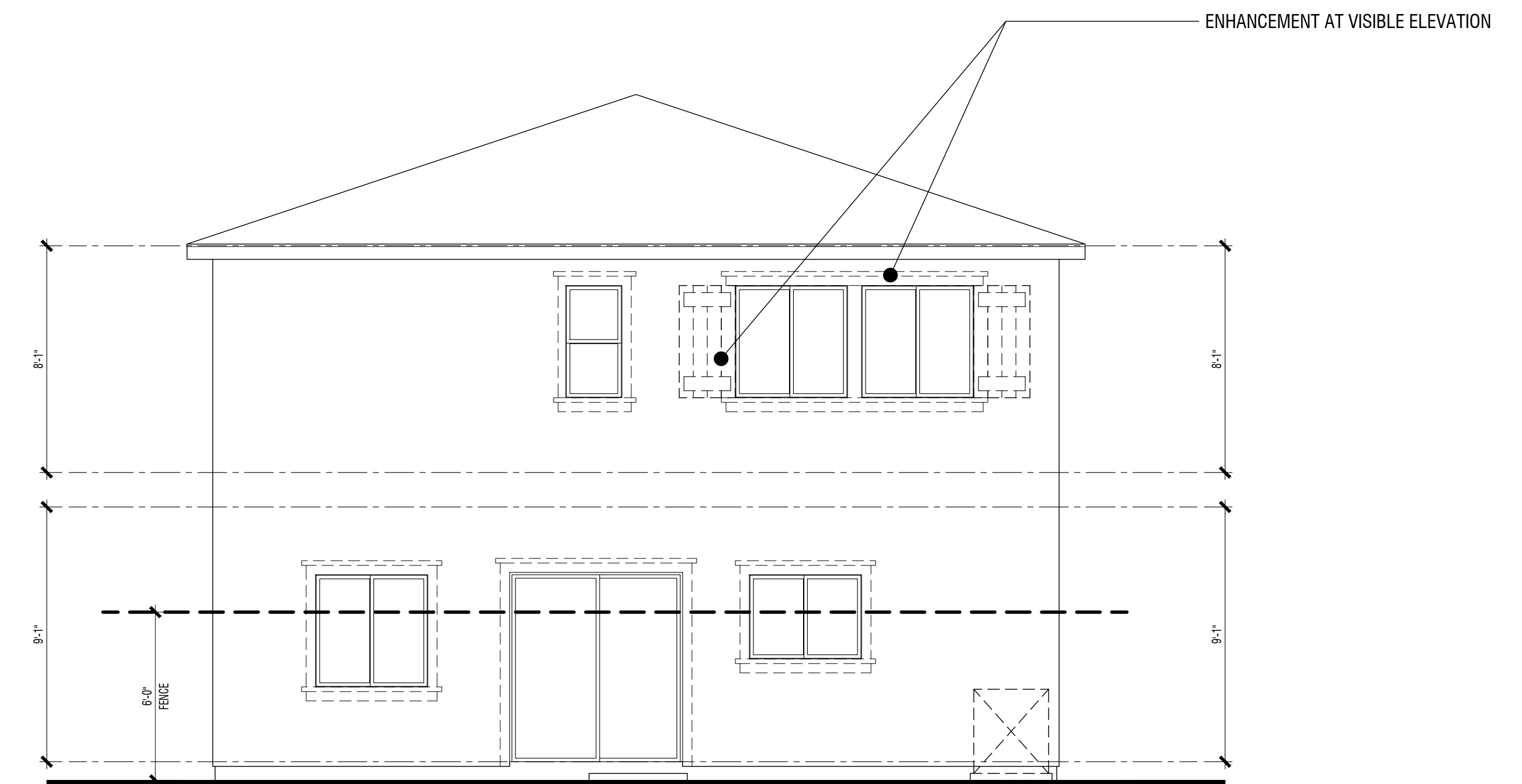
Left



Front



Right



Rear

PLAN 1.1775 | B - TRADITIONAL

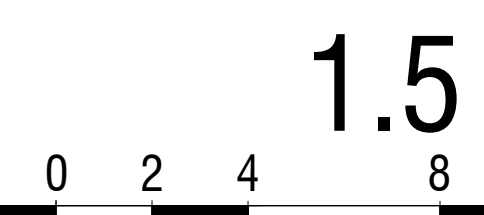
Building Elevations

BELLA SERA

MORENO VALLEY, CA



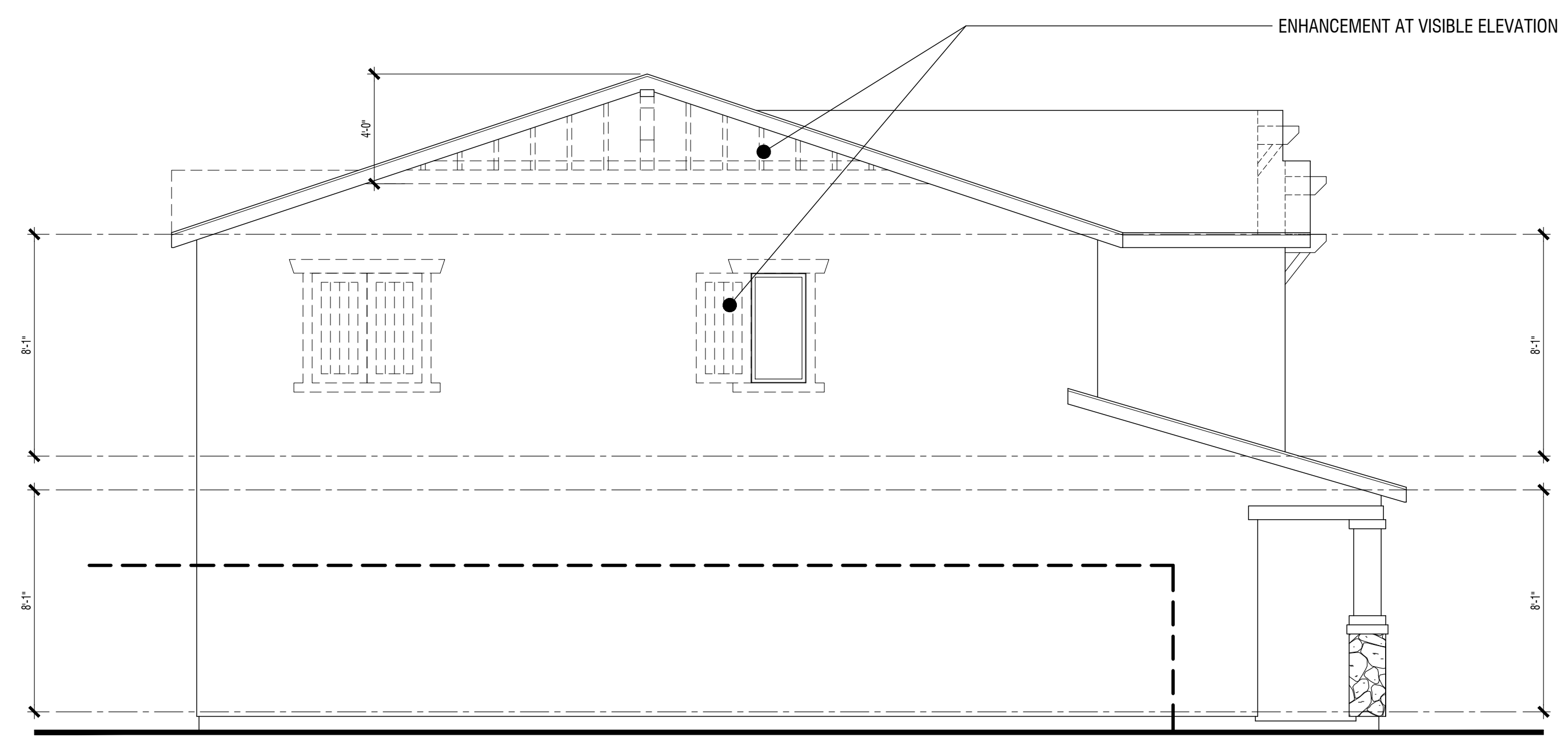
HORTEN E



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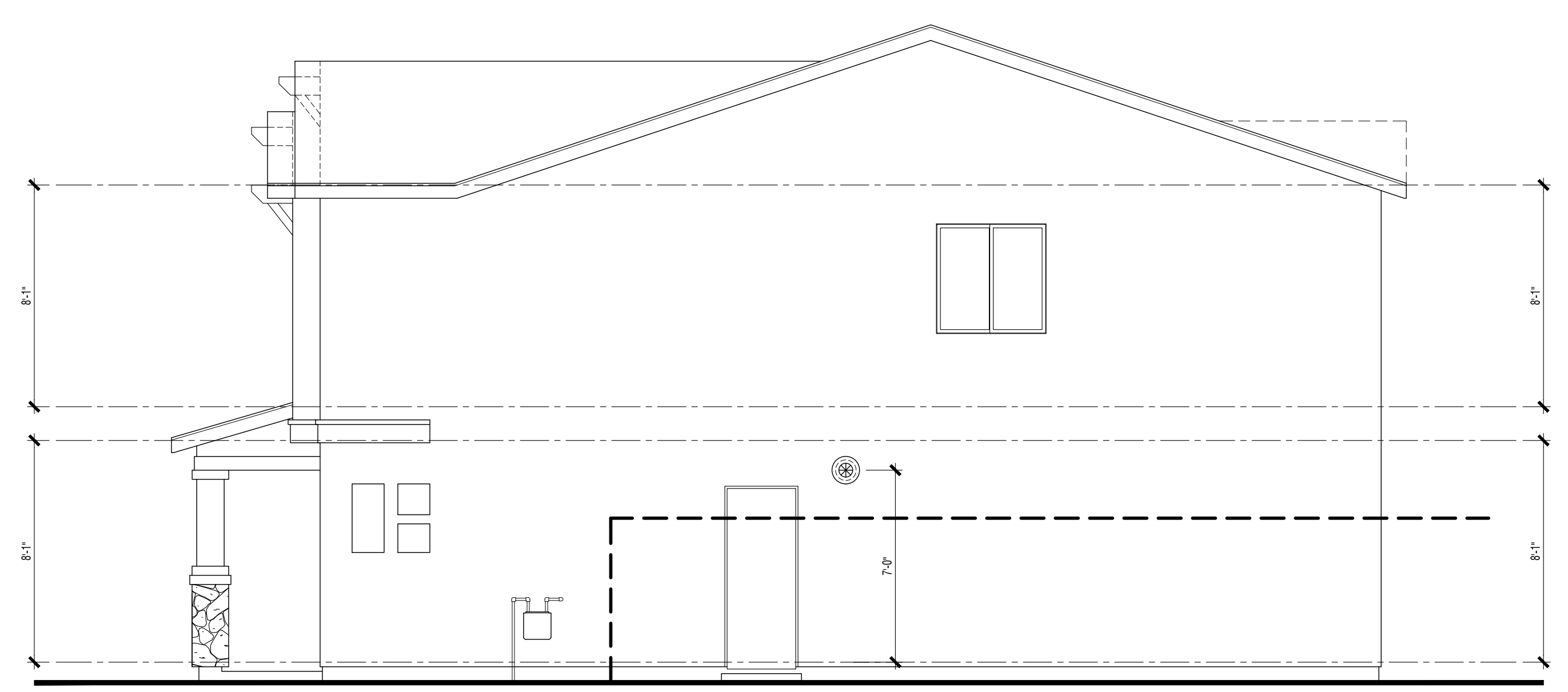




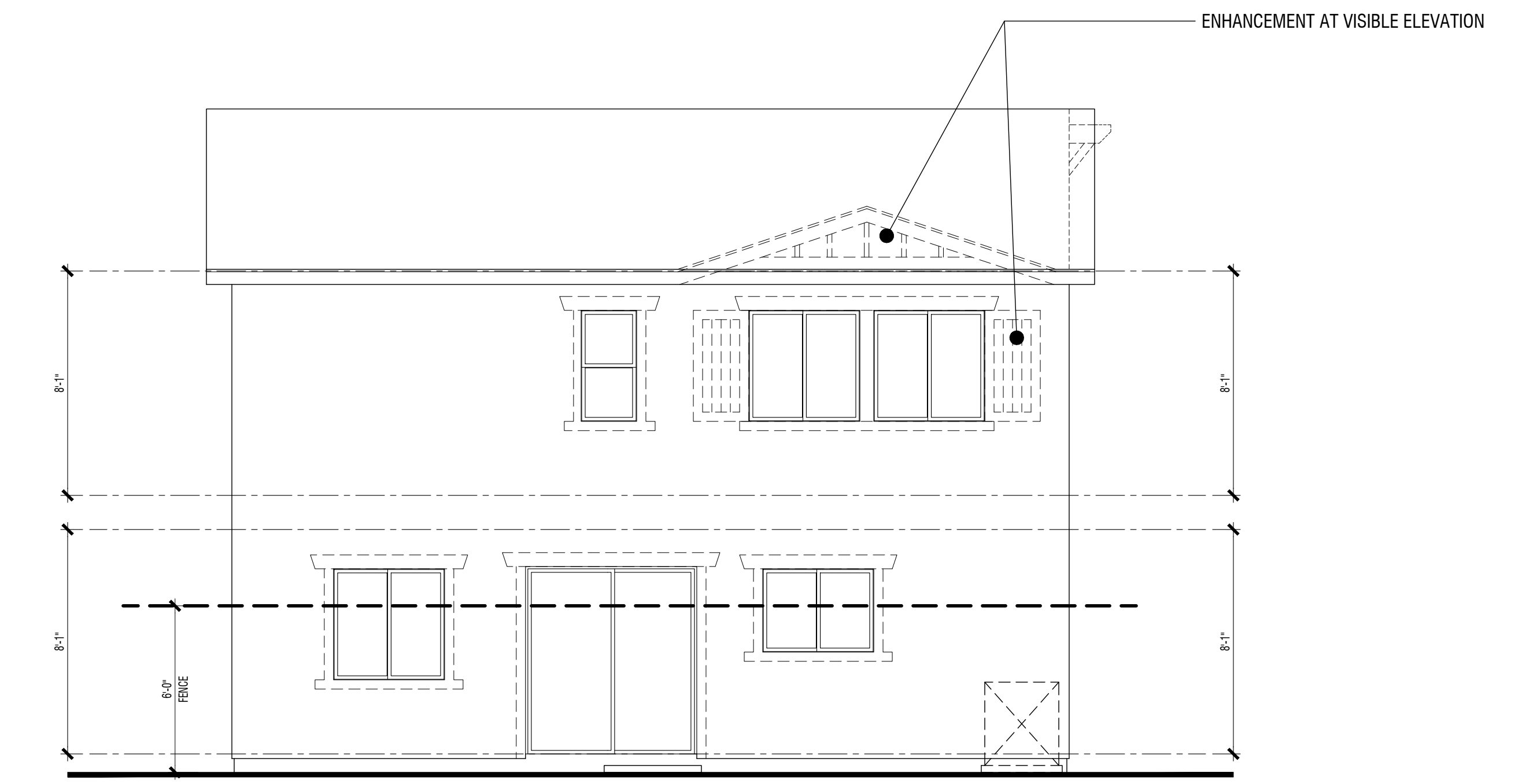
Left



Front



Right



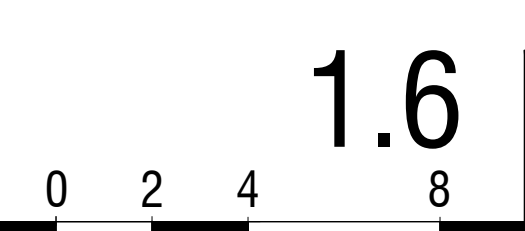
Rear

PLAN 1.1775 | C - CRAFTSMAN
 Building Elevations

BELLA SERA
 MORENO VALLEY, CA



HORTEN E

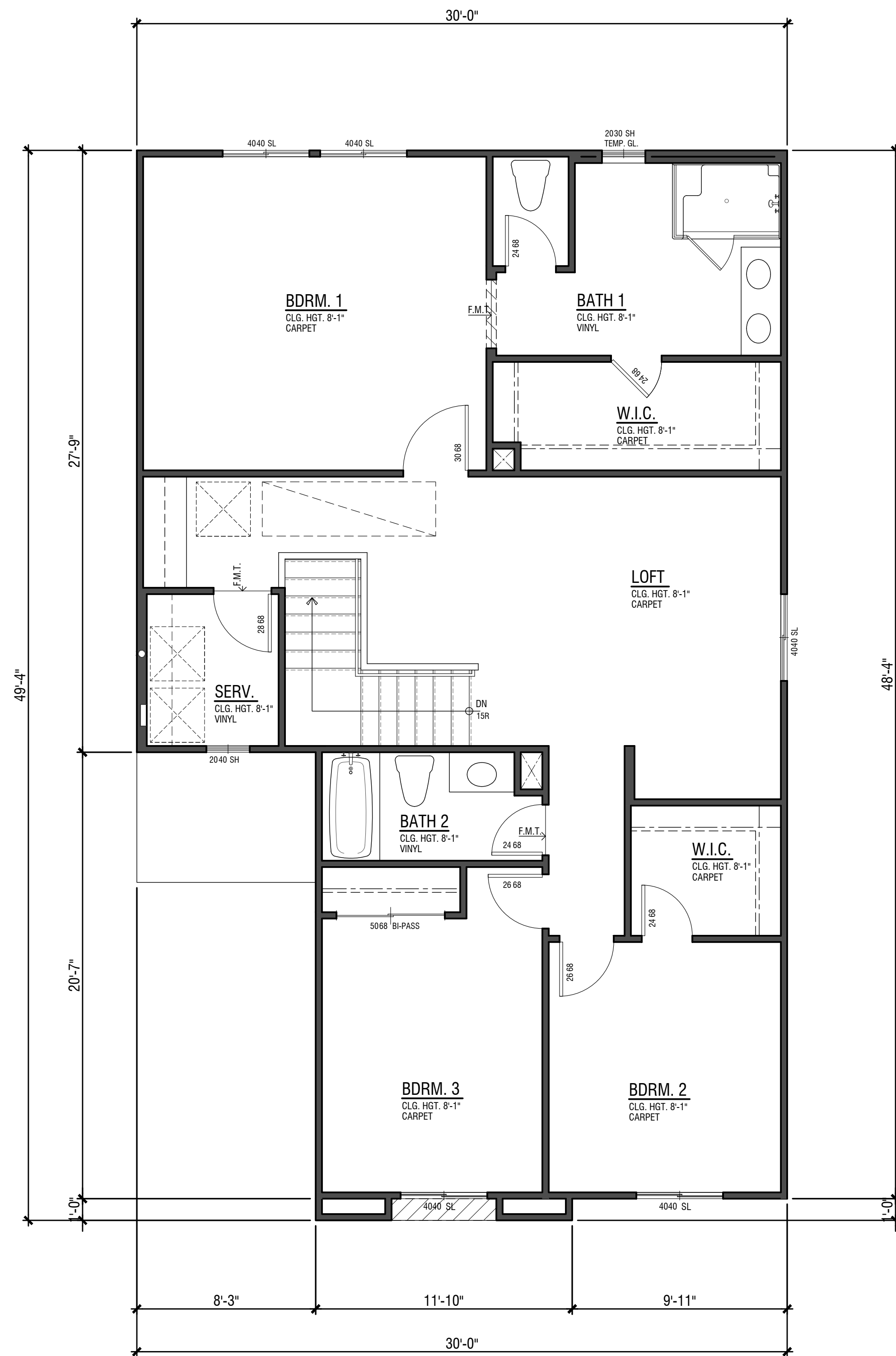


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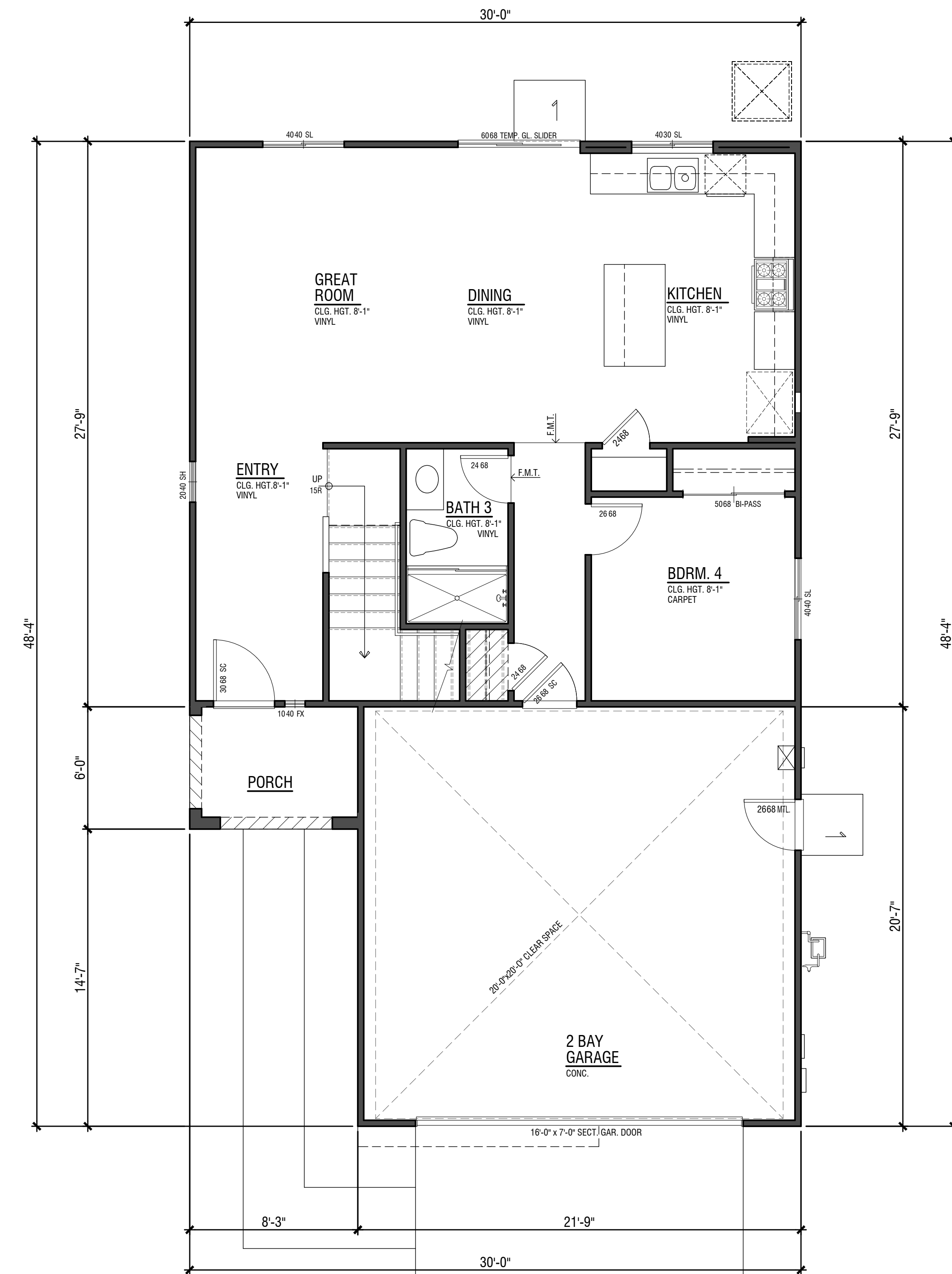
Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



Upper Floor - 1,226 SF

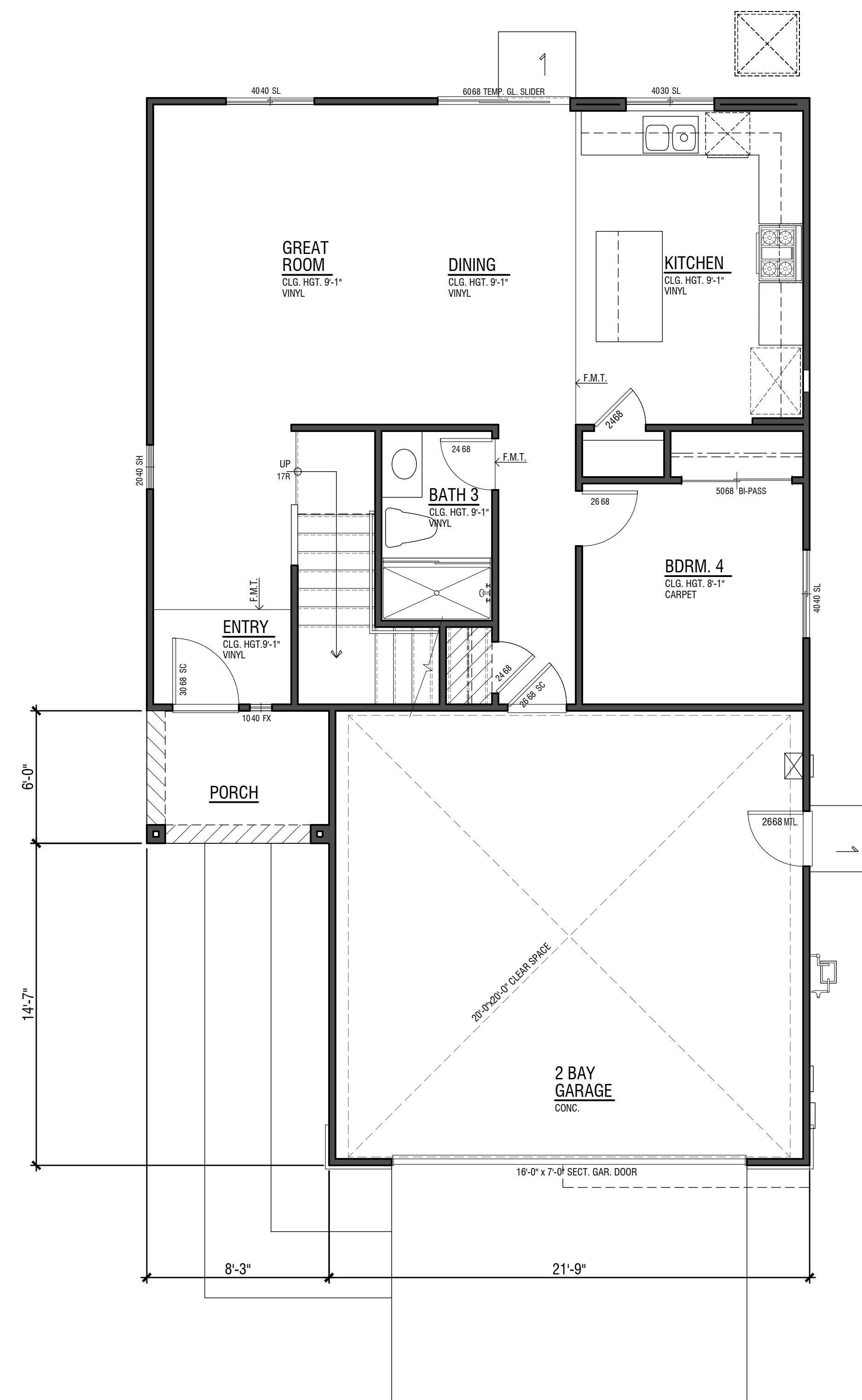
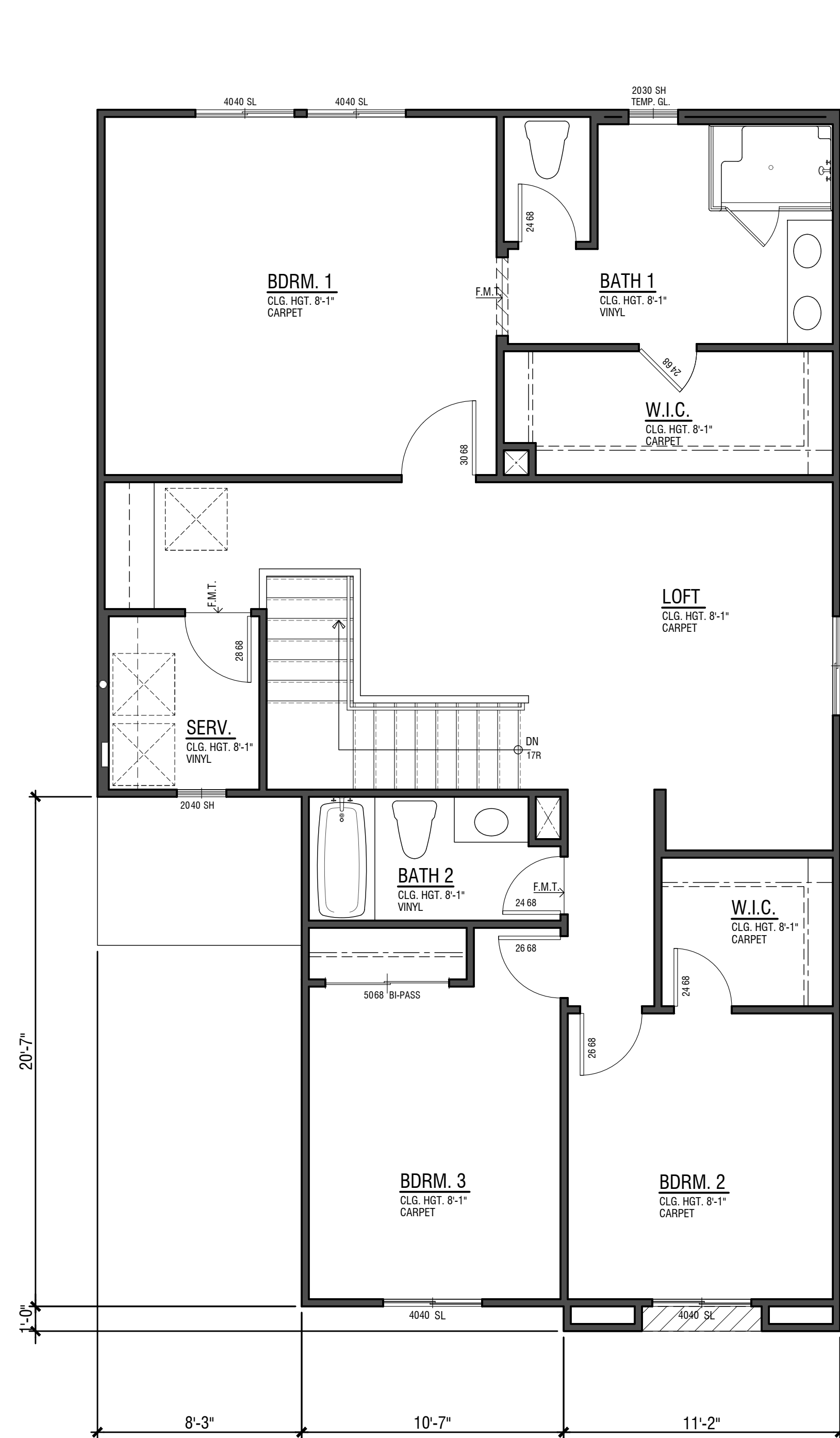
PLAN 2.2059

2,059 SF
 4 Bdrm | 3 Bath | Loft
 2 Bay Garage
 8' | 8' Plates



Lower Floor - 833 SF

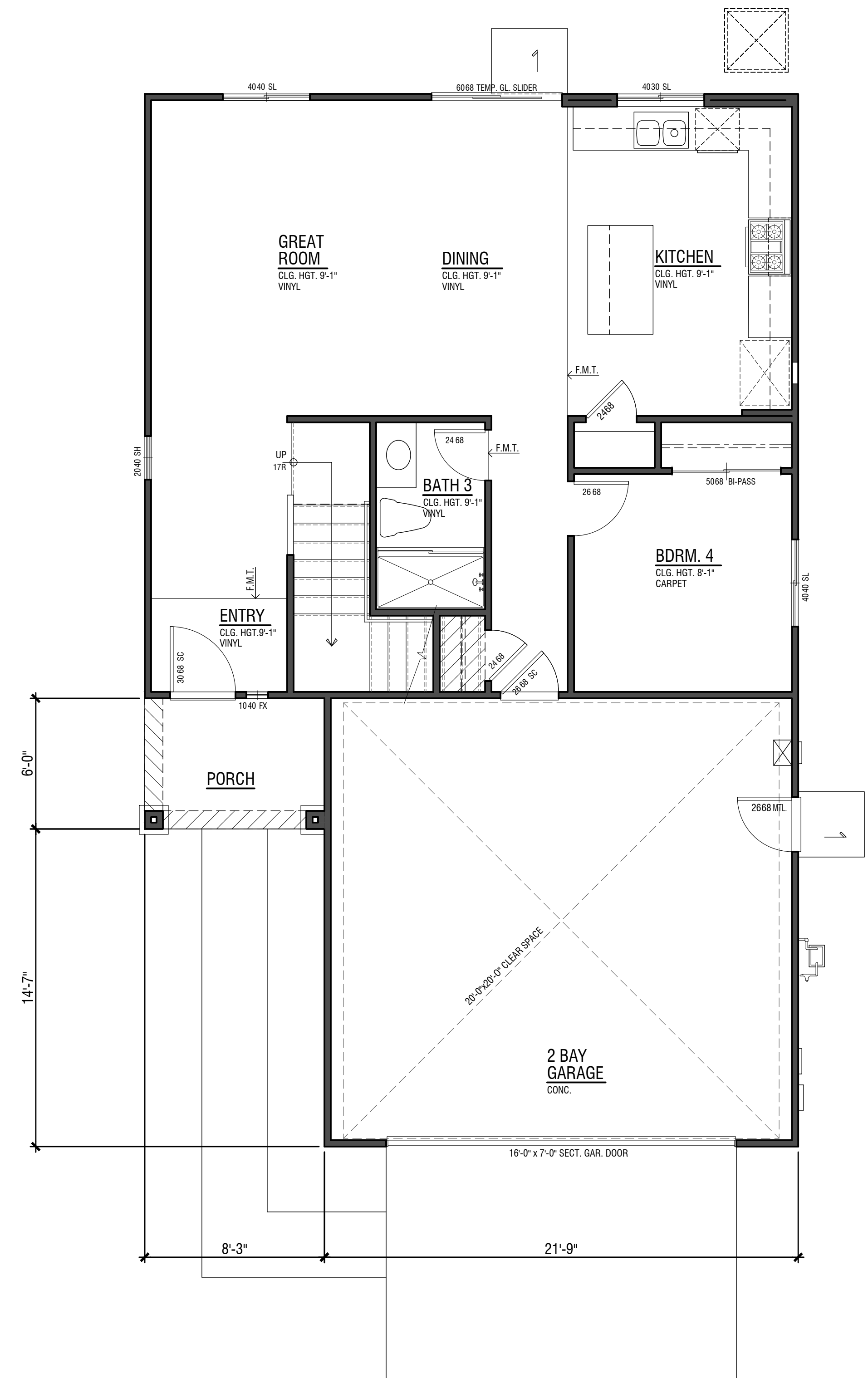
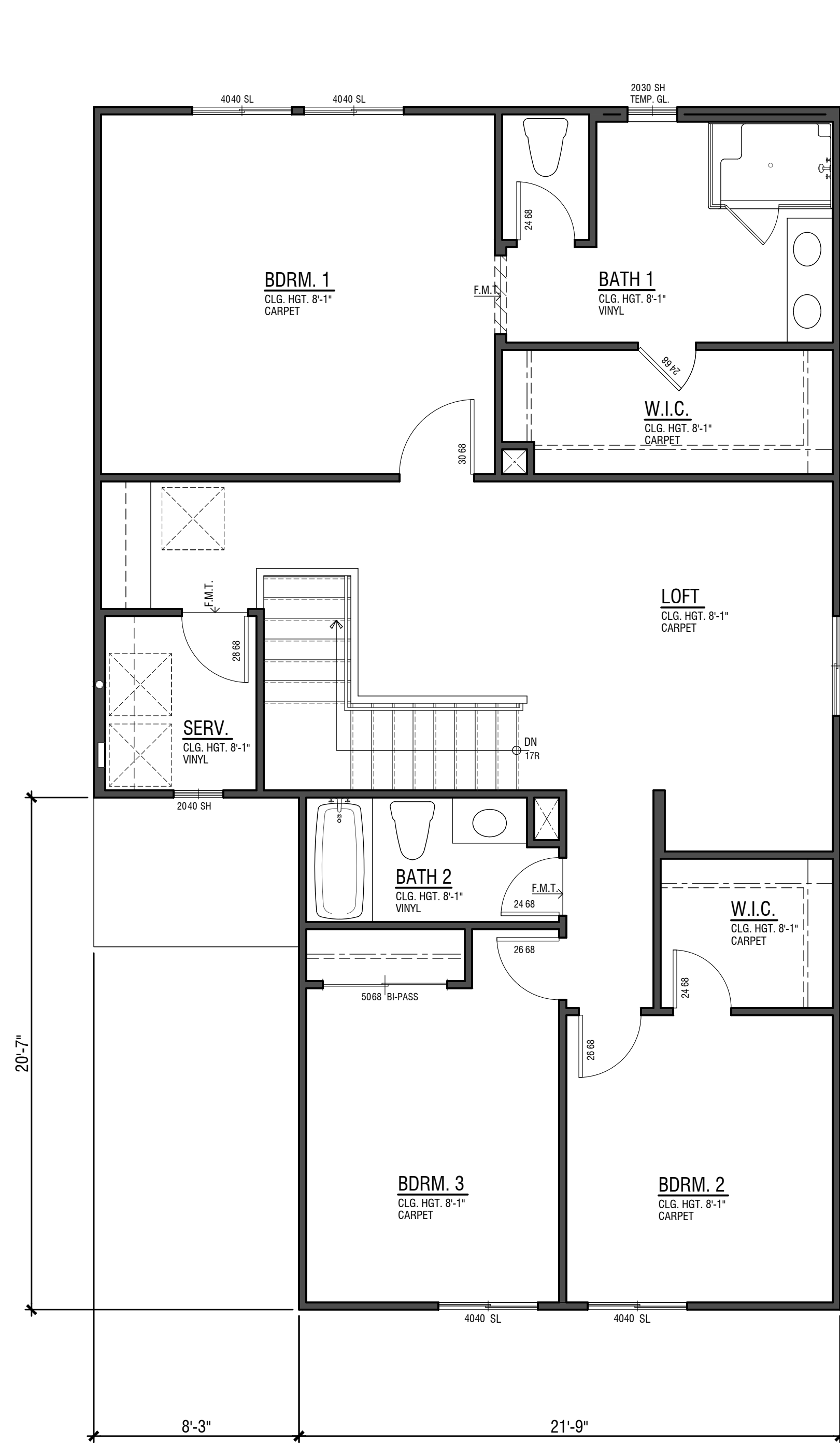
2A | SPANISH



PLAN 2.2059

2,059 SF
 4 Bdrm | 3 Bath | Loft
 2 Bay Garage
 8' | 8' Plates

2B | TRADITIONAL



PLAN 2.2059

2,059 SF
 4 Bdrm | 3 Bath | Loft
 2 Bay Garage
 8' | 8' Plates

2C | CRAFTSMAN



HORTEN E

BELLA SERA

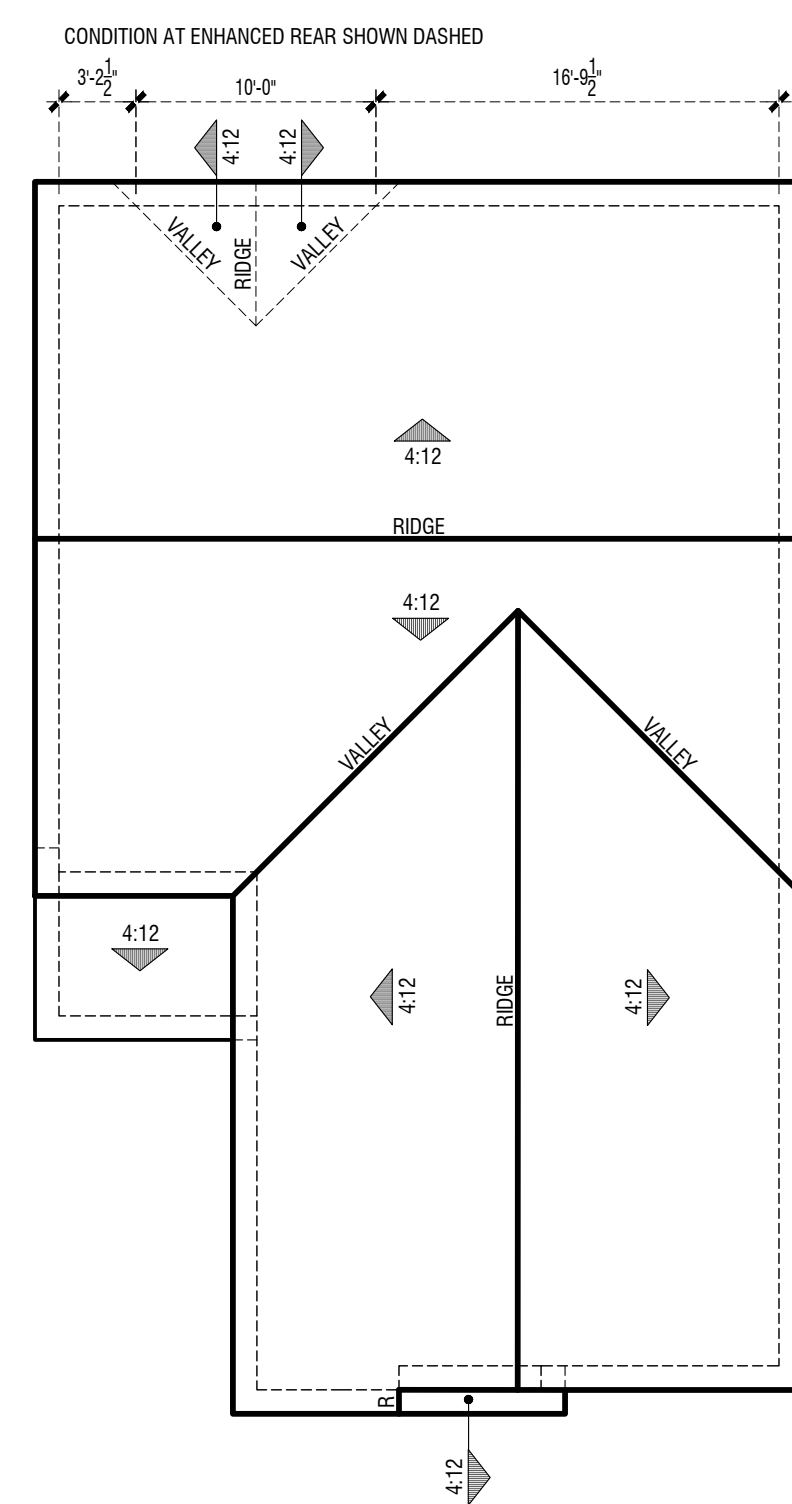
MORENO VALLEY, CA

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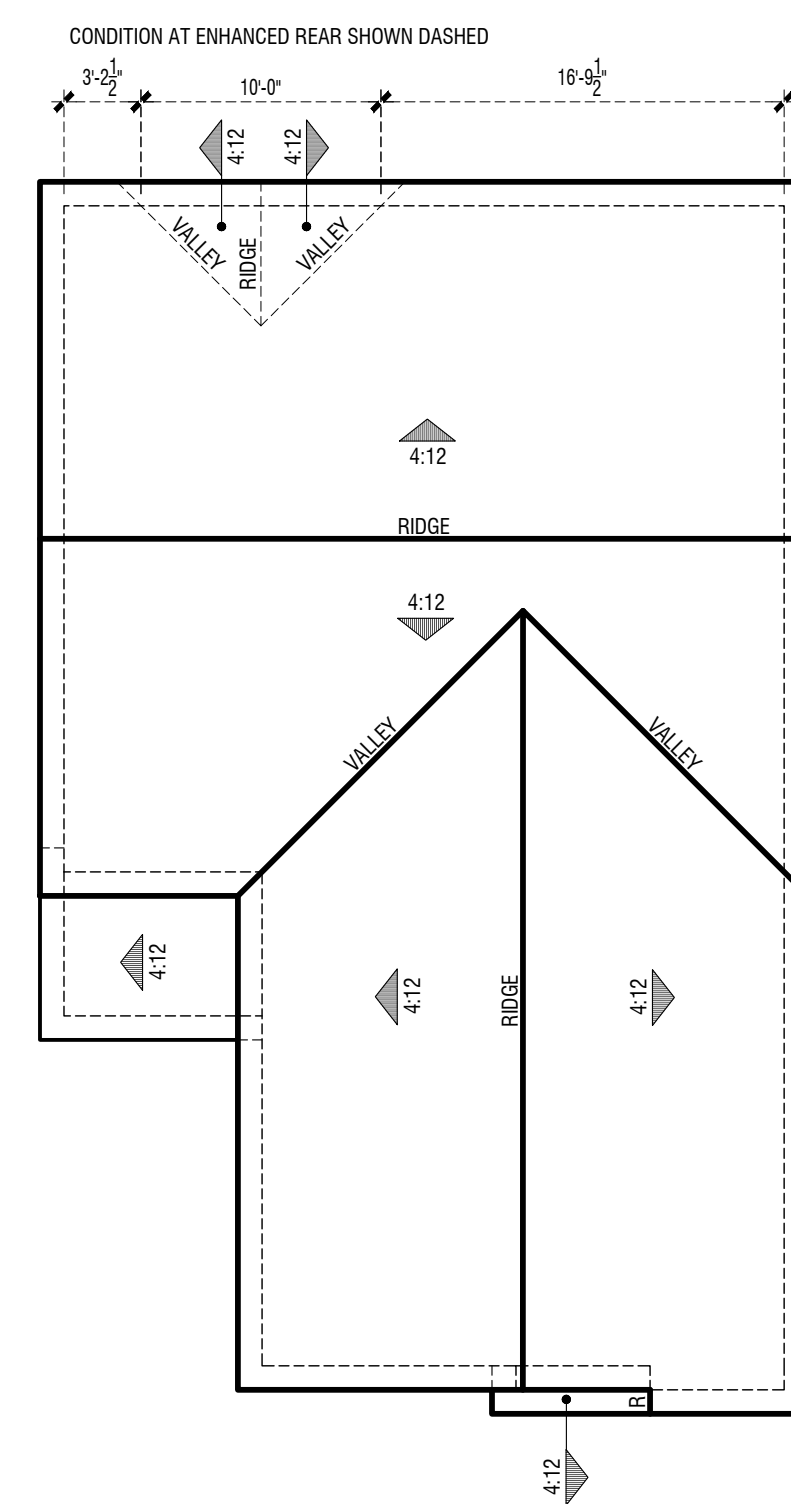
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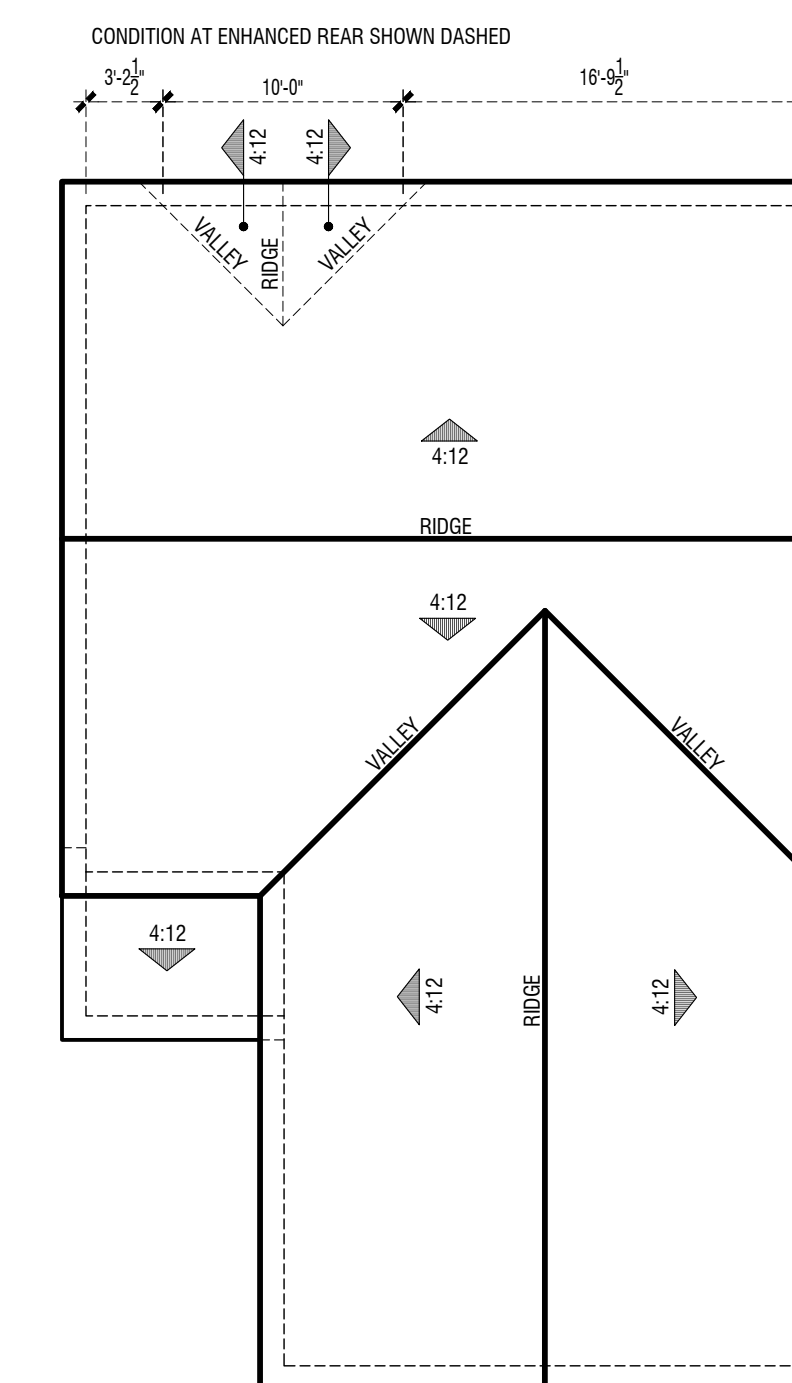
2A | SPANISH

Eave 12" / Rake 12"
Concrete Low "S" Tile



2B | TRADITIONAL

Eave 12" / Rake 12"
Concrete Flat Tile



2C | CRAFTSMAN

Eave 12" / Rake 12"
Concrete Flat Tile

PLAN 2.2059

Roof Plans

BELLA SERA

MORENO VALLEY, CA



2A | SPANISH



2C | CRAFTSMAN



2B | TRADITIONAL

PLAN 2.2059

Front Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

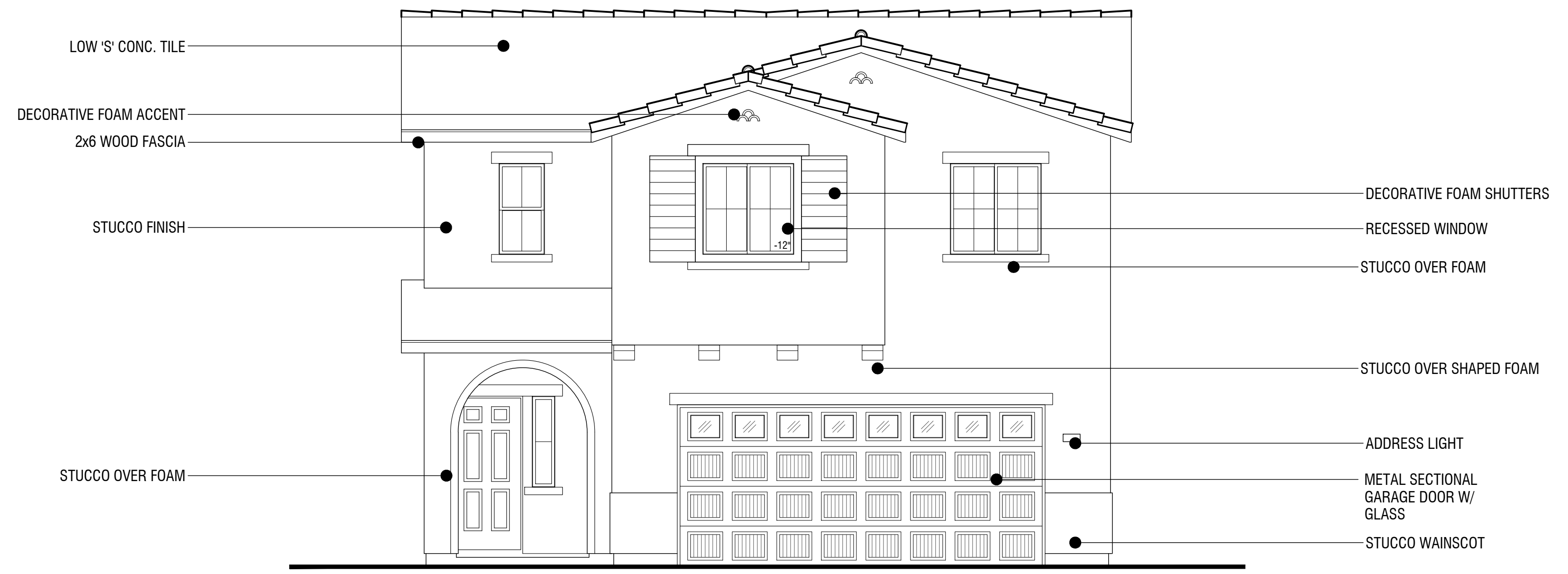
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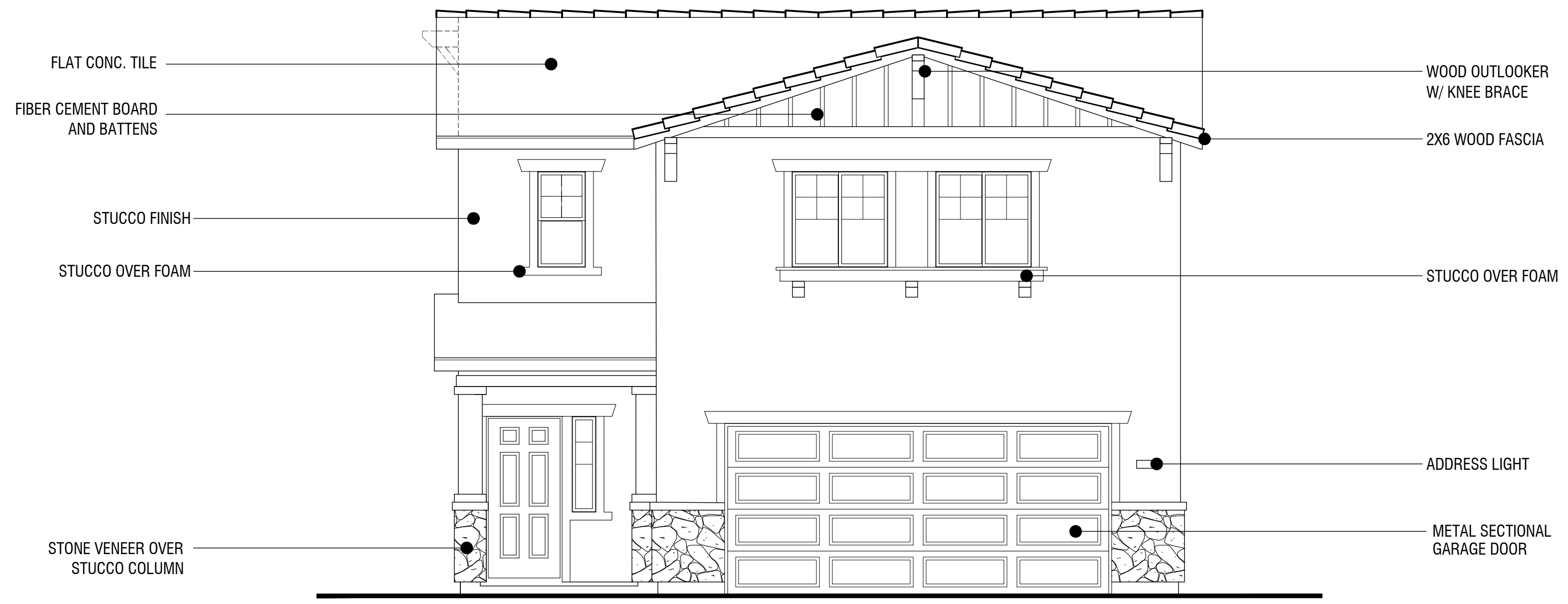
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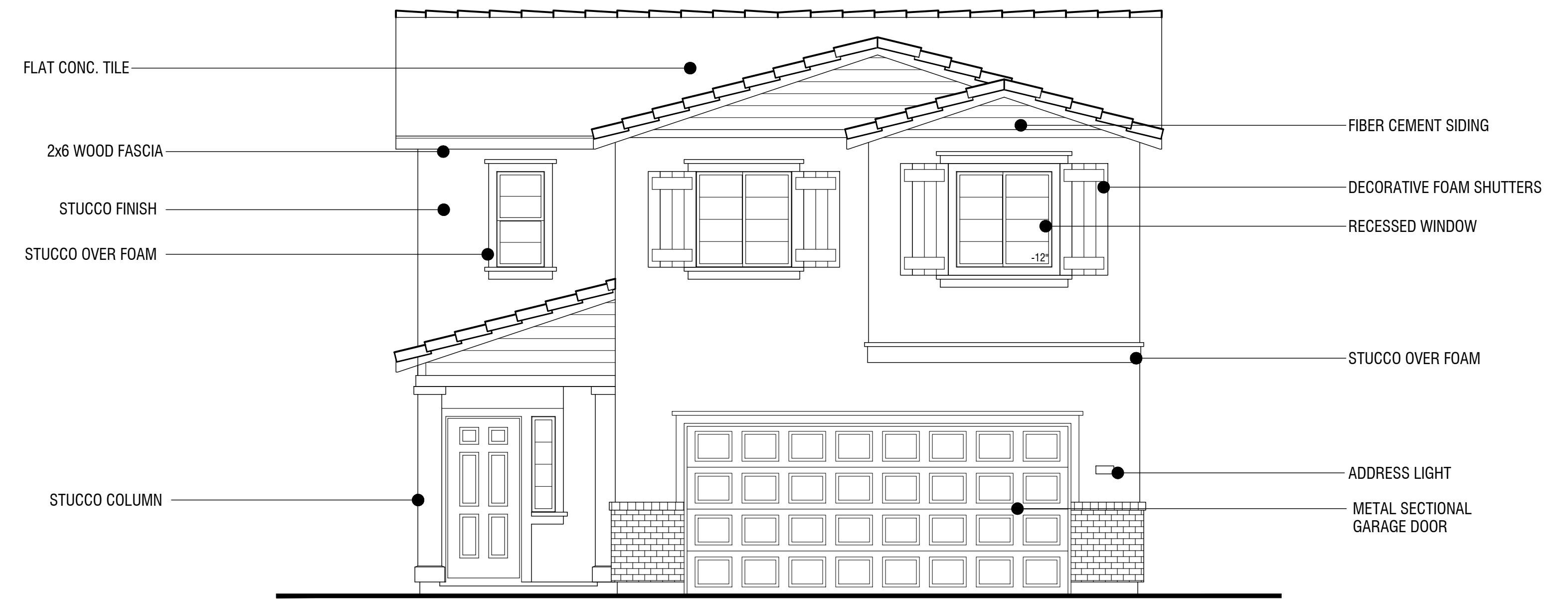
ORANGE COUNTY . LOS ANGELES . BAY AREA



2A | SPANISH



2C | CRAFTSMAN



2B | TRADITIONAL

PLAN 2.2059
Front Elevations

BELLA SERA
MORENO VALLEY, CA



HORTEN E

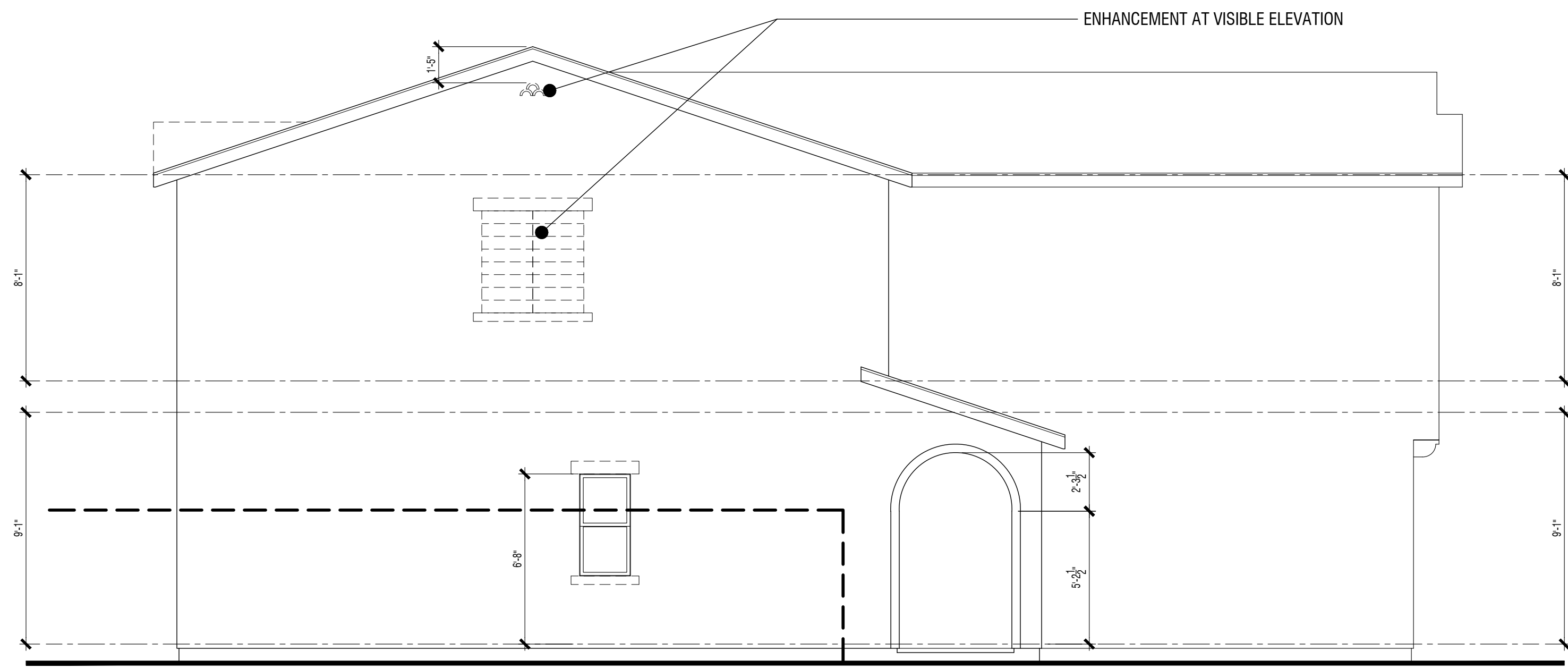
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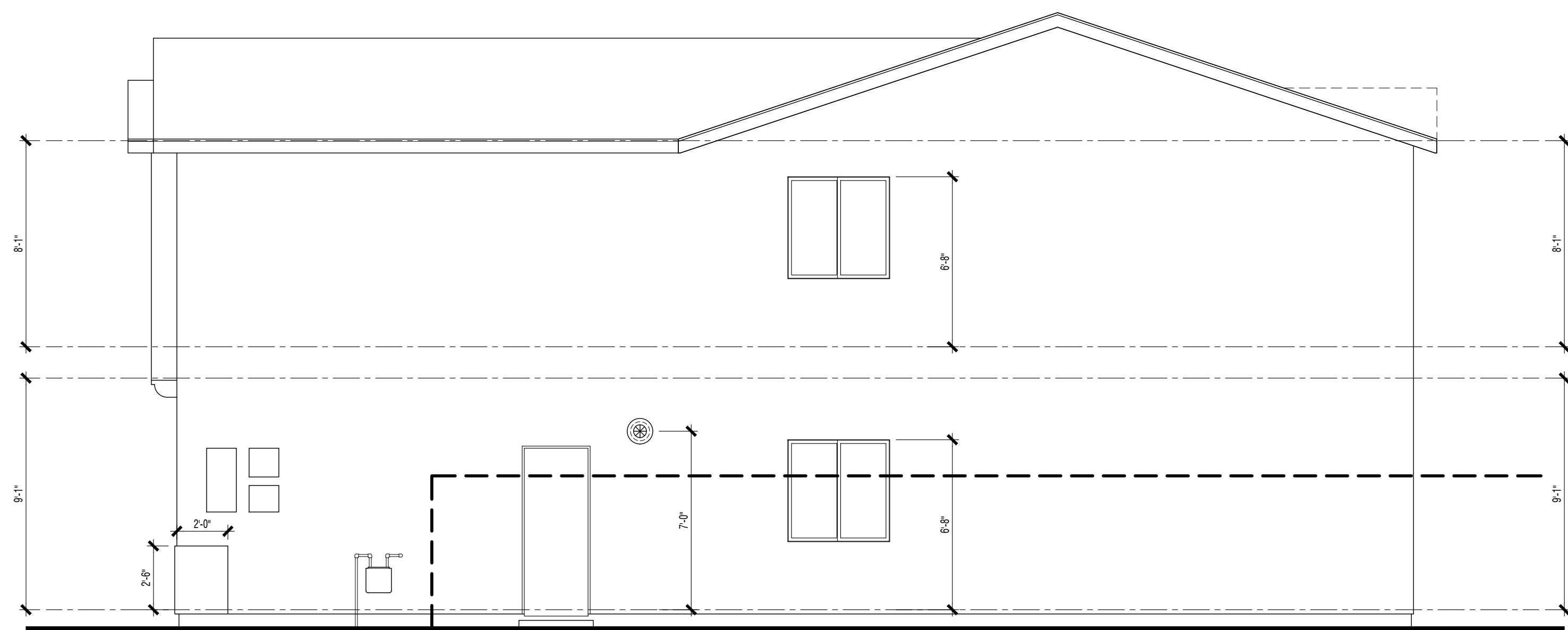
ORANGE COUNTY . LOS ANGELES . BAY AREA



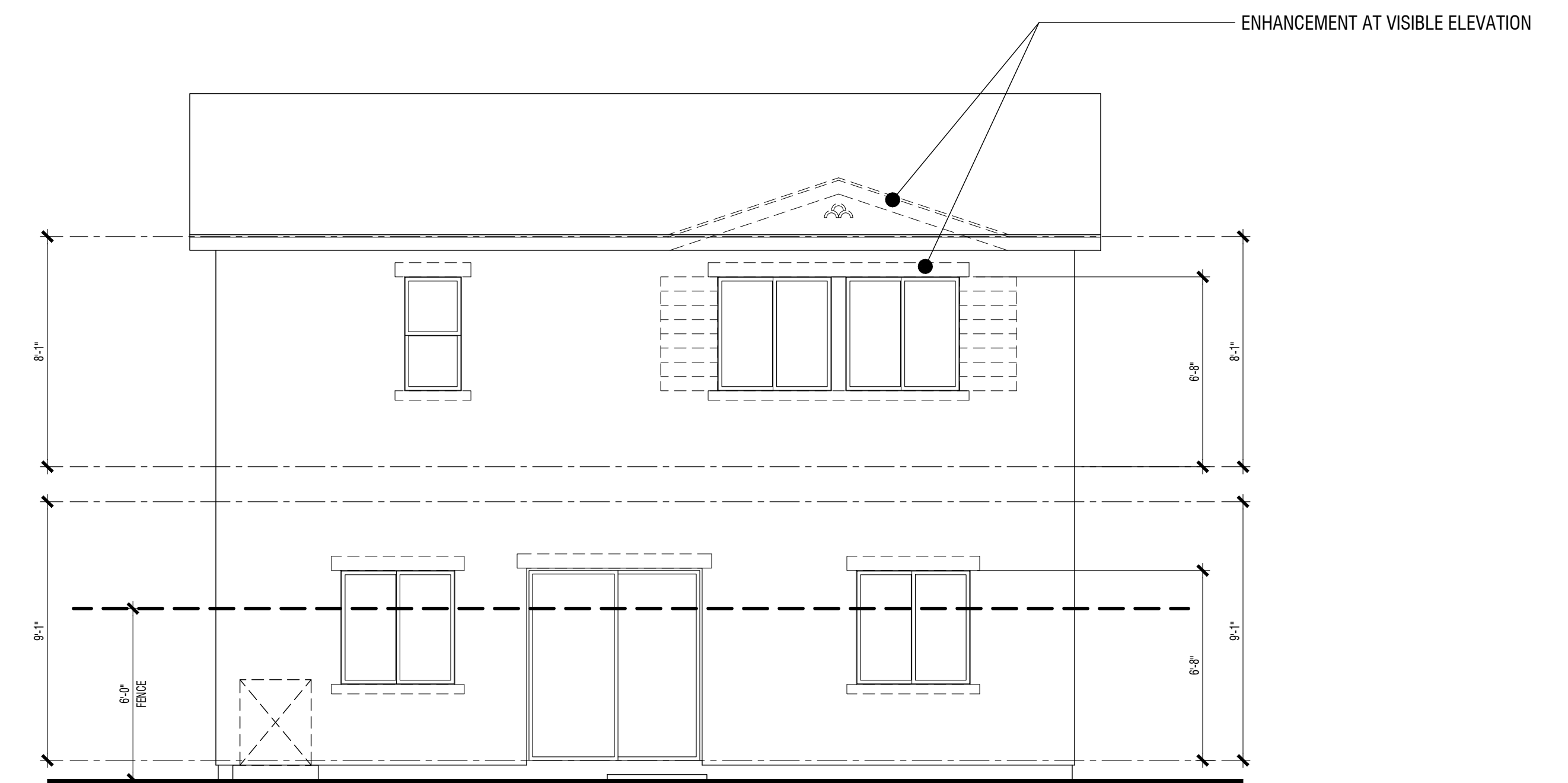
Left



Front



Right



Rear

PLAN 2.2059 | A - SPANISH

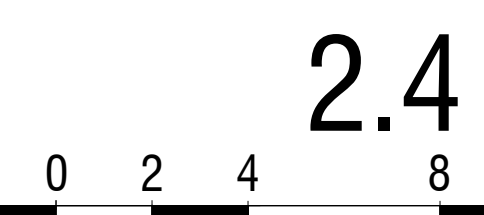
Building Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

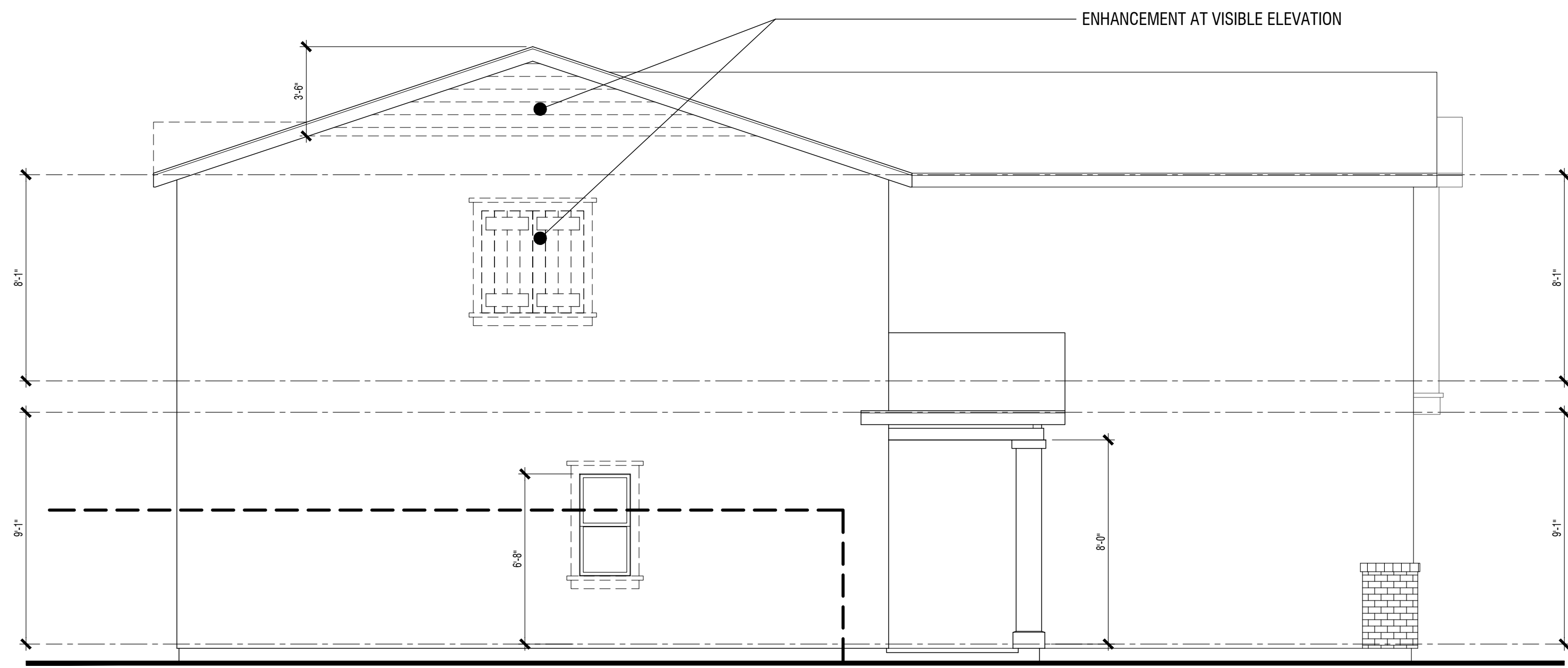


PUD DESIGN RE-SUBMITTAL

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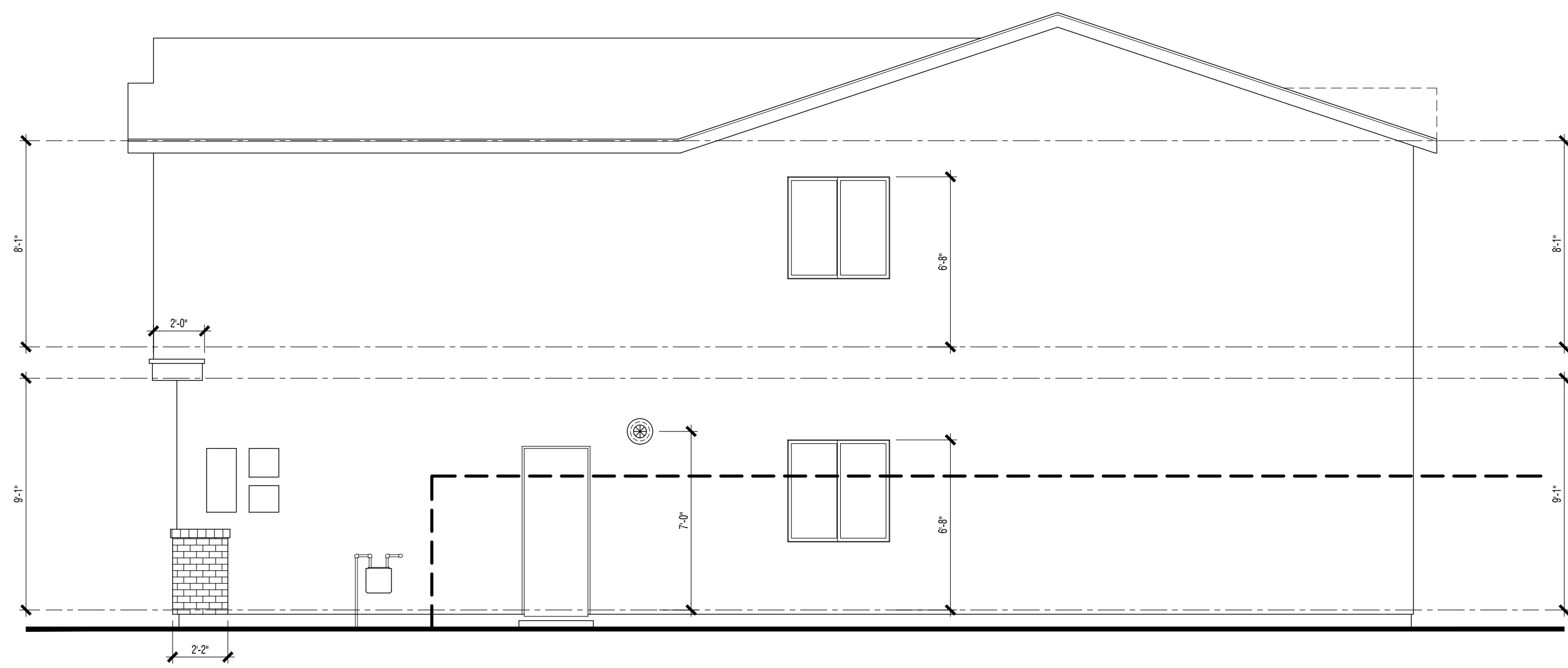
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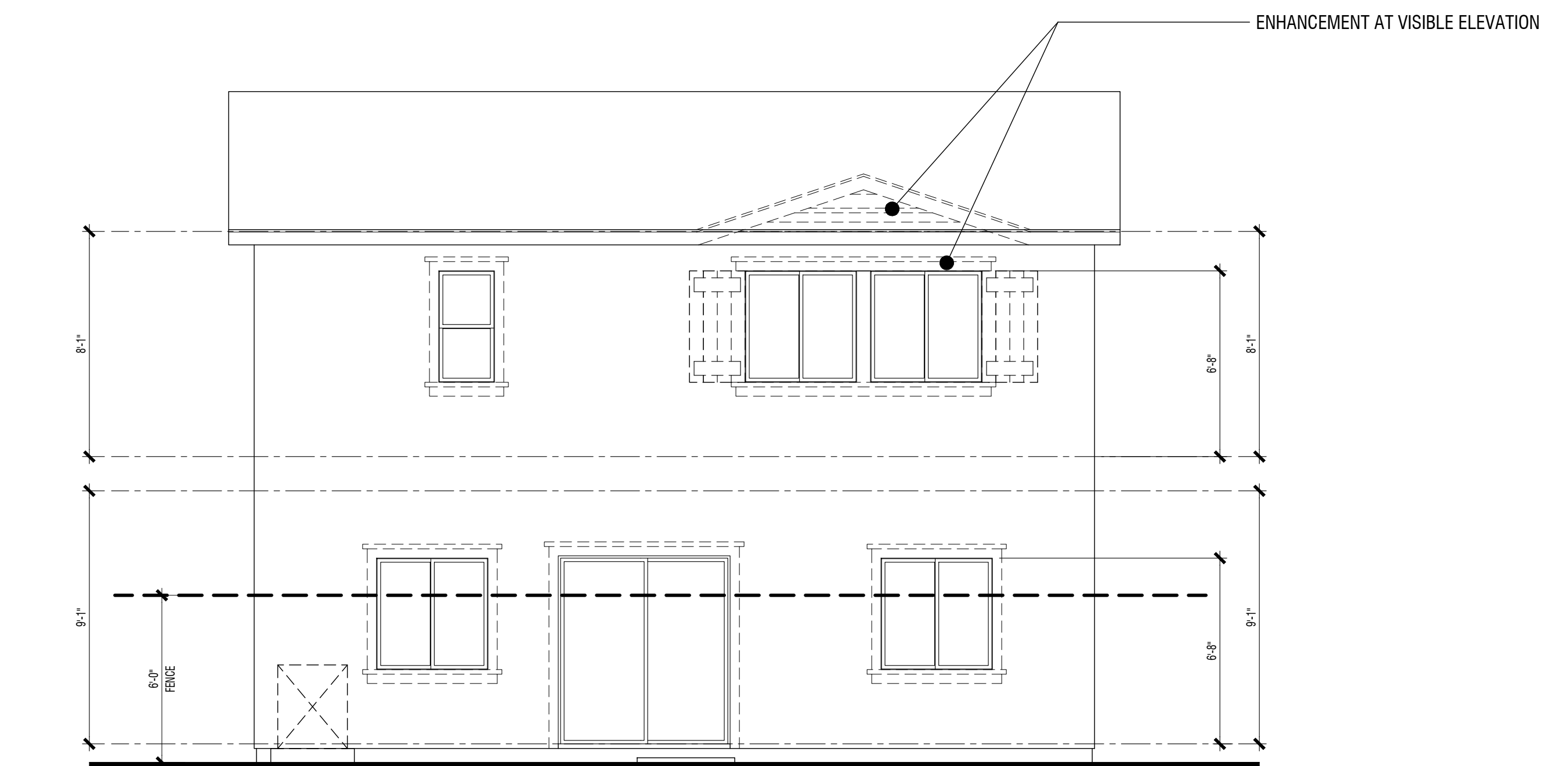
Left



Front



Right



Rear

PLAN 2.2059 | B - TRADITIONAL

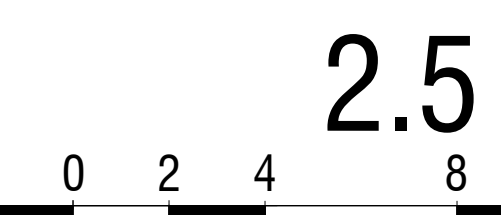
Building Elevations

BELLA SERA

MORENO VALLEY, CA



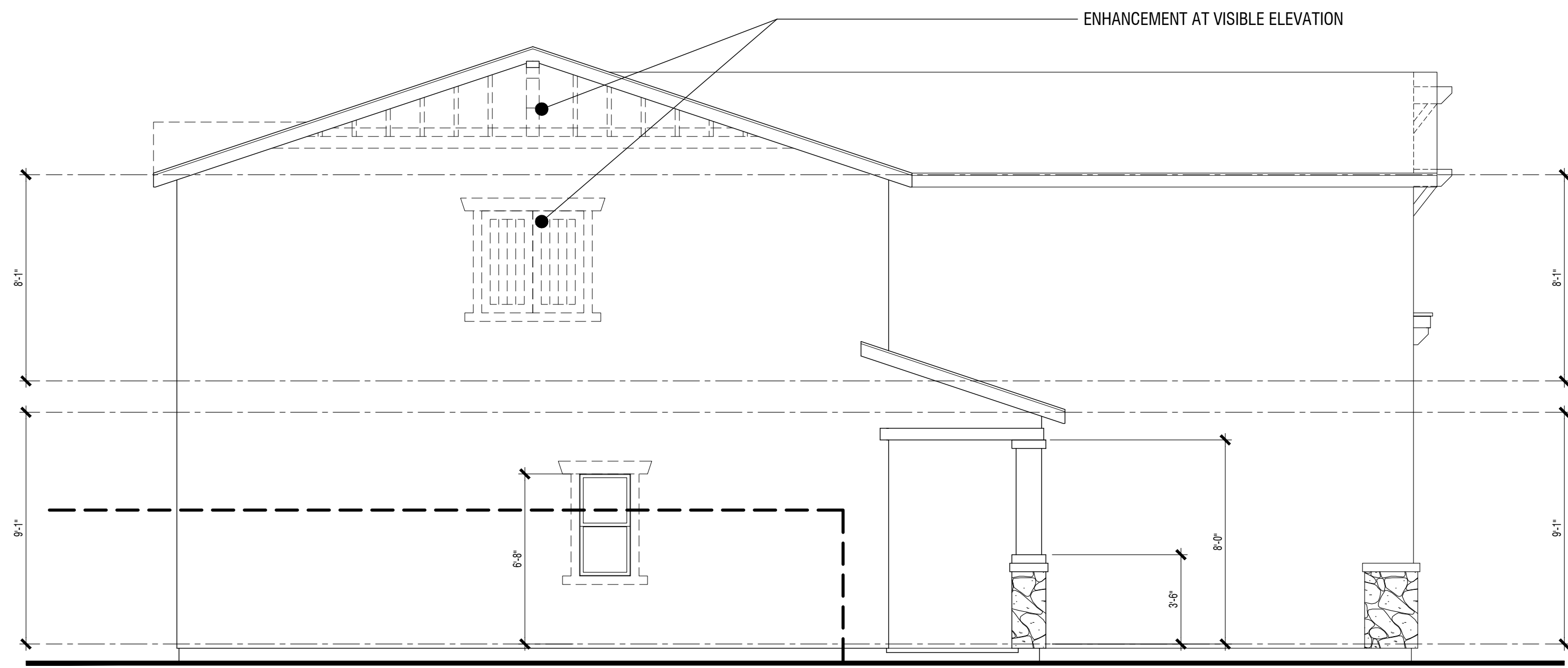
HORTEN E



PUD DESIGN RE-SUBMITTAL

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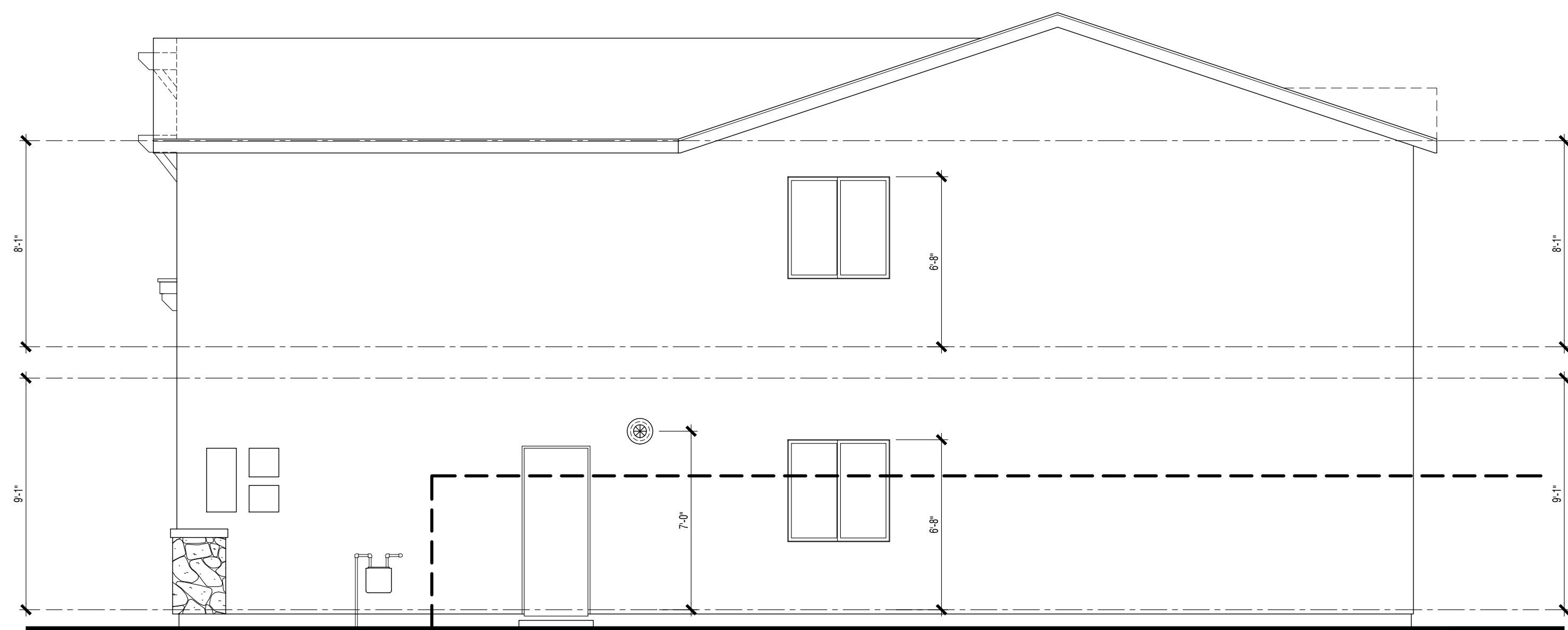




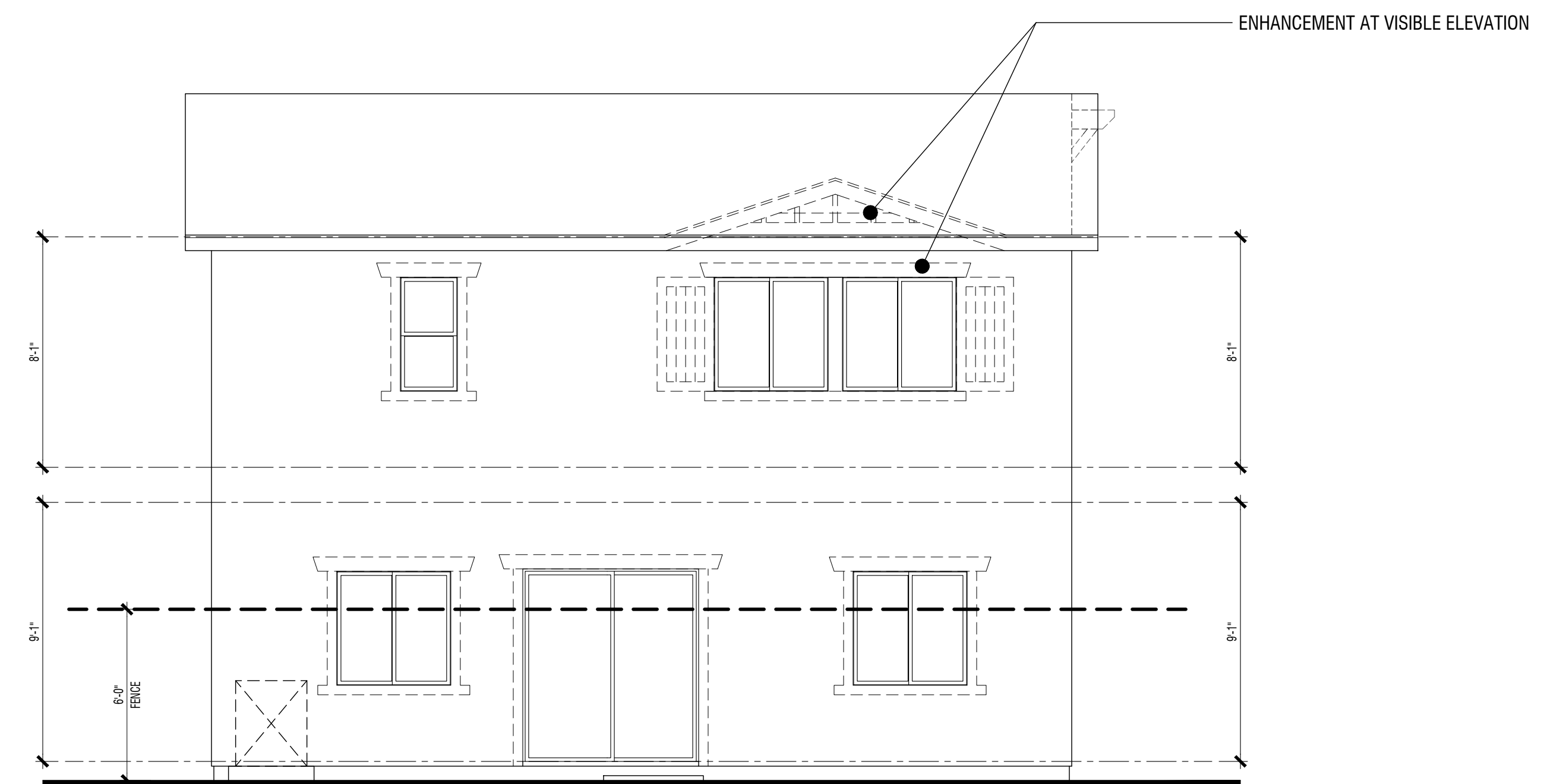
Left



Front



Right



Rear

PLAN 2.2059 | C - CRAFTSMAN

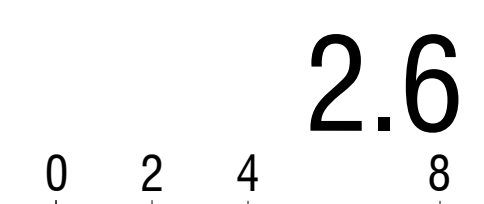
Building Elevations

BELLA SERA

MORENO VALLEY, CA



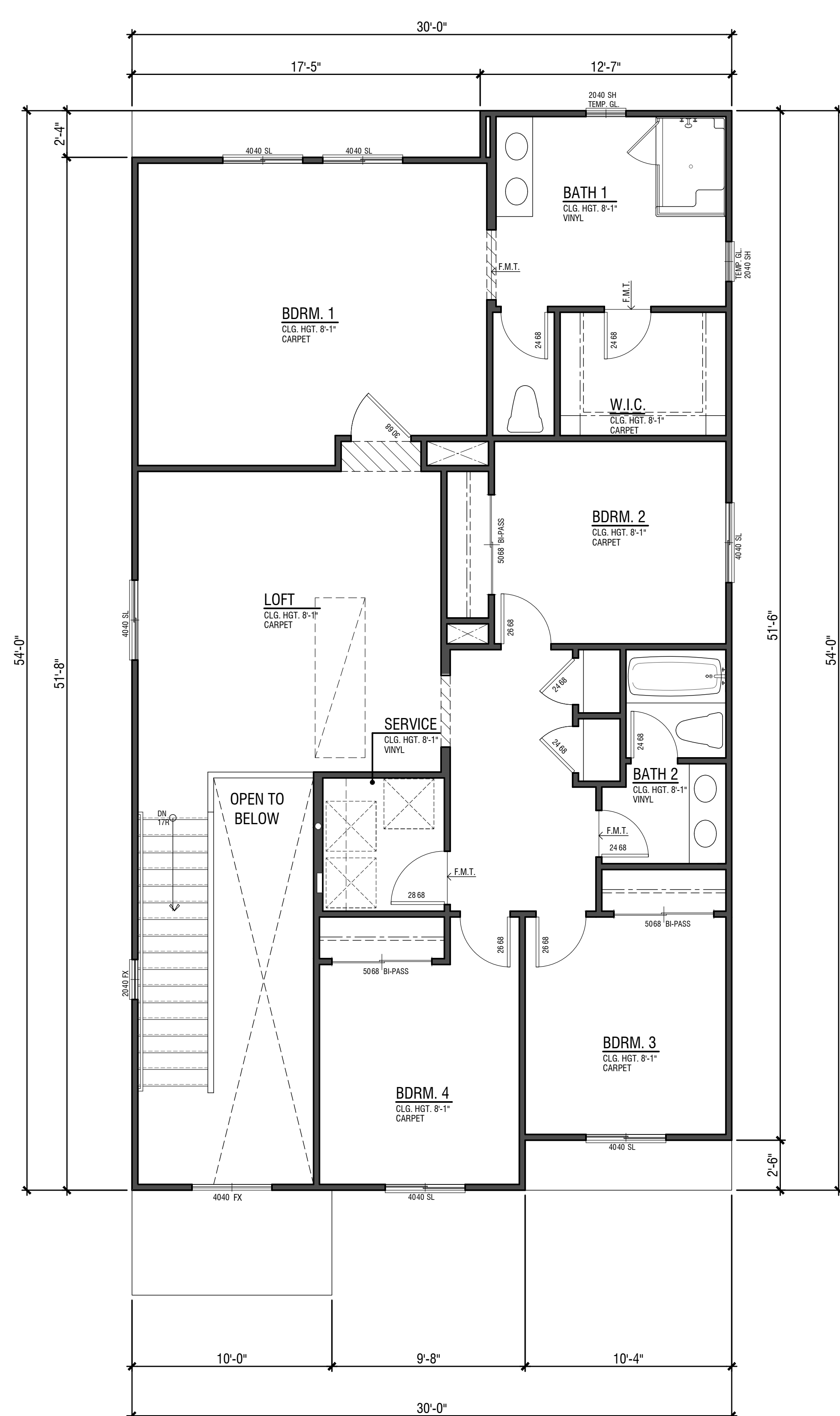
HORTEN E



PUD DESIGN RE-SUBMITTAL

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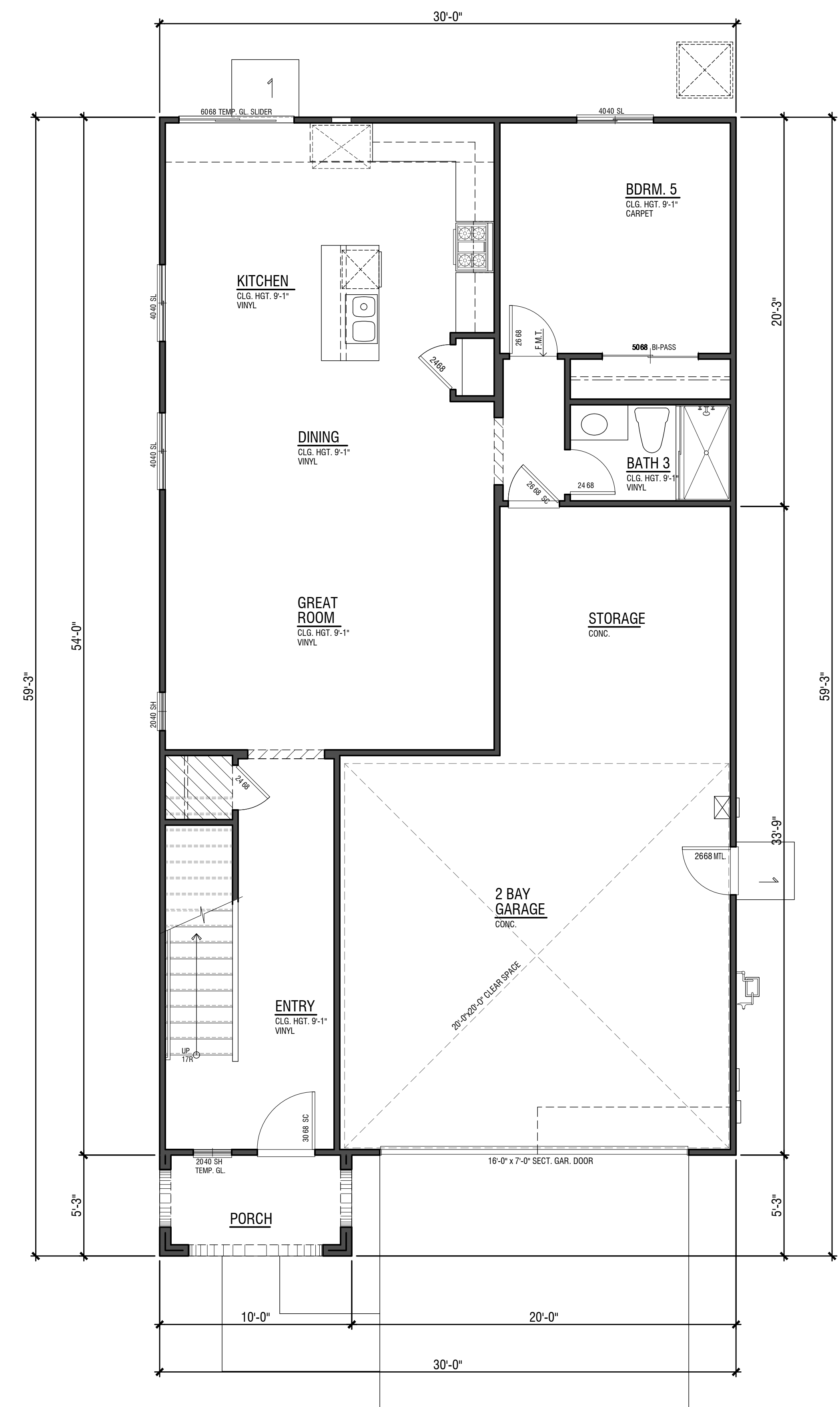




Upper Floor - 1,373 SF

PLAN 3.2384

2,384 SF
 5 Bdrm | 3 Bath | Loft
 2 Bay Garage | Storage
 8' | 8' Plates



Lower Floor - 1,011 SF

3A | SPANISH

BELLA SERA

MORENO VALLEY, CA



HORTEN E

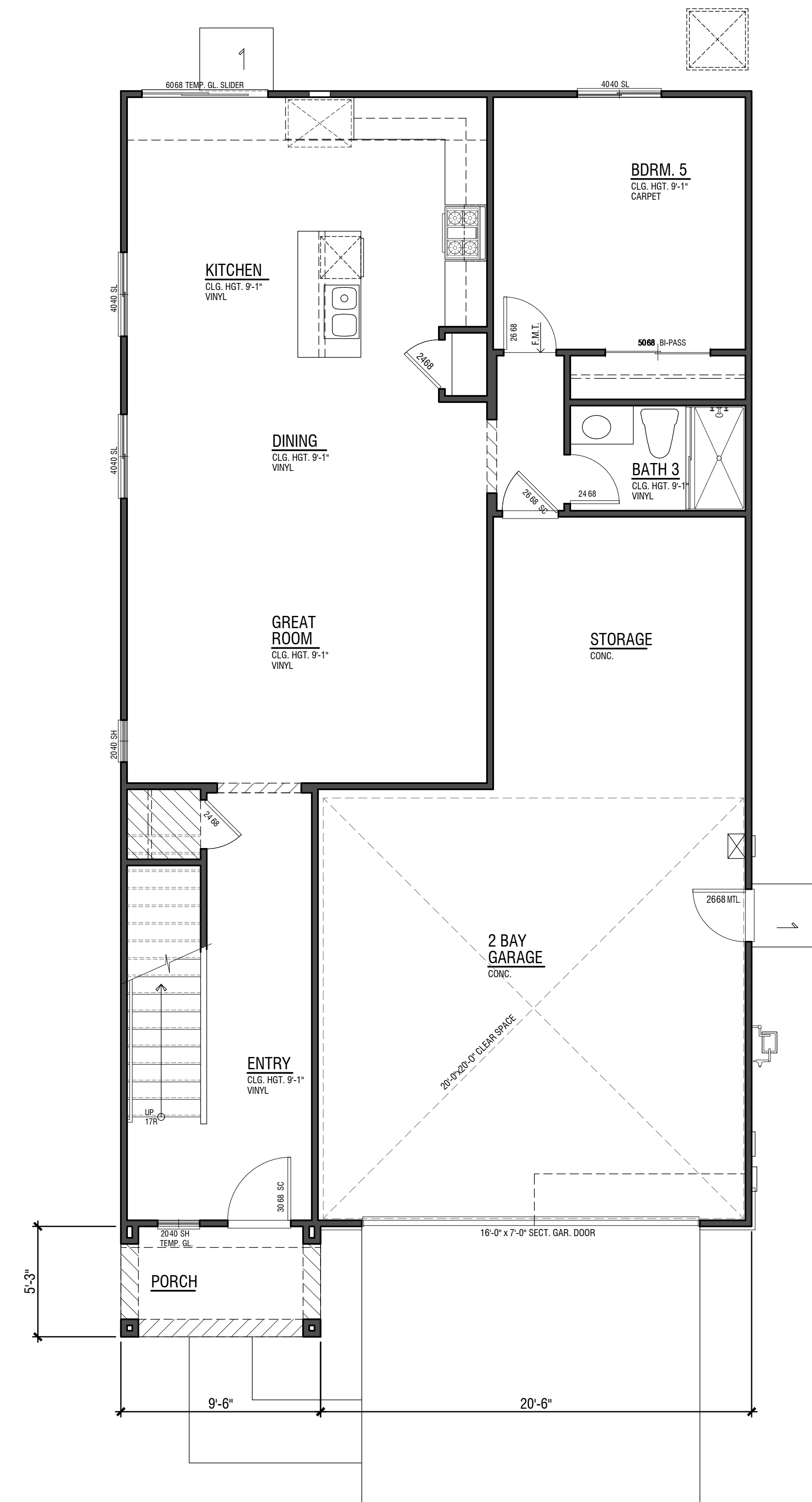
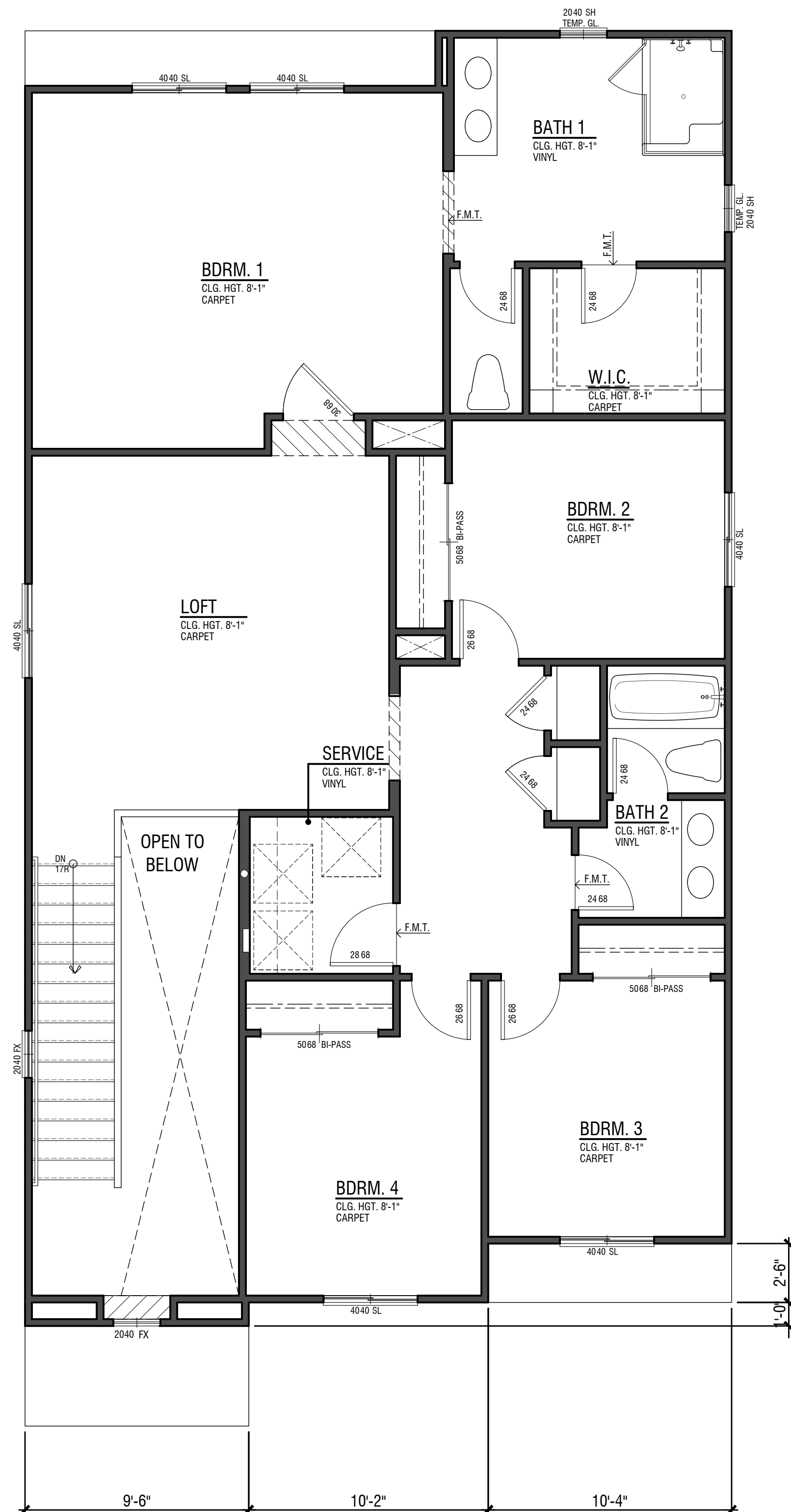
3.1
 0 2 4 8

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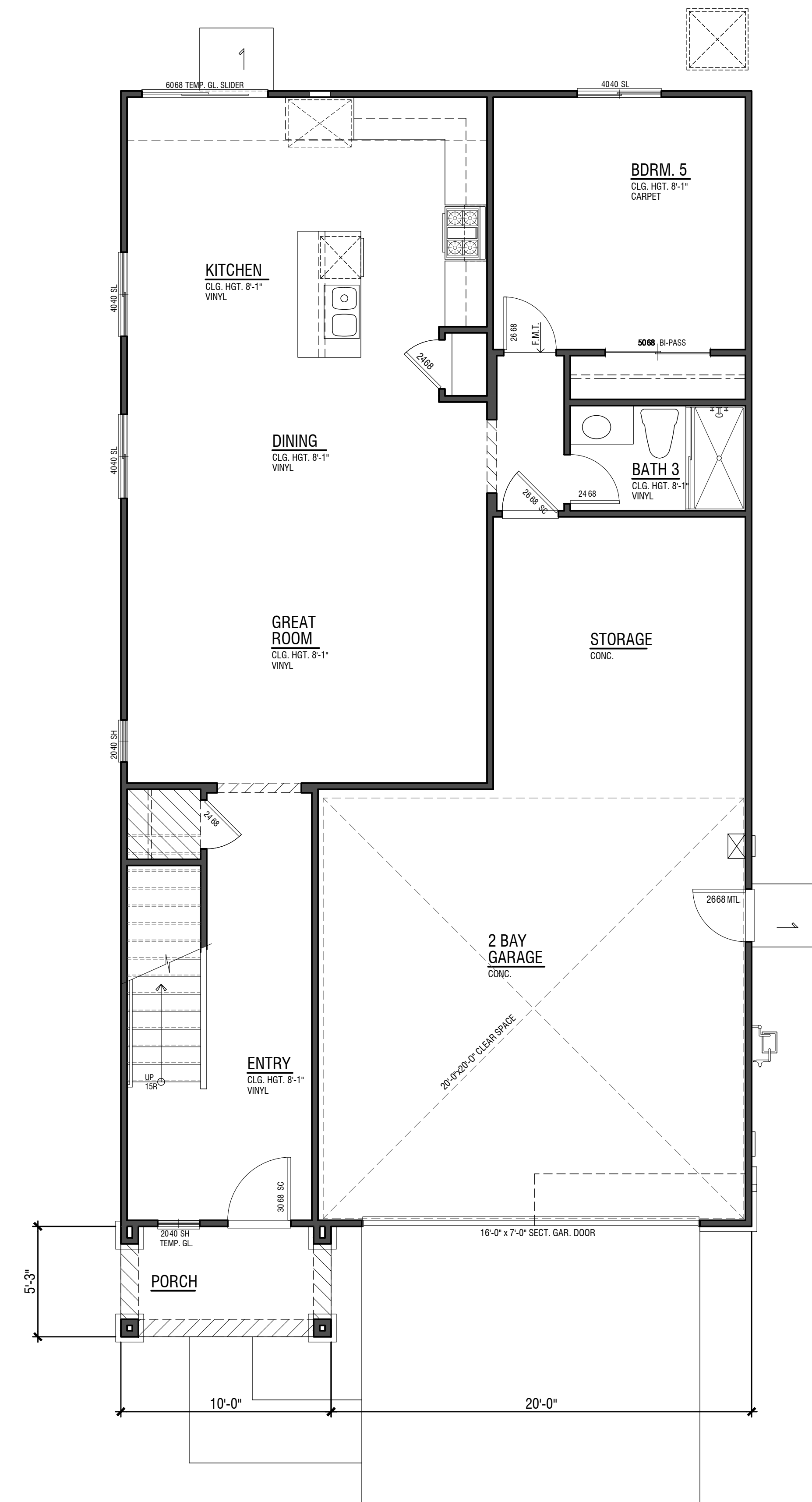
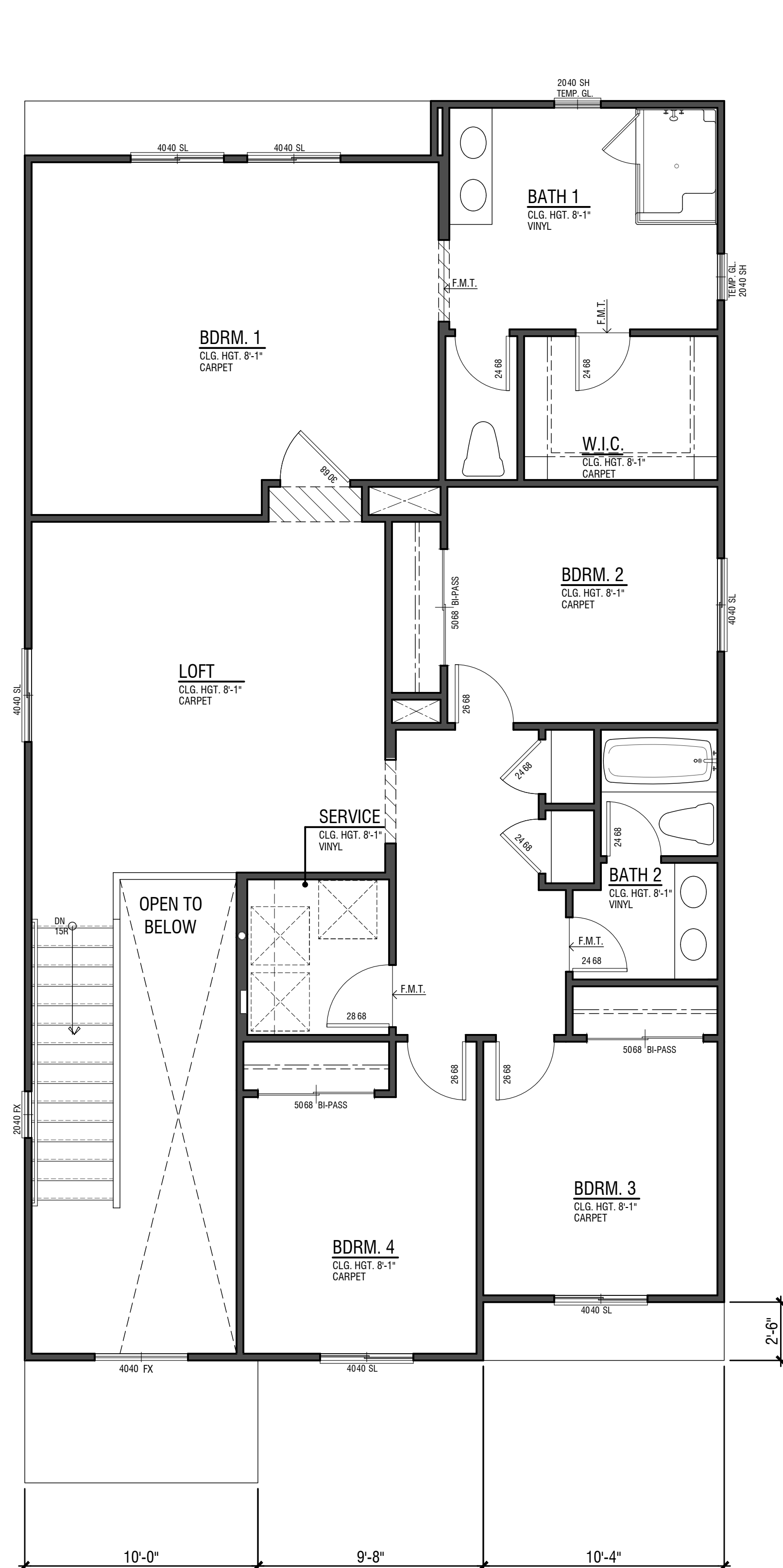


ORANGE COUNTY . LOS ANGELES . BAY AREA



PLAN 3.2384
 2,384 SF
 5 Bdrm | 3 Bath | Loft
 2 Bay Garage | Storage
 8' | 8' Plates

3B | TRADITIONAL



PLAN 3.2384
 2,384 SF
 5 Bdrm | 3 Bath | Loft
 2 Bay Garage | Storage
 8' | 8' Plates

3C | CRAFTSMAN

BELLA SERA
 MORENO VALLEY, CA



HORTEN E

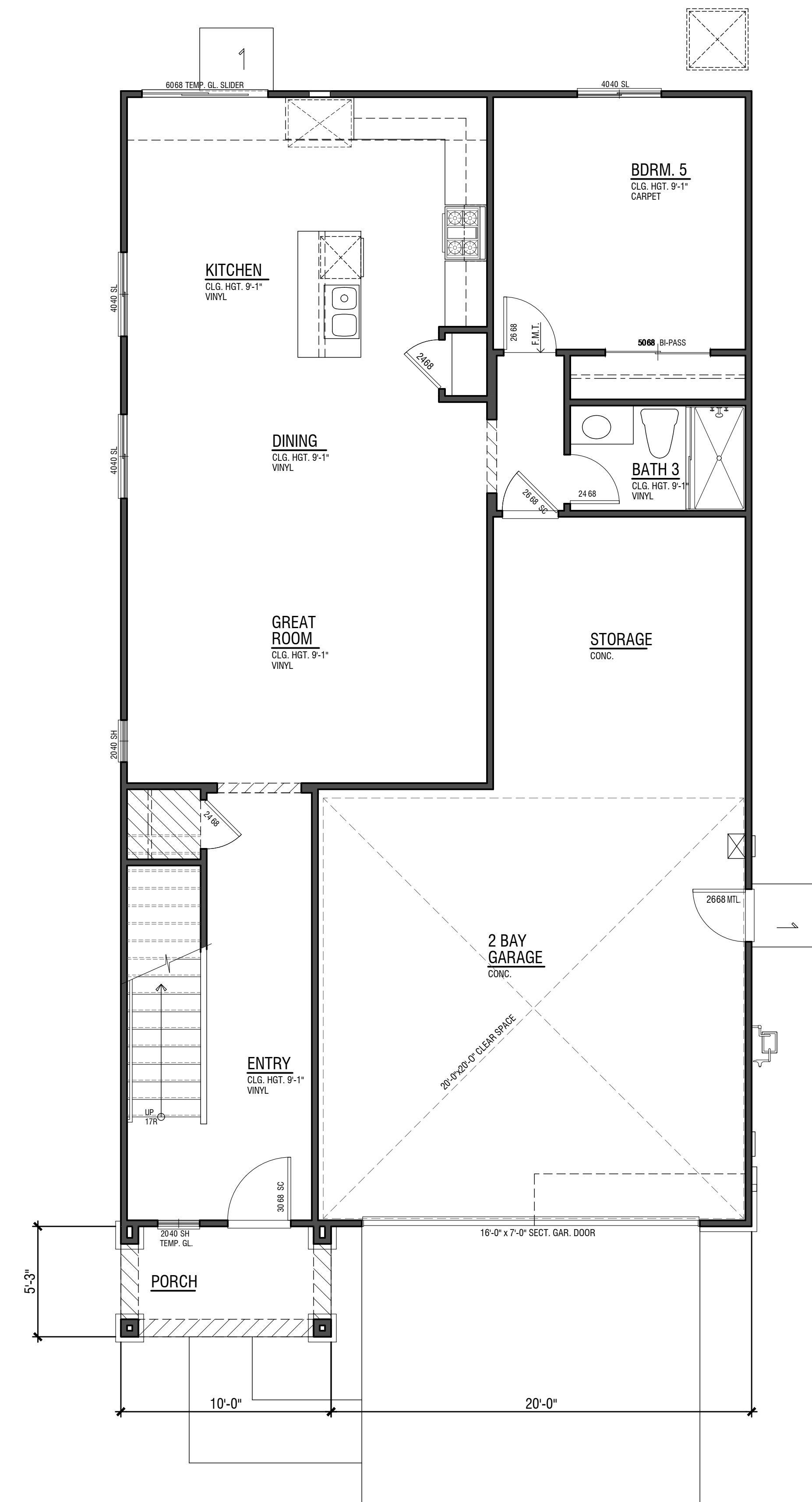
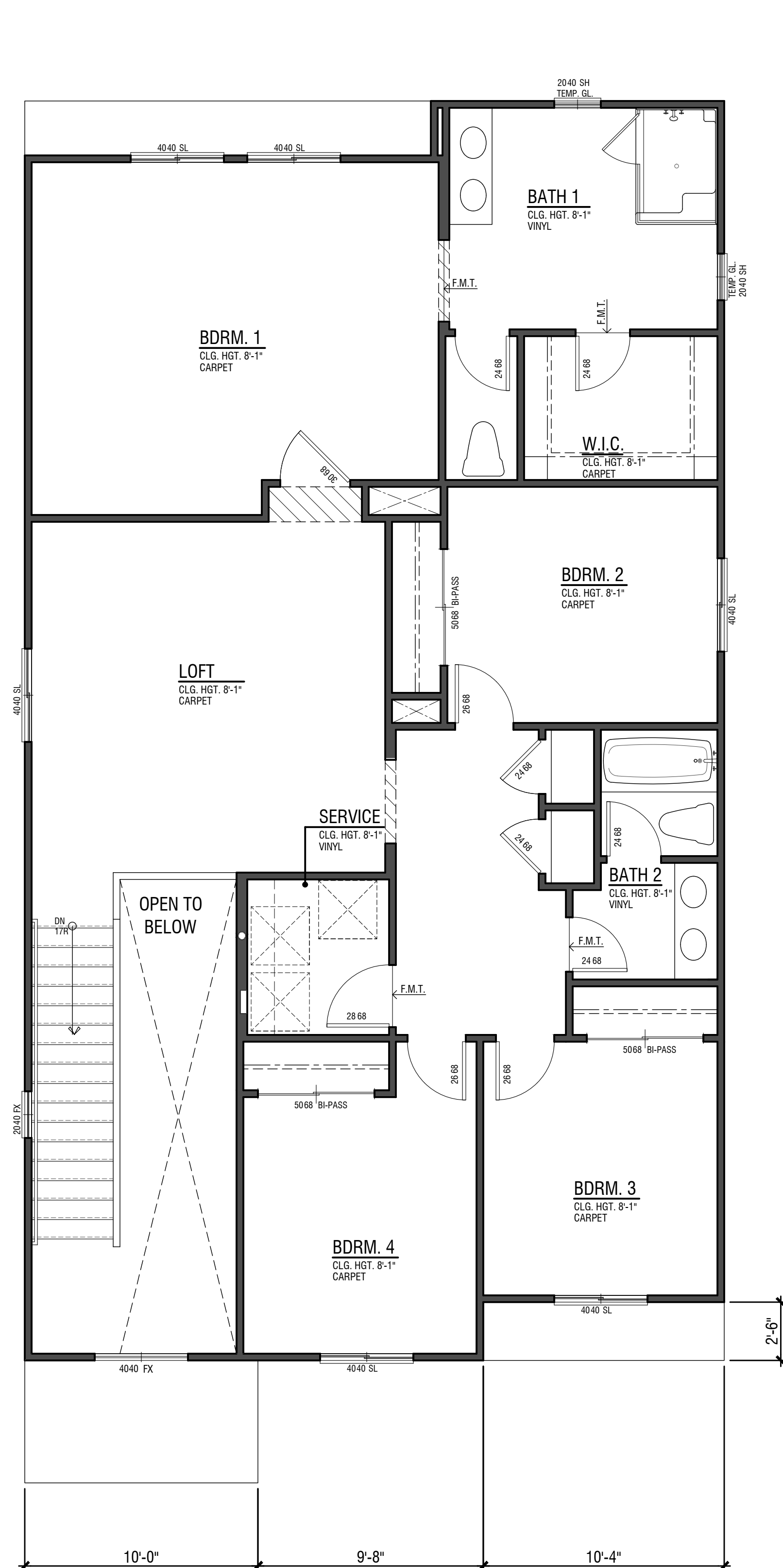
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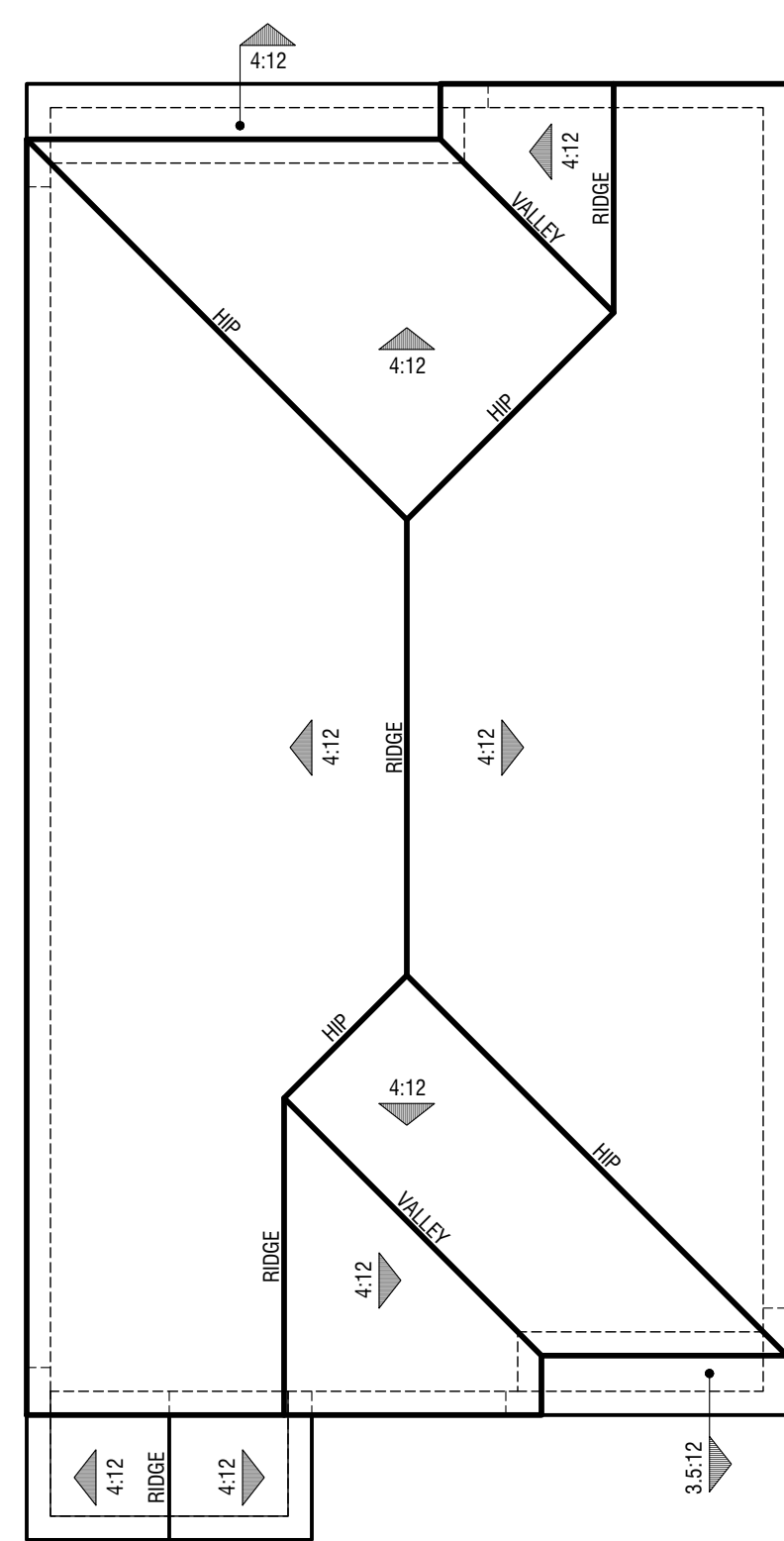


ORANGE COUNTY . LOS ANGELES . BAY AREA



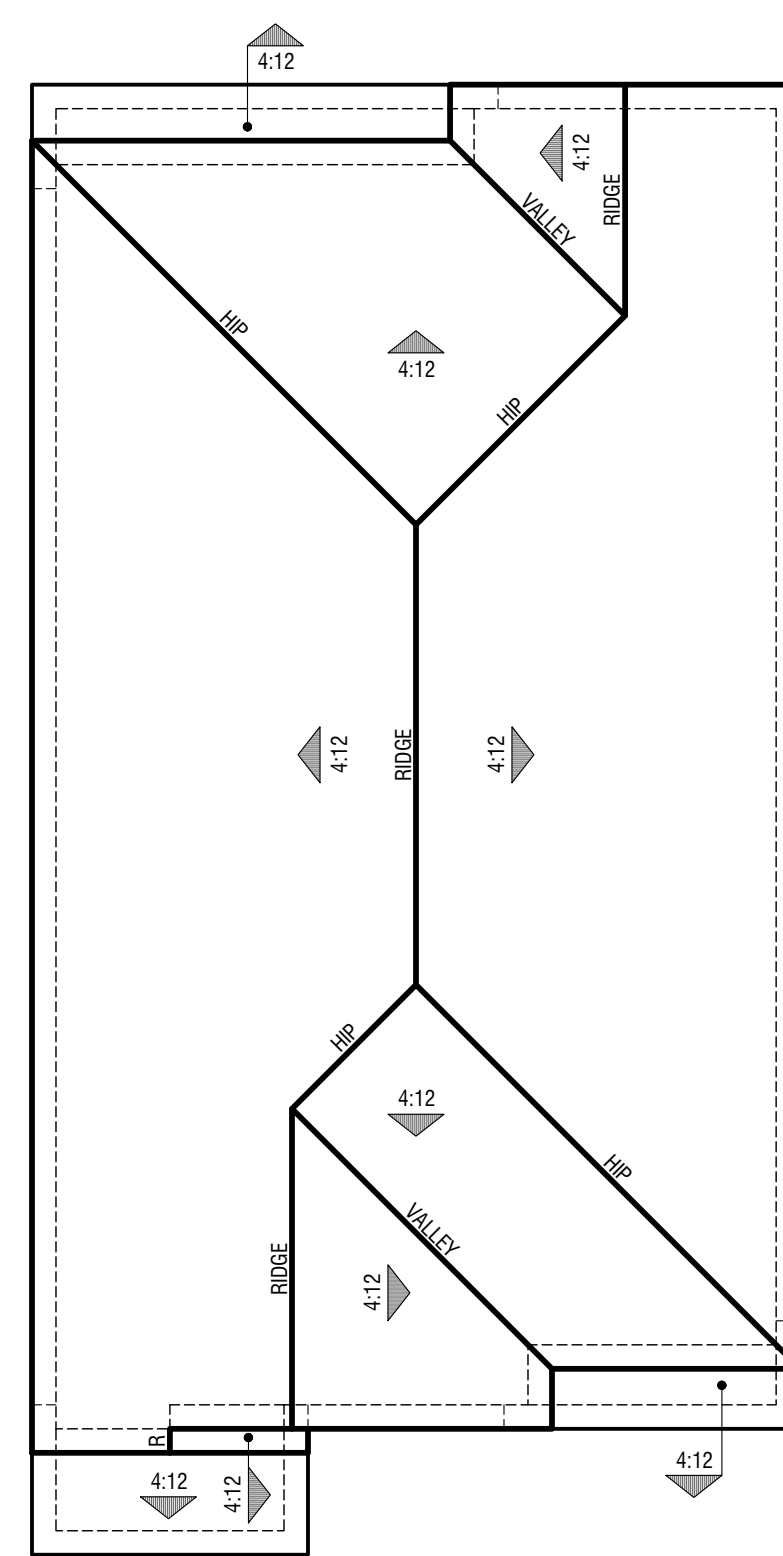
PLAN 3.2384
 2,384 SF
 5 Bdrm | 3 Bath | Loft
 2 Bay Garage | Storage
 8' | 8' Plates

3C | CRAFTSMAN



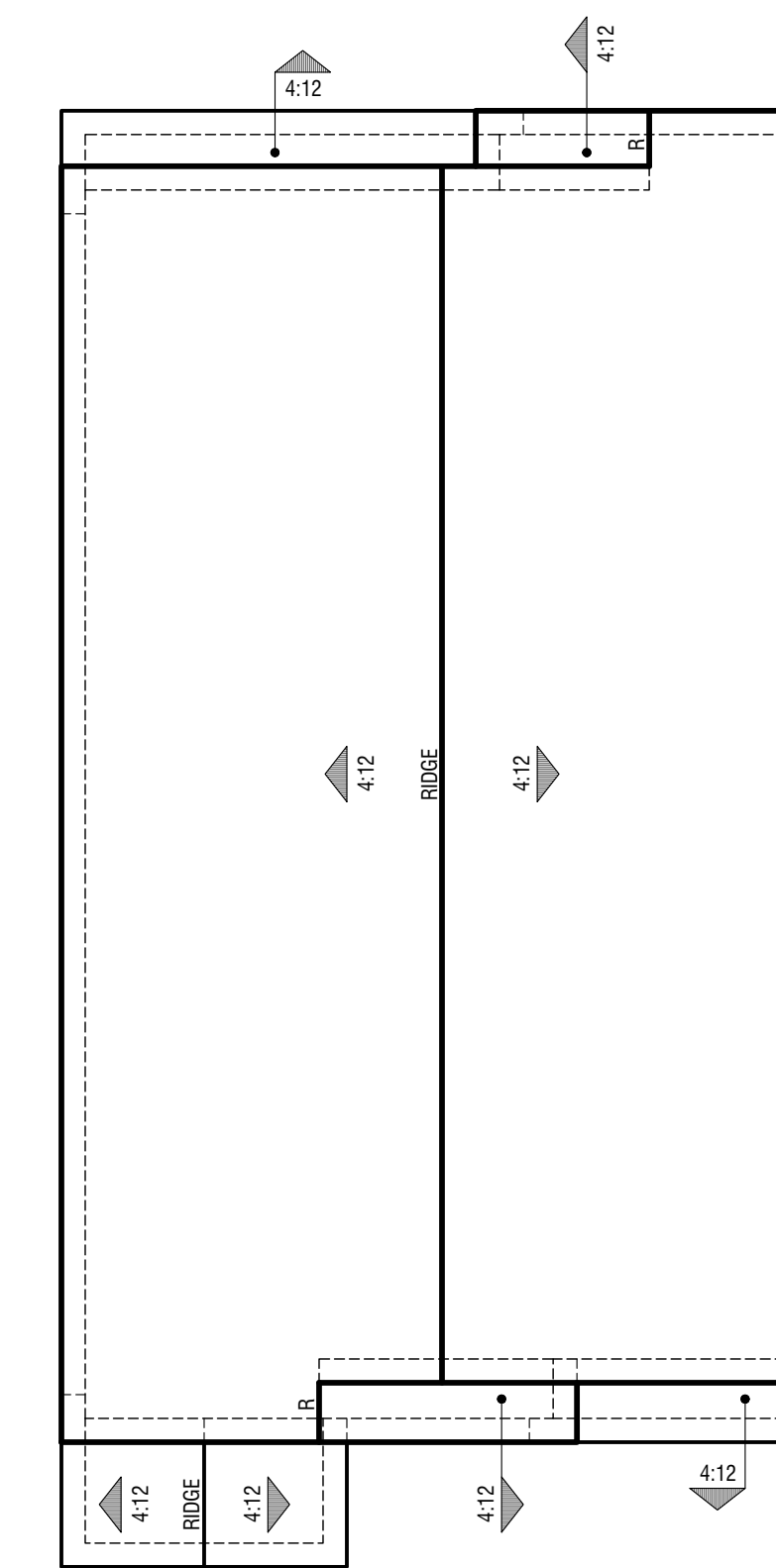
3A | SPANISH

Eave 12" / Rake 12"
Concrete Low "S" Tile



3B | TRADITIONAL

Eave 12" / Rake 12"
Concrete Flat Tile



3C | CRAFTSMAN

Eave 12" / Rake 12"
Concrete Flat Tile

PLAN 3.2384

Roof Plans

BELLA SERA

MORENO VALLEY, CA



3A | SPANISH



3C | CRAFTSMAN



3B | TRADITIONAL

PLAN 3.2384

Front Elevations

BELLA SERA

MORENO VALLEY, CA



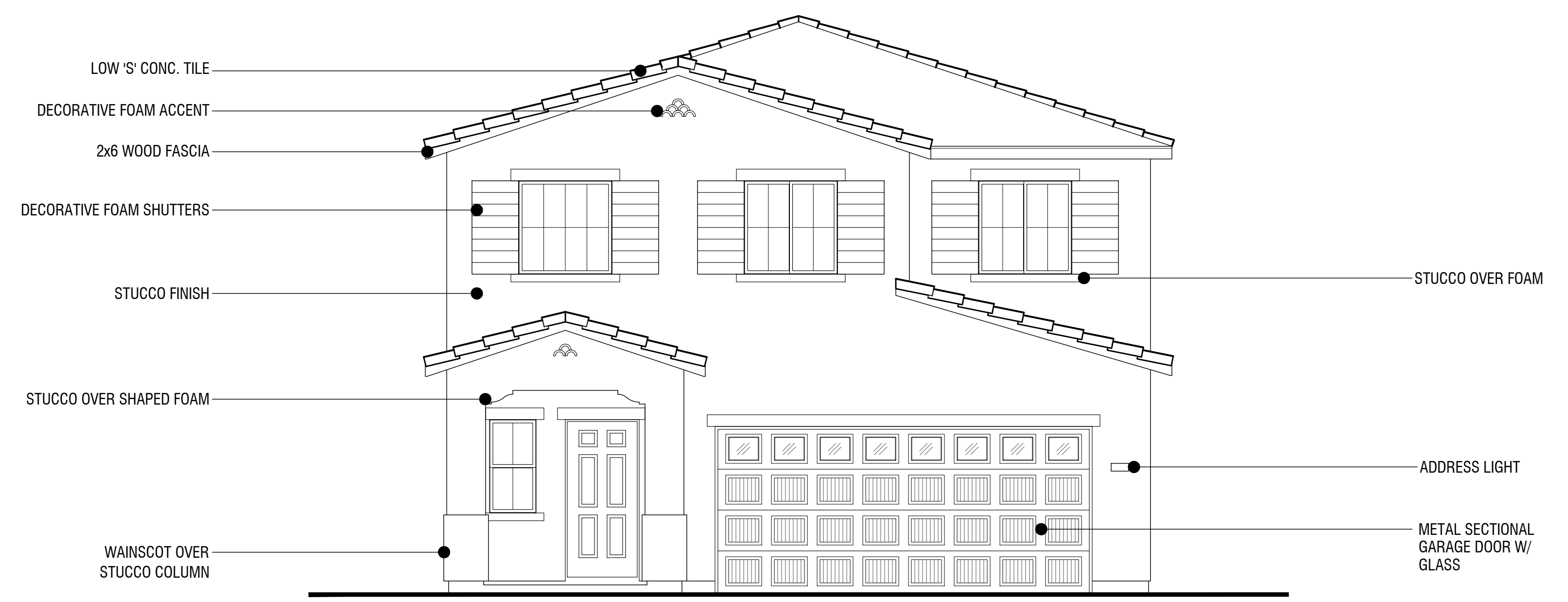
HORTEN E

3.3
0 2 4 8

PUD DESIGN RE-SUBMITTAL

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3A | SPANISH



3C | CRAFTSMAN



3B | TRADITIONAL

PLAN 3.2384

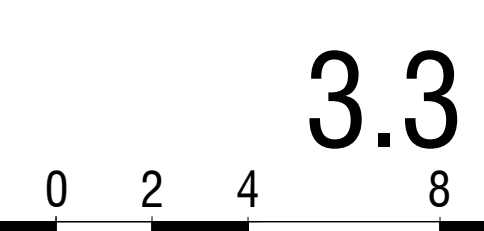
Front Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

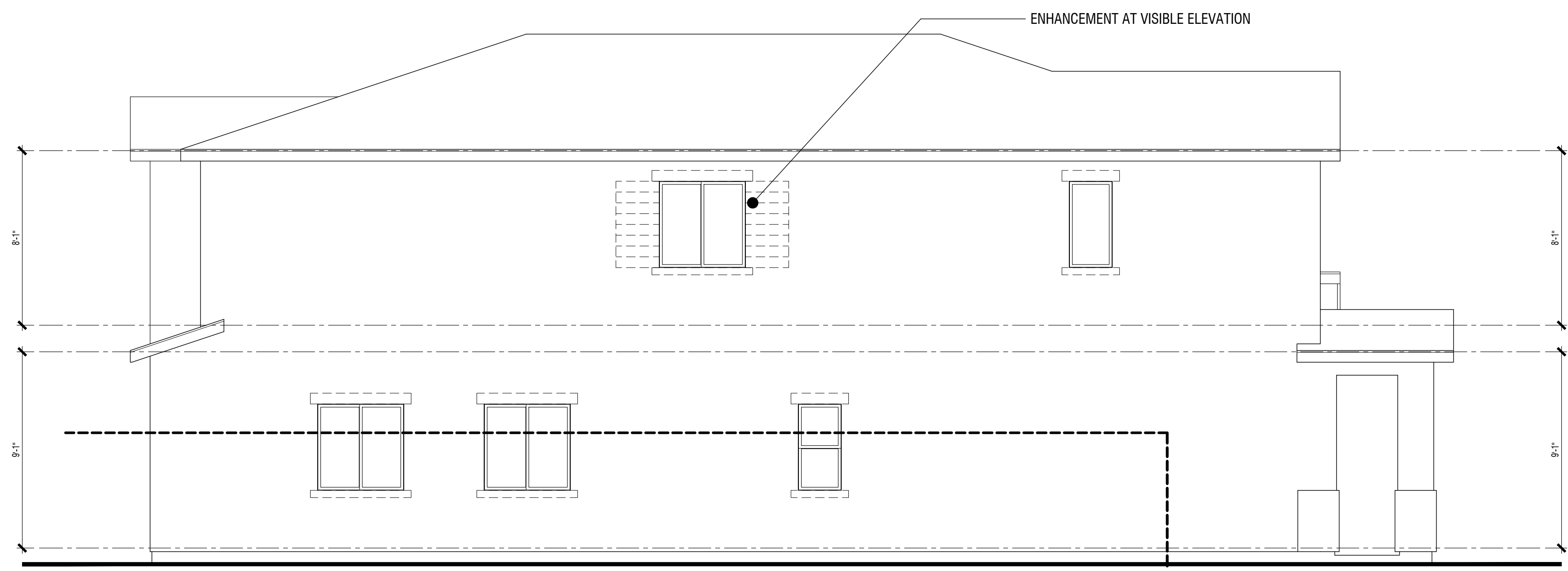


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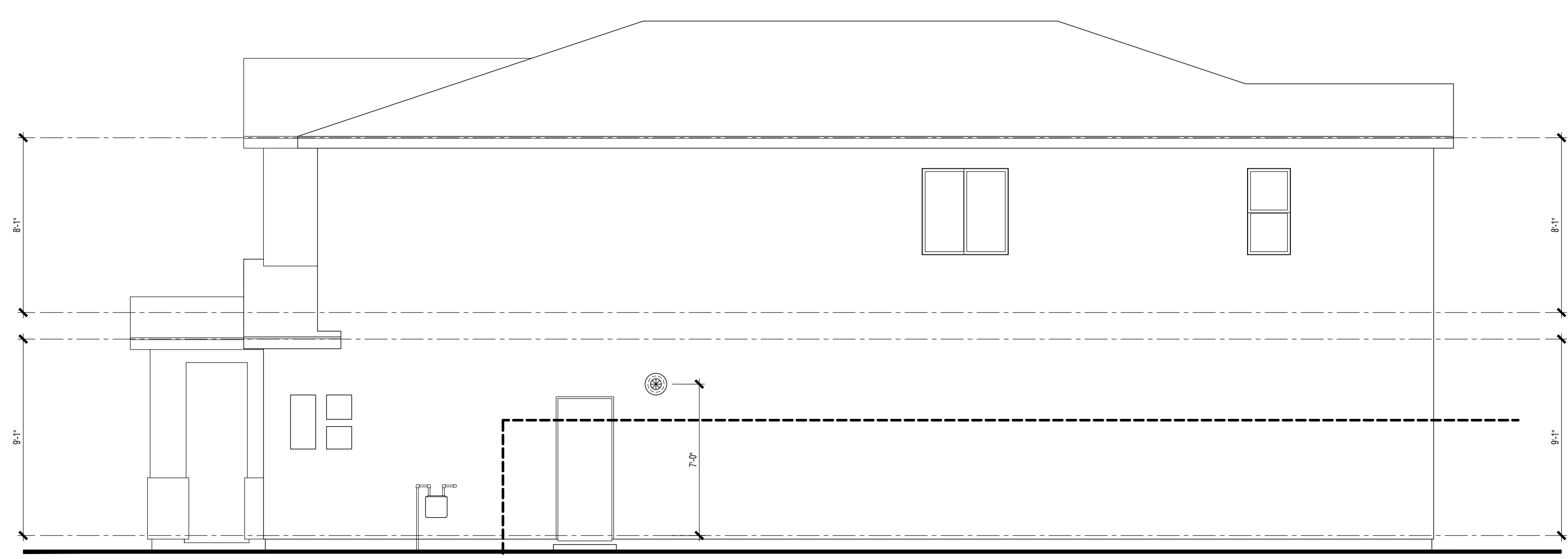
ORANGE COUNTY . LOS ANGELES . BAY AREA



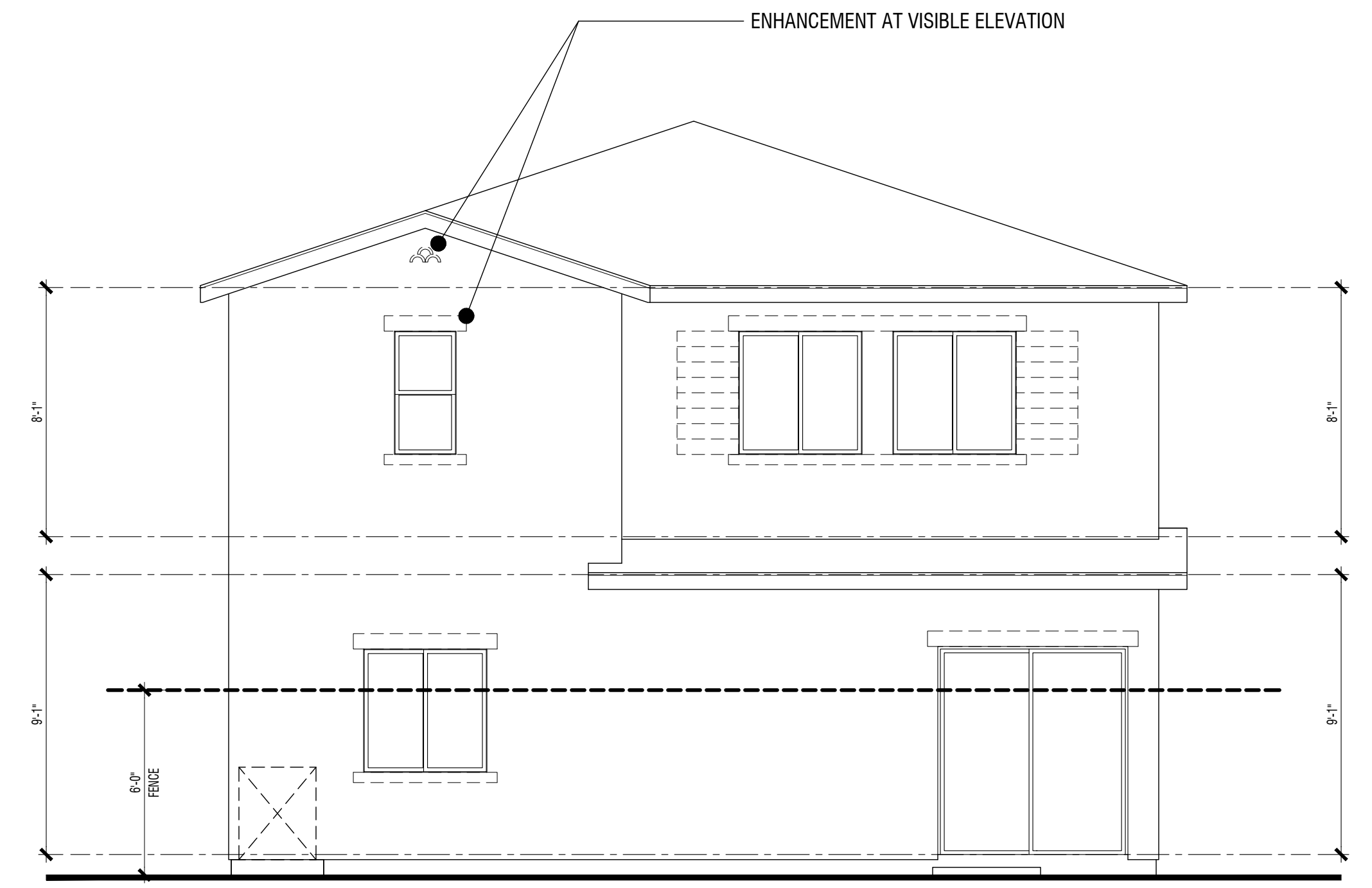
Left



Front



Right



Rear

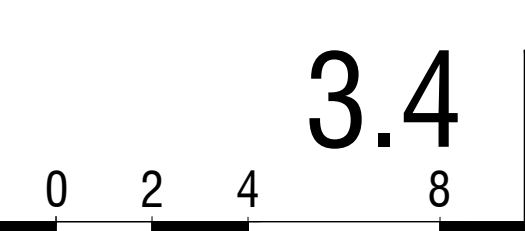
PLAN 3.2384 | A - SPANISH
Building Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

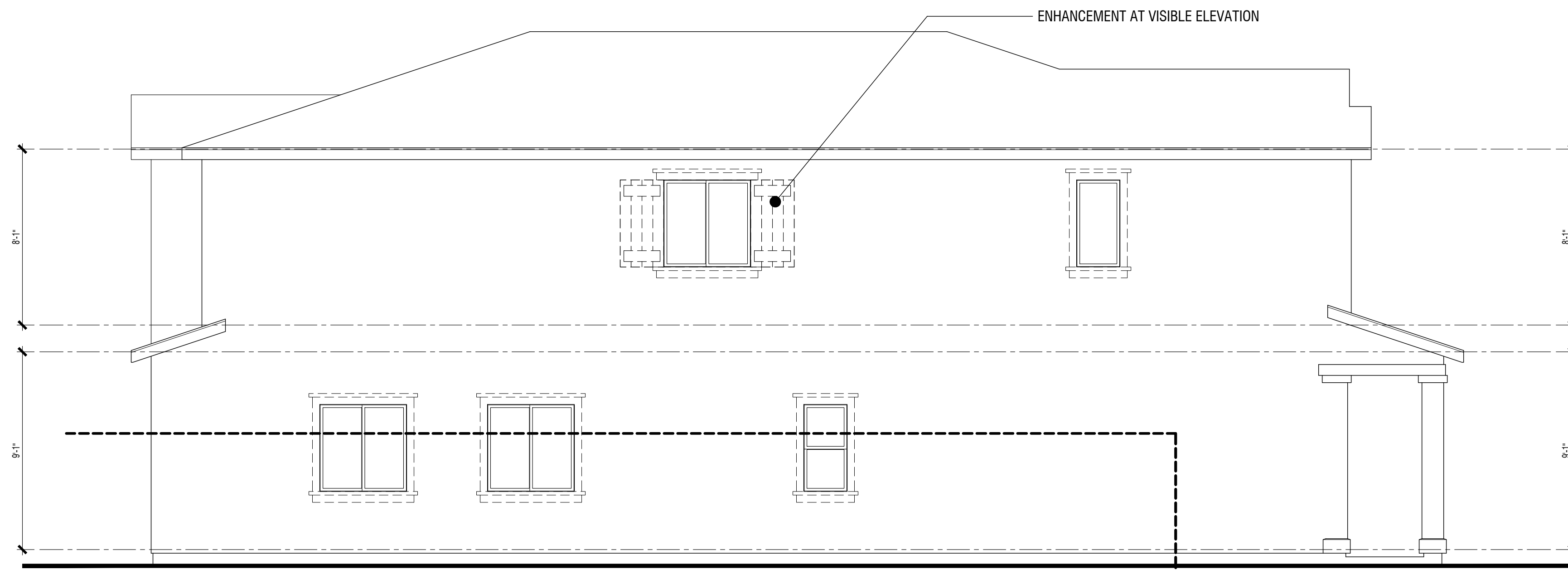


PUD DESIGN RE-SUBMITTAL

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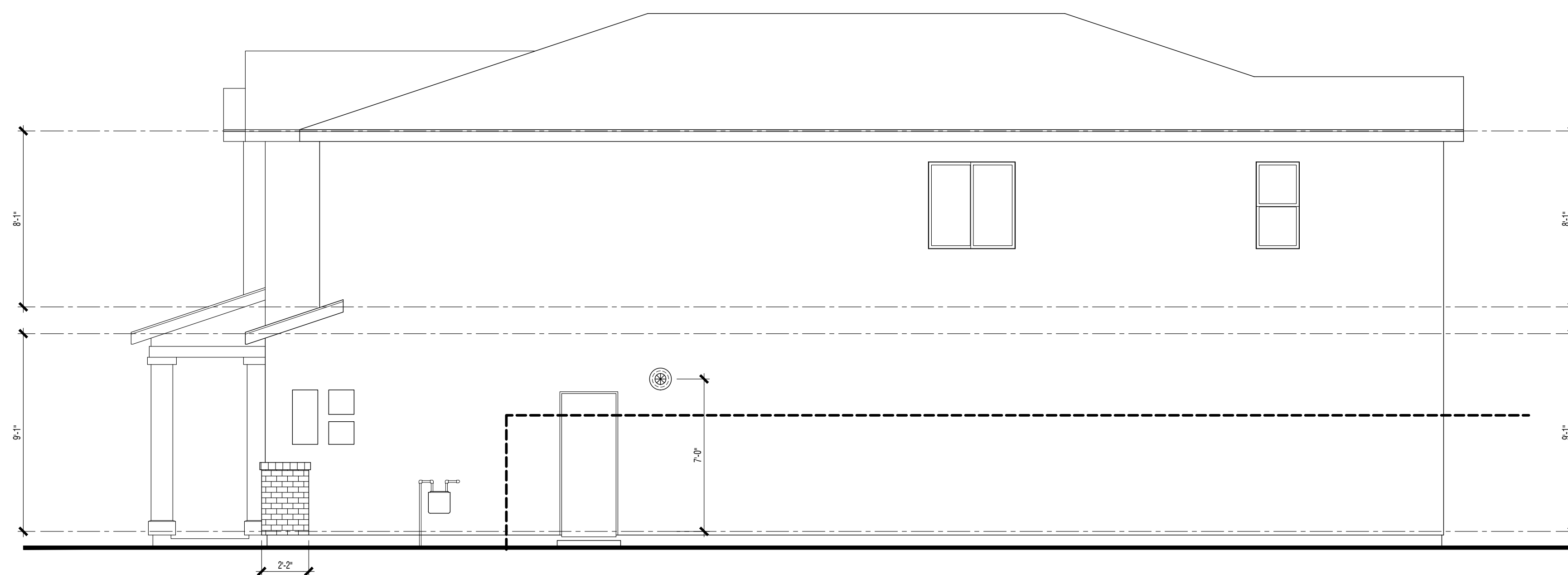
ORANGE COUNTY . LOS ANGELES . BAY AREA



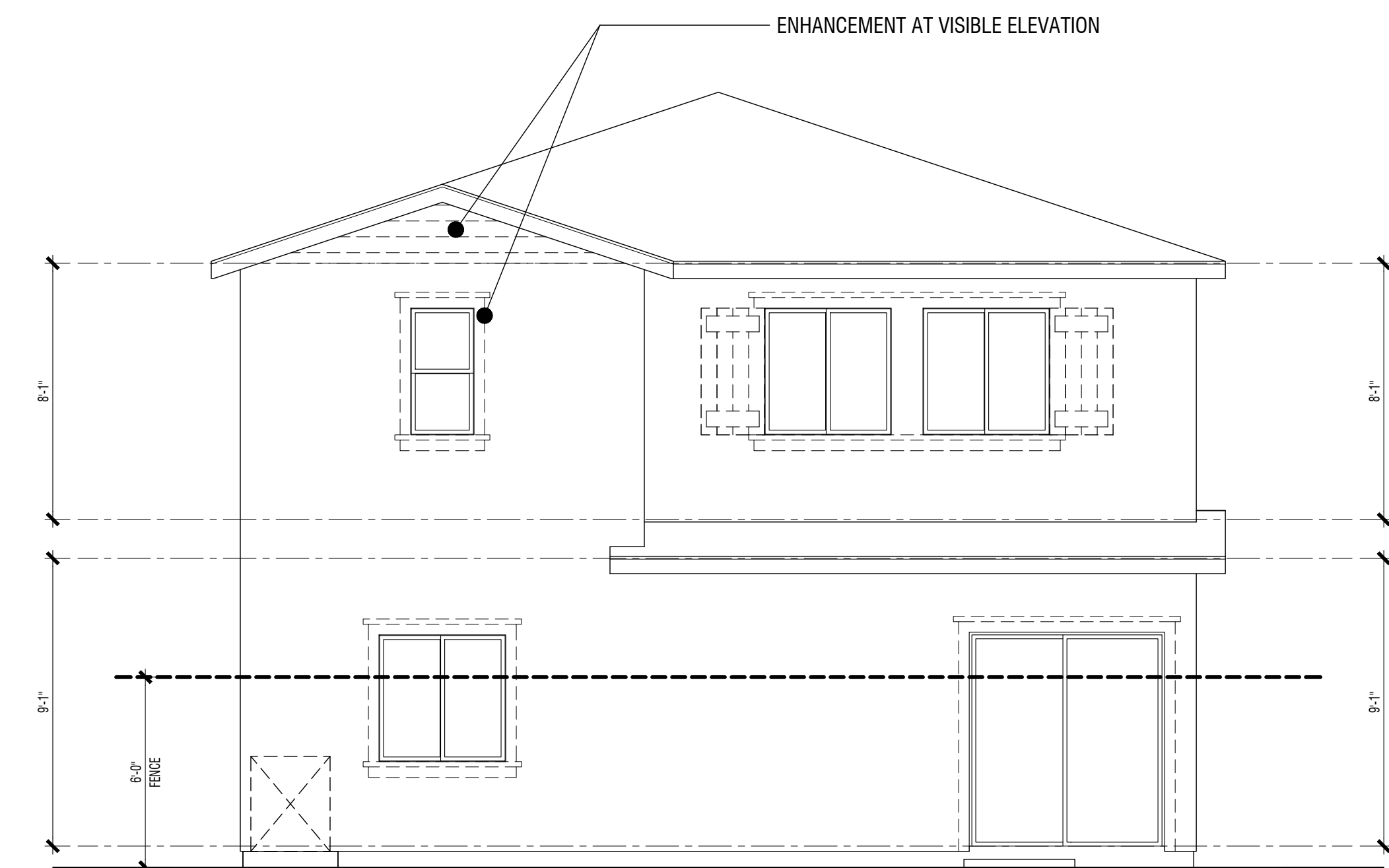
Left



Front



Right



Rear

PLAN 3.2384 | B - TRADITIONAL

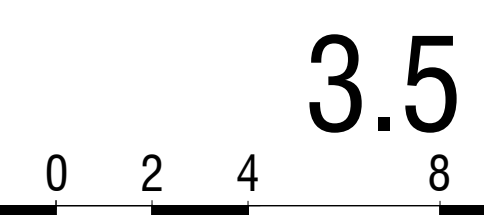
Building Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

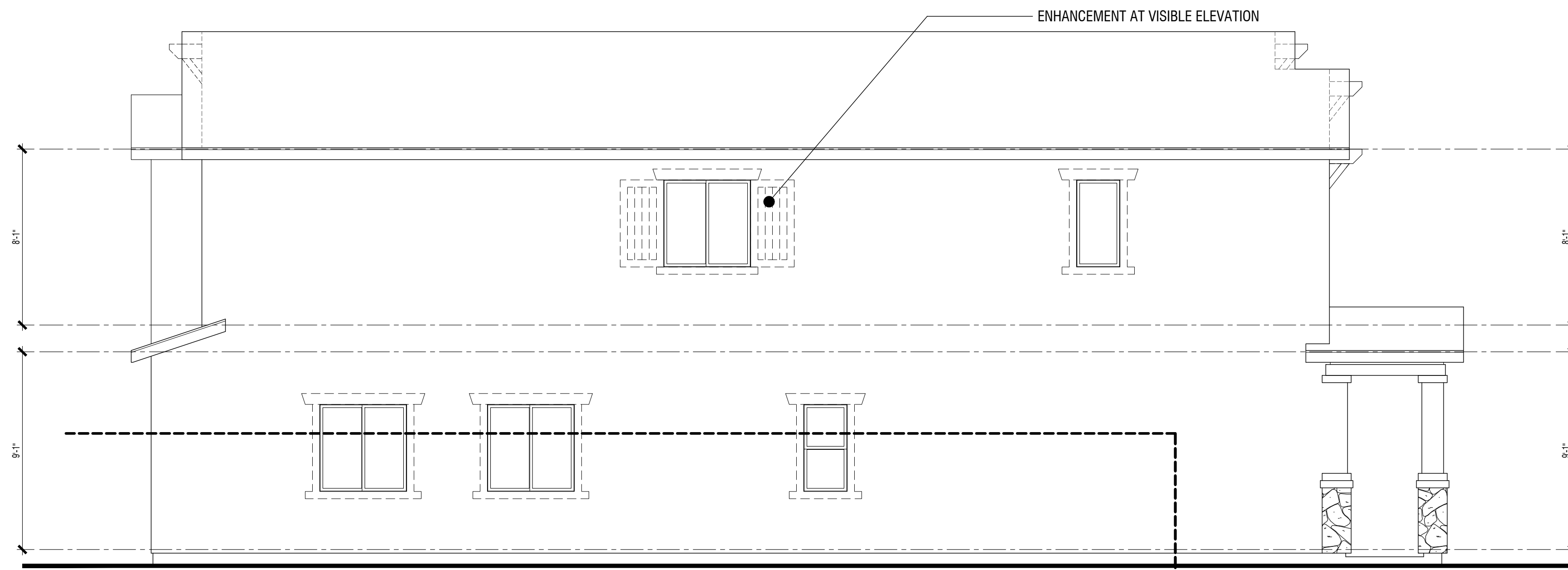


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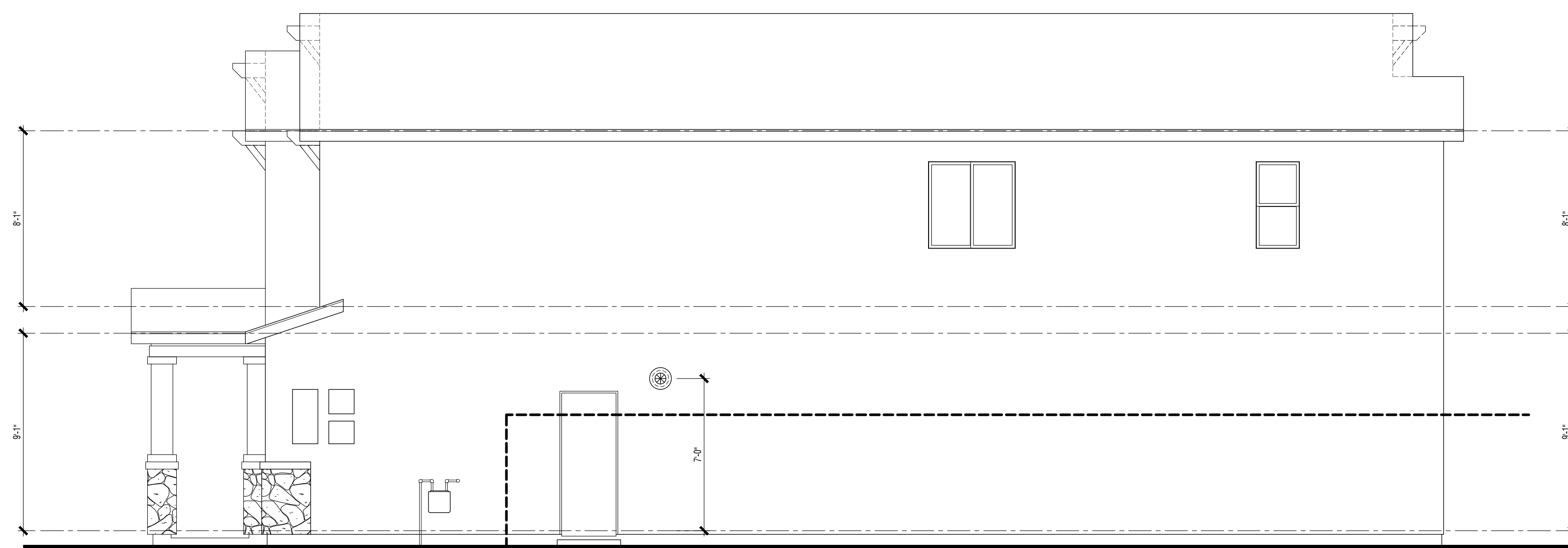
Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



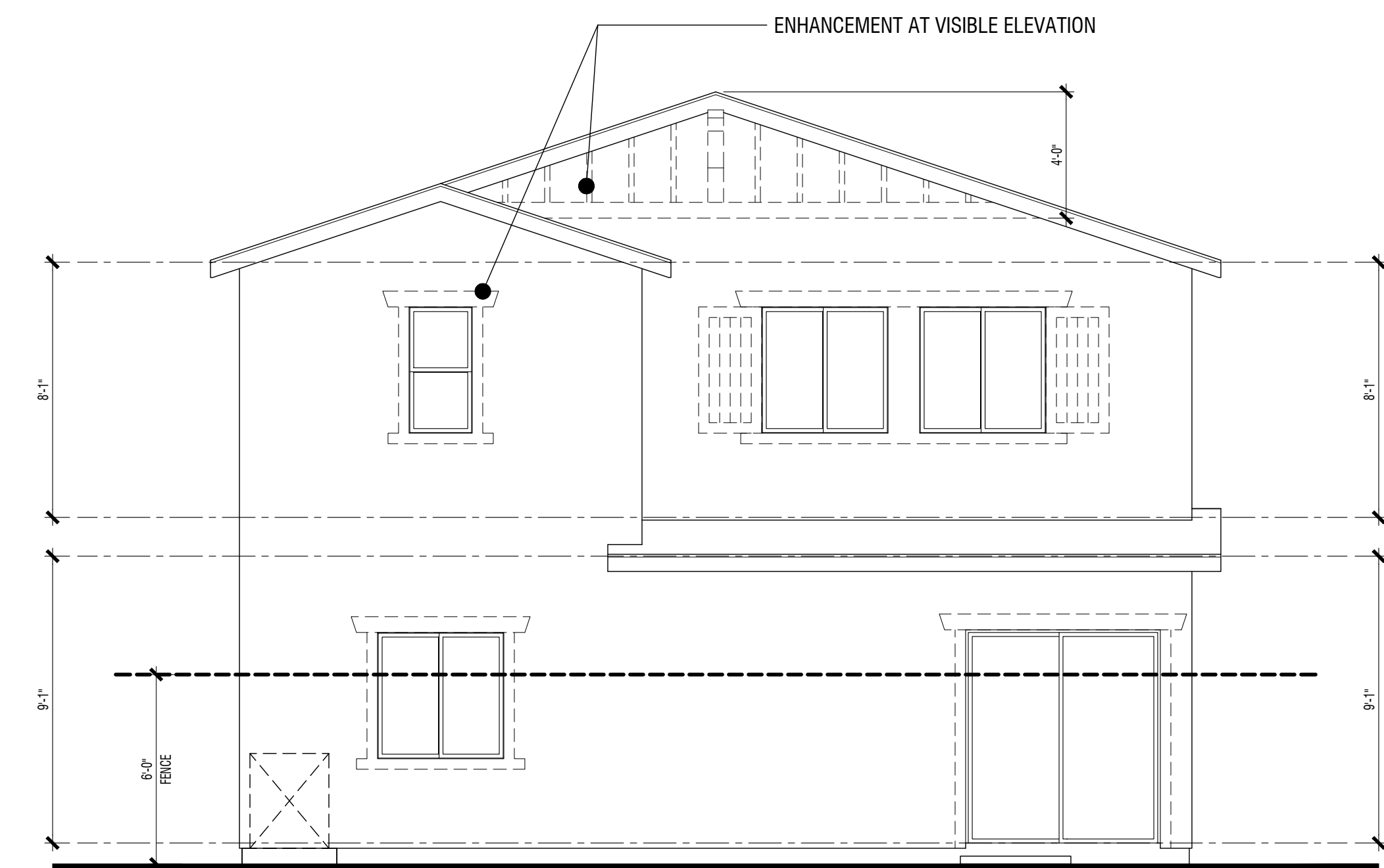
Left



Front



Right



Rear

PLAN 3.2384 | C - CRAFTSMAN

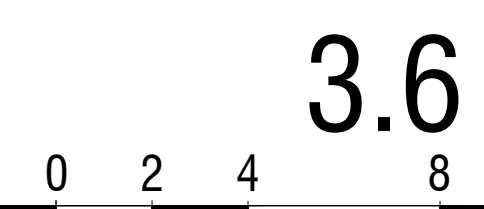
Building Elevations

BELLA SERA

MORENO VALLEY, CA



HORTEN E

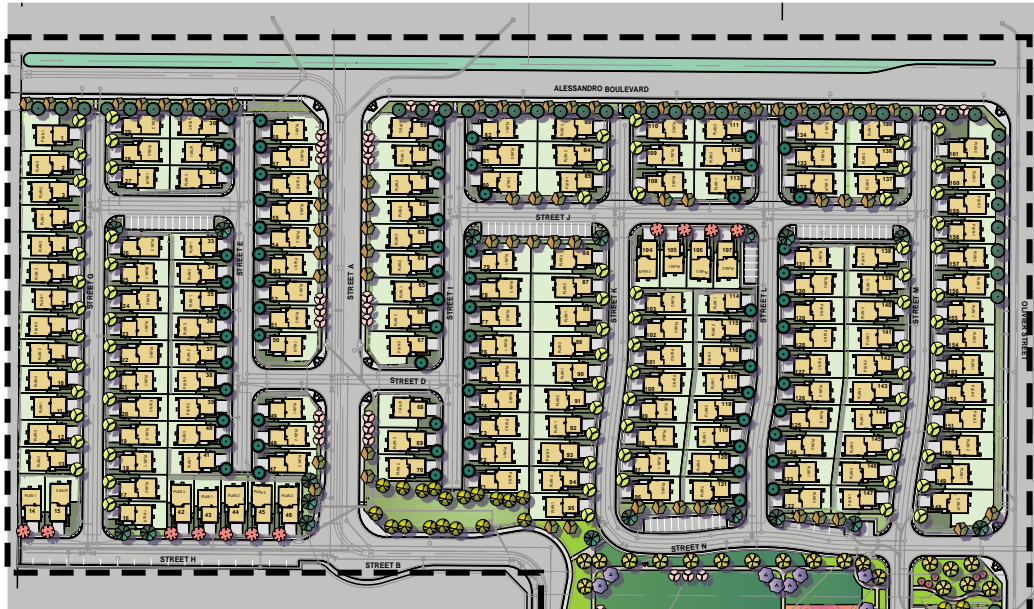


PUD DESIGN RE-SUBMITTAL

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Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



NOTE: LANDSCAPING SHALL MEET CODE REQUIREMENTS INCLUDING STREET TREES AND DISTANCES.

SHRUB PALETTE

SCIENTIFIC NAME	COMMON NAME
-AGAVE SP.	-AGAVE
-ALOE SP.	-ALOE
-CALLISTEMON 'LIL JOHN'	-DWARF BOTTLE BRUSH
-DIETES BICOLOR	-FORTNIGHT LILY
-HESPERALOE PARVIFLORA	-RED YUCCA
-LEUCOPHYLLUM SP.	-TEXAS RANGER
-MUHLENBERGIA C. 'LENCA'	-PINK MUHLY
-ROSMARINUS SP.	-ROSEMARY
-SALVIA SP.	-SAGE
-WESTRINGIA F. 'BLUE GEM'	-COAST ROSEMARY

GROUND COVER PALETTE

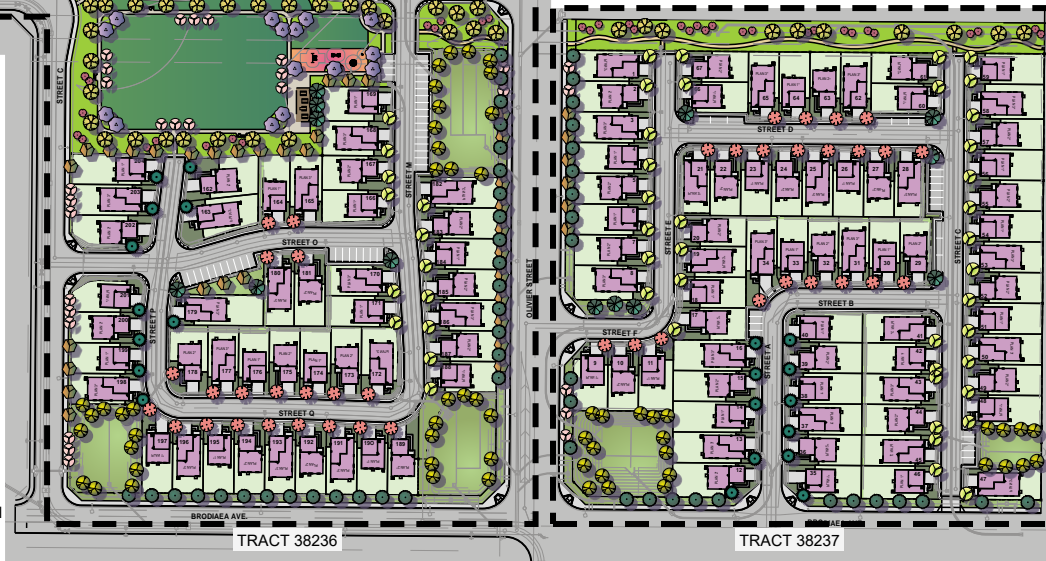
SCIENTIFIC NAME	COMMON NAME
-BACCHARIS P. 'PIGEON POINT'	-DWARF COYOTE BRUSH
-BOUTELOUA 'BLONDE AMBITION'	-BLUE GRAMA GRASS
-CAREX DIVULSA	-BERKELEY SEDGE
-DIANELLA 'LITTLE REV'	-LITTLE REV FLAX LILY
-JUNCUS PATENS	-CALIFORNIA GRAY RUSH
-JUNIPERUS H. 'BLUE CHIP'	-BLUE CHIP JUNIPER
-MYOPORUM P. 'PINK'	-PINK MYOPORUM

- PARKS & COMMUNITY DEVELOPMENT MAINTAINED PARK AND TRAIL
- PRIVATE FRONT AND SIDE YARD LANDSCAPE
- PRIVATE SLOPES
- HOA MAINTAINED LANDSCAPE STREETScape, OPEN SPACE LOTS & BASIN
- LMD MAINTAINED MEDIAN

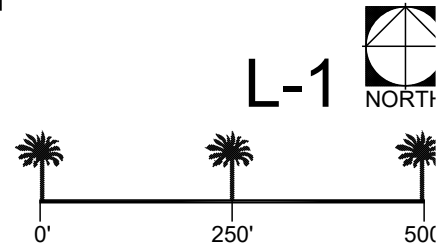
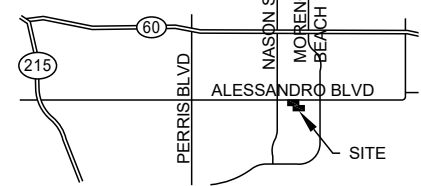
BASIN NOTE:
FUNCTION-HOA
LANDSCAPE-CITY

SHEET INDEX	
SHEET #	SHEET TITLE
L-1	OVERALL CONCEPTUAL LANDSCAPE PLAN
L-2	CONCEPTUAL LANDSCAPE PLAN ENLARGEMENT
L-3	CONCEPTUAL LANDSCAPE PLAN ENLARGEMENT
L-4	COMMUNITY PARK ENLARGEMENT
L-5	SITE FURNISHINGS
L-6	CONCEPTUAL WALL & FENCE PLAN

PLANT SCHEDULE			
TREES	BOTANICAL / COMMON NAME	SIZE	WU
	CERCIS OCCIDENTALIS WESTERN REDBUD MULTI-TRUNK	15 GAL	L
	JACARANDA MIMOSIFOLIA JACARANDA MULTI-TRUNK	36"BOX	M
	KOELREUTERIA PANICULATA GOLDEN RAIN TREE	24"BOX	L
	LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' NATCHEZ CRAPE MYRTLE - STANDARD	24"BOX	M
	LAGERSTROEMIA INDICA X FAURIEI 'TUSCARORA' TUSCARORA CRAPE MYRTLE - STANDARD	24"BOX	M
	MAGNOLIA GRANDIFLORA 'D.D. BLANCHARD' D.D. BLANCHARD SOUTHERN MAGNOLIA	24"BOX	M
	PLATANUS RACEMOSA CALIFORNIA SYCAMORE - STANDARD	15 GAL	M
	PLATANUS X ACERIFOLIA 'BLOODGOOD' BLOODGOOD LONDON PLANE TREE - STANDARD	36"BOX	M
	PODOCARPUS GRACILIOR FERN PINE	24"BOX	M
	QUERCUS ILEX HOLLY OAK	24"BOX	L
	RHUS LANCEA AFRICAN SUMAC	24"BOX	L



VICINITY MAP



TRACT 38236 WHITNEY / VALLEY & TRACT 38237 DISCOVERY

**OVERALL CONCEPTUAL LANDSCAPE PLAN
PREPARED FOR DR HORTON**



310 NORTH JOY STREET | CORONA, CA 92879
T: 951.737.1124 | F: 951.737.6551



REFER TO OVERALL CONCEPTUAL LANDSCAPE PLAN FOR TREE, SHRUB AND GROUNDCOVER LEGEND

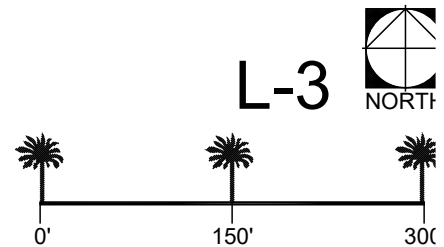
- PARKS & COMMUNITY DEVELOPMENT MAINTAINED PARK AND TRAIL
- PRIVATE FRONT AND SIDE YARD LANDSCAPE
- PRIVATE SLOPES
- HOA MAINTAINED LANDSCAPE STREETScape, OPEN SPACE LOTS & BASIN
- LMD MAINTAINED MEDIAN
- BASIN NOTE: FUNCTION-HOA LANDSCAPE-CITY

TRACT 38236 WHITNEY / VALLEY & TRACT 38237 DISCOVERY

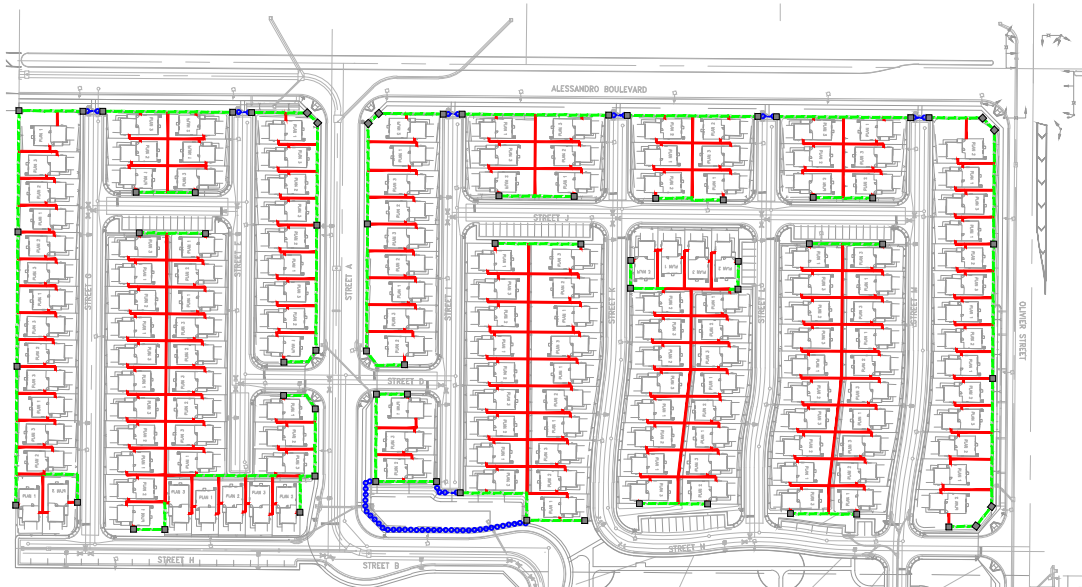
CONCEPTUAL LANDSCAPE PLAN ENLARGEMENT PREPARED FOR DR HORTON



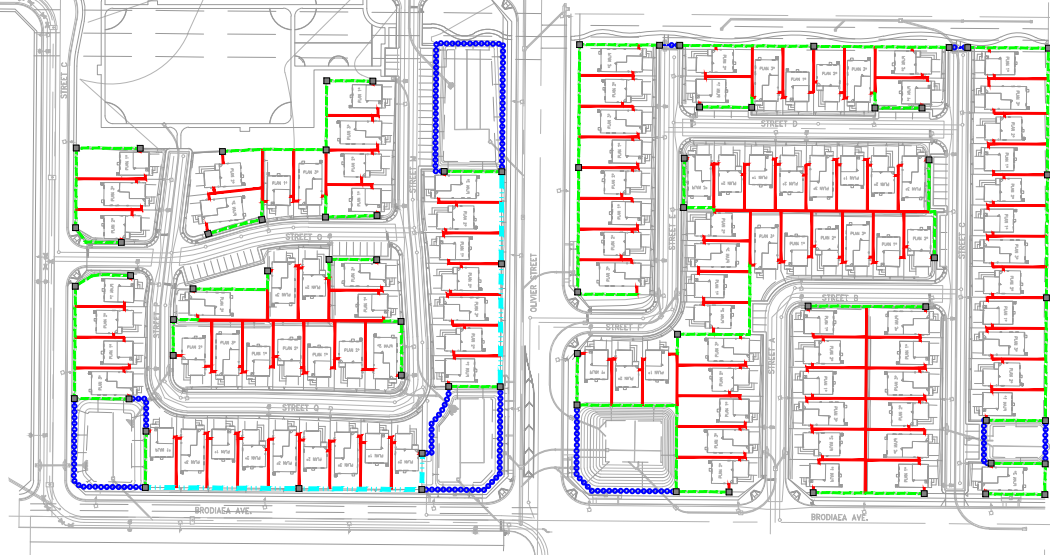
310 NORTH JOY STREET | CORONA, CA 92879
T: 951.737.1124 | F: 951.737.6551



Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



- 6'-0" HIGH SPLIT FACE BLOCK WALL W/ CAP
- SPLIT FACE BLOCK WALL ON RETAINING
- 6'-0" TUBULAR STEEL FENCE
- 6'-0" HIGH VINYL FENCE
- 6'-6" HIGH SPLIT FACE PILASTER WITH PRECAST CAP



SPLIT FACE BLOCK WALL WITH CAP AND SPLIT FACE PILASTER WITH PRECAST CAP TO MATCH EXISTING ADJACENT COMMUNITY WALL



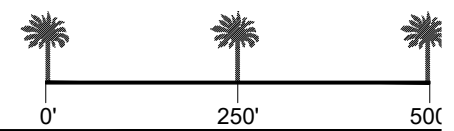
VINYL FENCE AND VINYL GATE



TUBULAR STEEL FENCE

Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)

L-6



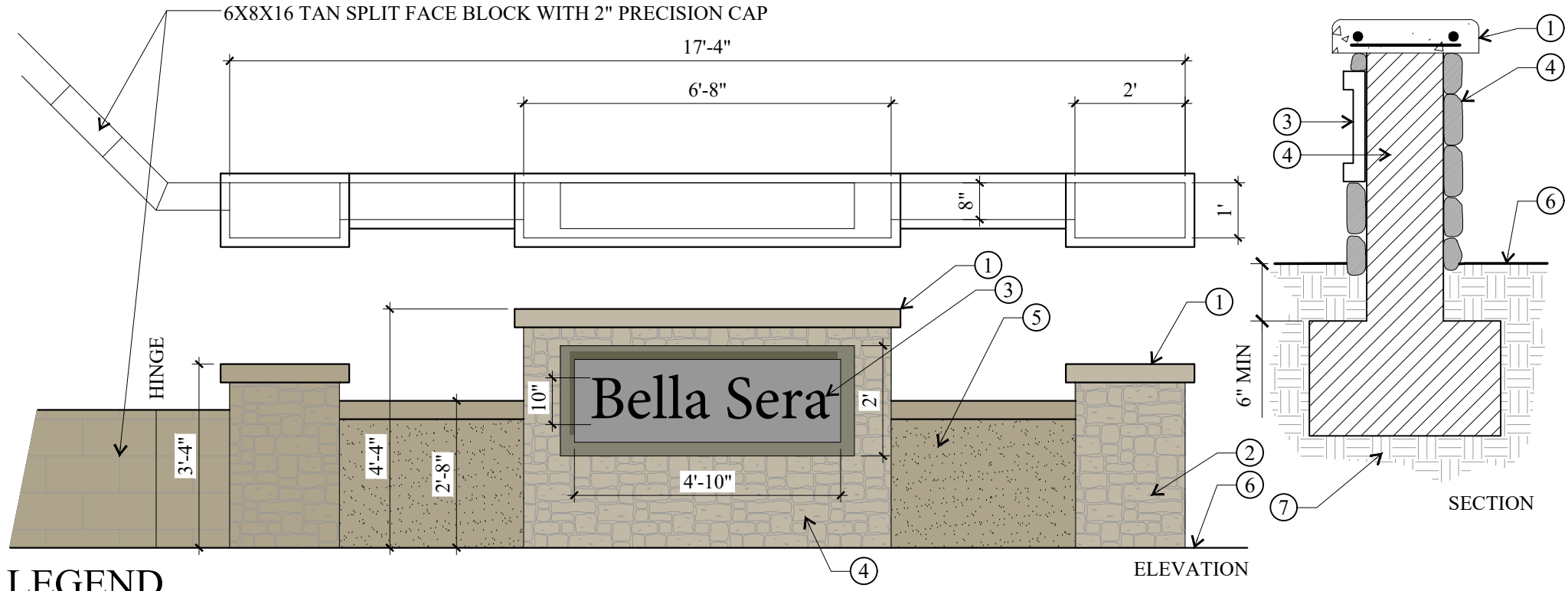
TRACT 38236 WHITNEY / VALLEY & TRACT 38237 DISCOVERY

CONCEPTUAL WALL & FENCE PLAN
PREPARED FOR DR HORTON



310 NORTH JOY STREET | CORONA, CA 92879
T: 951.737.1124 | F: 951.737.6551

LOT 1



LEGEND

- ① POURED IN PLACE CONCRETE CAP (SEE NOTES FOR INTEGRAL COLOR).
- ② 12X24 PILASTER WITH STONE VENEER. VENEER PER WALL MATRIX ON CONSTRUCTION PLAN.
- ③ PRE-CAST CONCRETE SIGN WITH A 3" WIDE RAISED BORDER. SIGN FIELD TO BE RECESSED 1" WITH 1/2" RECESSED LETTERING. SIGN FIELD COLOR TO MATCH STUCCO COLOR. BORDER AND LETTERING COLOR TO MATCH WALL AND PILASTER CAP COLOR.
- ④ 12X BLOCK WALL WITH STONE VENEER AND P.I.P CAP. VENEER - CORONADO BROOKSIDE OLD WORLD LEDGE.
- ⑤ 8X8X16 BLOCK WALL WITH 1" THICK STUCCO FINISH AND P.I.P CONCRETE CAP. STUCCO TO BE 1" THICK AND END 1" ABOVE FINISH GRADE. PAINT EXPOSED CMU TO MATCH. STUCCO TO BE OMEGA 1/2 A 72 SAND FINISH
- ⑥ FINISH GRADE
- ⑦ COMPACTED SUBGRADE PER SOILS REPORT

- NOTES:
- A. ALL WALL AND PILASTER CAPS TO HAVE 1-1/2" CANTILEVER (ALL SIDES)
 - B. INTEGRAL COLOR FOR WALL AND PILASTER CAPS TO BE "PADRE BROWN" FROM DAVIS COLORS (# 61078)
 - C. DETAIL FOR DESIGN INTENT ONLY, FOOTING AND REINFORCEMENT PER STRUCTURAL ENGINEER.

3/8"=1'-0"

Entry Sign Detail

Attachment: Planned Unit Development Document (6022 : Dr Horton Tract 38237)



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director
Brian Mohan, Assistant City Manager

AGENDA DATE: December 20, 2022

TITLE: MUNICIPAL CODE AMENDMENTS AMENDING VARIOUS SECTIONS WITHIN TITLE 9 PLANNING AND ZONING, INCLUDING CHAPTER 9.02 PERMITS AND APPROVALS, CHAPTER 9.09 SPECIFIC USE DEVELOPMENT STANDARDS, CHAPTER 9.13 SPECIFIC PLANS, CHAPTER 9.14 LAND DIVISIONS, AND CHAPTER 9.16 DESIGN GUIDELINES; TITLE 3 REVENUE AND FINANCE CHAPTER 3.32 FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM; AND TITLE 8 BUILDINGS AND CONSTRUCTION, CHAPTER 8.12 (FLOOD DAMAGE PREVENTION AND IMPLEMENTATION OF NATIONAL FLOOD INSURANCE PROGRAM (NFIP)).

RECOMMENDED ACTION

Recommendations:

1. Introduce and conduct the first reading of Ordinance No. XXX amending Tables 9.02.020-1 and Sections 9.02.040, 9.02.150, 9.07.010(B), 9.08.070, 9.09.080, 9.11.040, 9.14.065, and 9.14.090 of Title 9 of the City of Moreno Valley Municipal Code to provide updates that comply with State requirements related to compliance with new State Law and Housing and Community Development (HCD) requirements, streamline Code requirements to provide flexibility and clarity regarding existing requirements, and to streamline certain processes, and provide for other minor clarifications and clean-up items; and,
2. Introduce and conduct the first reading of Ordinance No. XXX deleting Section 3.32.050 (Statutory Public Meeting) of Title 3 (Revenue and Finance), and amending Section 8.12.170 (Standards of Construction) of Title 8 (Building and Construction) to provide updates that comply with State requirements; and

3. Schedule the second reading and adoption of Ordinance Nos. XXX, and XXX for the next regular Council meeting.

SUMMARY

This Municipal Code amendment of Title 3 (Revenue and Finance) , Title 8 (Buildings and Construction), and Title 9 (Planning & Zoning) Amendment revises various sections relating to the following areas:

- A. Removes requirements which are duplicative of state law.
- B. Updates to comply with new State Law and Housing and Community Development (HCD) requirements.
- C. Streamlining Code requirements - These updates include revisions to provide flexibility and clarity regarding existing requirements and to streamline certain processes.
- D. Other minor clarifications and clean-up items.

PROJECT DESCRIPTION

The discussion of the sections below corresponds to the order of the text amendments set forth in the attached proposed ordinance.

Section 3.32.050 Statutory Public Meeting

While this provision generally memorializes general laws of the State that automatically apply to the City, it was inadvertently drafted so broadly that it may appear to conflict with procedures otherwise authorized under applicable law. Removal of this Section will clarify any ambiguity respecting the applicable procedures, while not limiting the City's obligations to comply with applicable law.

Section 8.12.170 Standards of Construction

The California Department of Water Resources (DWR) is requiring municipal Code amendments to this section to include reference to the 2019 California Building Code standards as well as additional requirements for floodproofing.

Permitted Uses Table 9.02.020-1

The Permitted Uses Table is being modified to allow for single-family residential development within all residential districts in order to facilitate the implementation of the City's Housing Element.

Section 9.02.040 (General Plan Amendments)

This proposed amendment will update the provisions of General Plan Amendments to be consistent with other entitlement processes.

Section 9.02.150 (Temporary Use Permits)

This section is being amended to allow owners and operators of shopping centers more

flexibility when inviting businesses to participate in special events they host.

Section 9.07.010(B) (Downtown Center (DC))

This proposed amendment to the Downtown Center (DC) District provides the Planning Commission the authority to modify minimum open space requirements in order to achieve a superior project design.

Section 9.08.070 (Fence and walls)

This proposed amendment requires new development projects adjacent to the Moreno Valley Freeway (California State Highway 60) to construct either a split-face block wall or tubular steel fence along the property line abutting freeway right-of-way in order to create a more attractive freeway corridor.

Section 9.09.080 (Drive-in, drive-through, fast food, and take-out restaurants)

This proposed amendment requires the new drive-in, drive-through, fast food, and take-out restaurants to utilize the best available technology for drive-through speaker systems to ensure speaker noise will not be detectable above ambient noise levels beyond property boundaries.

Section 9.11.040 (Off-street parking requirements)

This proposed amendment ensures that off-street parking required for a new residential project is available to residents and is not rented separately from the units.

Section 9.14.065 (Finance and conveyance maps)

The proposed amendments clarify the purpose and intent of finance and conveyance maps. This clarification will help the City maintain compliance with its housing element.

Section 9.14.090 (Final land division maps)

The proposed amendment to Section 9.14.090 will modify the implementation provisions for final tract maps and parcel maps to be consistent with industry standards.

ENVIRONMENTAL

The proposed Municipal Code Amendments are exempt from the California Environmental Quality Act. The proposed amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

NOTIFICATION

Consistent with the City Municipal Code provisions, public notice was published in the

Press Enterprise Newspaper.

ALTERNATIVES

1. Approve the proposed Recommended Actions as set forth in this staff report.
Staff recommends this alternative.
2. Do not approve the proposed Recommended Actions as set forth in this staff report. *Staff does not recommend this alternative as the Municipal Code would not be consistent with State requirements.*

FISCAL IMPACT

There are no fiscal impacts anticipated from the approval and adoption of this Ordinance. However, it is anticipated that the proposed modifications will streamline business and development regulations, which would be expected to have a positive impact on business and development and thus positive fiscal impact to the City.

PREPARATION OF STAFF REPORT

Prepared By:
Name Sean P. Kelleher
Title Planning Division Manager

Department Head Approval:
Name Manuel A. Mancha
Title Community Development Director

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

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

1. Ordinance XXX - Title 9

2. Ordinance XXX - Titles 3 and 8

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/13/22 6:14 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	12/14/22 9:11 AM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING VARIOUS SECTIONS WITHIN TITLE 9 (PLANNING AND ZONING), INCLUDING CHAPTER 9.02 (PERMITS AND APPROVALS), CHAPTER 9.03 (RESIDENTIAL DISTRICTS), CHAPTER 9.07 (SPECIAL DISTRICTS), CHAPTER 9.08 (GENERAL DEVELOPMENT STANDARDS), CHAPTER 9.09 (SPECIFIC USE DEVELOPMENT STANDARDS), CHAPTER 9.11 (PARKING, PEDESTRIAN AND LOADING REQUIREMENTS), AND CHAPTER 9.14 (LAND DIVISIONS) OF THE MORENO VALLEY MUNICIPAL CODE

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

WHEREAS, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, morals and/or safety; and

WHEREAS, Section 9.02.050 (Amendments to zoning districts or other provisions of Title 9) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) of the Municipal Code provides that either the staff or the Planning Commission may initiate amendments to the provisions of Title 9; and

WHEREAS, staff has recommended to the Planning Commission that it recommend that the City Council adopt several amendments to Title 9, which include revising certain provisions of Chapter 9.02 (Permits and Approvals), Chapter 9.03 (Residential Districts), Chapter 9.07 (Special Districts), Chapter 9.08 (General Development Standards), Chapter 9.09 (Specific Use Development Standards), Chapter 9.11 (Parking, Pedestrian and Loading Requirements), and Chapter 9.14 (Land Divisions) (collectively referred to herein as “PEN22-0232”); and

WHEREAS, PEN22-0232 will clarify various development standards to provide some flexibility regarding existing requirements, make it less costly for the public with respect to processing certain entitlements and streamline certain entitlement procedures for efficiency purposes, all of which will promote economic development within the City; and

WHEREAS, staff has determined that PEN22-0232 is consistent with the MOVAL 2040 General Plan and its goals, objectives, policies, and programs, and with any applicable specific plan; and

WHEREAS, staff has further determined that PEN22-0232 will not adversely affect the public health, safety or general welfare; and

WHEREAS, staff has also determined that PEN22-0232 is consistent with the purposes and intent of Title 9; and

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WHEREAS, staff has determined that PEN22-0232 Amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

That the above recitals are true and correct and are incorporated herein as though set forth at length herein.

Section 2. AUTHORITY

That this Ordinance is adopted pursuant to the authority granted by Article XI, Section 7 of the Constitution of the State of California and California Government Code Section 37100, and it is not intended to be duplicative of state law, or be preempted by state legislation.

Section 3. AMENDMENT TO TABLE 9.02.020-1 (PERMITTED USES)

Table 9.02.020-1 (Permitted Uses) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit A.

Section 4. AMENDMENT TO SECTION 9.02.040 (GENERAL PLAN AMENDMENTS)

Section 9.02.040 (General Plan Amendments) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit B.

Section 5. AMENDMENT TO SECTION 9.02.150 (TEMPORARY USE PERMITS)

Section 9.02.150 (Temporary use permits) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit C.

Section 6. AMENDMENT TO SECTION 9.03.040 (RESIDENTIAL SITE DEVELOPMENT STANDARDS)

Section 9.03.040 (Residential site development standards) of Chapter 9.03 (Residential Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit D.

Section 7. AMENDMENT TO SECTION 9.07.010(B) (DOWNTOWN CENTER (DC))

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Section 9.07.010(B) (Downtown Center (DC) of Chapter 9.07 (Special Districts) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit E.

Section 8. AMENDMENT TO SECTION 9.08.070 (FENCES AND WALLS)

Section 9.08.070 (Fences and walls) of Chapter 9.08 (General Development Standards) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit F.

Section 9. AMENDMENT TO SECTION 9.09.080 (DRIVE-IN, DRIVE-THROUGH, FAST FOOD AND TAKE-OUT RESTAURANTS)

Section 9.09.080 (Drive-in, drive-through, fast food and take-out restaurants) of Chapter 9.08 (General Development Standards) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit G.

Section 10. AMENDMENT TO SECTION 9.11.040 (OFF-STREET PARKING REQUIREMENTS)

Section 9.11.040 (Off-Street parking requirements) of Chapter 9.11 (Parking, Pedestrian and Loading Requirements) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit H.

Section 11. AMENDMENT TO SECTION 9.14.065 (FINANCE AND CONVEYANCE MAPS)

Section 9.14.065 (Finance and conveyance maps) of Chapter 9.14 (Land Divisions) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit I.

Section 12. AMENDMENT TO SECTION 9.14.090 (FINAL LAND DIVISION MAPS)

Section 9.14.090 (Final land division maps) of Chapter 9.14 (Land Divisions) of Title 9 (Planning and Zoning) is hereby amended as set forth in Exhibit J.

Section 13. CEQA COMPLIANCE

That PEN22-0232 Amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

Section 14. FINDINGS

The ordinance is consistent with the City's 2040 General Plan.

Section 15. SEVERABILITY

That the City Council declares that, should any provision, section, paragraph,

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sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 16. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 17. EFFECTIVE DATE

That this Ordinance shall take effect thirty (30) days after its second reading.

Section 18. CERTIFICATION

That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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INTRODUCED at a regular meeting of the City Council on ____ __, _____, and PASSED, APPROVED, and ADOPTED by the City Council on _____ __, _____, by the following vote:

Ulises Cabrera, Mayor
City of Moreno Valley

ATTEST:

Jan Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

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Date Adopted: MONTH DD, YYYY

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. YYYY-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____ day of ____, YYYY, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK _____

(SEAL)

Attachment: Ordinance XXX - Title 9 (6037 : Winter 2022 Omnibus)

Ordinance No. _____
Date Adopted: MONTH DD, YYYY

Exhibit A

Permitted Uses Table 9.02.020-1

- X - Indicates stated use is permitted subject to district requirements.
- C - Indicates stated use is allowed with a conditional use permit.
- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.
- S - Indicates a use is permitted, providing the requirements of 9.09.280 (Smoke Shops) of this title are met. A conditional use permit is required if dictated by the distance criteria.
- M - Indicates a use is allowed with a conditional use permit, providing the requirements of 9.09.290 (Commercial Cannabis Activities) of this title are met.

	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUJ (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses																	A		A	A	P	A	A	A	A	
Agricultural Uses—Crops Only ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																						X				
Aircraft Landing Facilities																	C		C	C	C	C				
Ambulance Service																	◆				◆	X	X	X	X	
Amusement Parks, Fairgrounds ¹⁸																	◆					X				
Animal Raising (see Section 9.09.090 of this title) ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance and Electronic Repair Shops													X	X	X	X	X					X	X		X	
Arcades, Video Machines																◆	X	◆								
Athletic Clubs, Gymnasiums and Spas ¹⁸													X	X	X	X	X		X			X	X	X	X	
Auction Houses ¹⁸																	X								X	
Auditoriums ¹⁸													◆	◆	◆		◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Auto Electronic Accessories and Installation																	X					X	X		X	
Automobile Fleet Storage																						X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations																	◆					X	X			
Auto Service Stations																										
Accessory uses include convenience store and car wash																	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆

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	Residential Zones													Mixed Use Overlay			Commercial & Office Zones						Industrial Zones				
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Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)																											
Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair)																◆	X						X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul																	◆						X				
Auto Rentals																	X							X	X	X	
Auto Supply Stores													X	X	X	X	X						X	X		X	
Bakery Shops													X	X	X	X	X	X								X	
Bakery—Commercial ¹⁸																						X					
Banks—Financial Institutions ¹⁸													X	X	X	X	X	X	X	X					X	X	
Barber and Beauty Colleges ¹⁸													X	X	X	X	X		X	X				X	X		
Bars (Drinking Establishments) ¹⁸																											
Bars													C	C	C	C	C	C									
Bars, with Limited Live Entertainment													C	C	C	C	C	C									
Boat Sales New and Used Including Repairs and Accessory Installation																	◆						X				
Boarding and Rooming Houses ¹⁸									X	X	X	X	X	X													
Bowling Alley													◆	◆	◆	X	X										
Building Material Sales ¹⁸																	◆										
With outdoor storage ¹⁸																	◆						X	X			
Building Material Storage Yards ¹⁸																							X				

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Bus, Rail and Taxi Stations ¹⁸															◆	◆										
Business Equipment Sales (includes repairs)													X	X	X	X	X	X	X						X	
Business Schools ¹⁸													X	X	X	X	X	X	X				X	X	X	
Business Supply Stores													X	X	X	X		X				X	X		X	
Cabinet Shop																						X	X	X	X	
Caretakers Residence ¹																◆	◆	C	◆	◆	◆	◆	◆	◆	◆	
Car Wash																X	X					X				
Accessory to auto related use																◆	◆					X				
Catering Service													X	X	X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C	C														
Churches ^{2, 18}	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	C	◆	◆	◆	◆	◆	◆	◆	
Clubs ¹⁸									◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆					C
Commercial Cannabis Activities ^{17, 18}																										
Cultivation																							M	M	M	
Dispensary																M	M								M	
Manufacturing																							M	M	M	
Testing																							M	M	M	
Microbusiness																	M								M	
Distribution Center																M	M						M	M	M	
Commercial Radio or Television Stations																										

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With on-site antenna																	♦						♦	♦	♦	♦	
Without on-site antenna																	X						X	X	X	X	
Communications Facilities (See Section 9.09.040 of this title)																											
Computer Sales and Repairs													X	X	X	X	X		X				X	X	X	X	
Contractors Storage Yard																							X				
Convalescent Homes/Assisted Living ¹⁸								C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦						
Convenience Stores																											
With drive-through																	X	X									
Without drive-through													X	X	X	X	X										
With alcohol sales													♦	♦	♦	♦	♦										
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services ¹⁸															C		♦		♦		♦			♦	♦		
Copy Shops													X	X	X	X	X	X	X	X			X	X	X	X	
Country Club ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C															
Dancing, Art, Music and Similar Schools ¹⁸													X	X	X	X	X	X	X	X				X	X	X	
Day Care Centers ^{18,19}	C	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦		♦	♦	♦	♦	C
Delicatessens ¹⁸													X	X	X	X	X	X	X					X	X	X	
Diaper Supply Service																							X				
Laundry with fleet storage ¹⁸																							X				
Disposal company																							X				
Drapery Shops													X	X	X	X	X	X									

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Dressmaking Shops													X	X	X	X	X	X									
Driving School ¹⁸													X	X	X	X	X		X	X				X	X	X	
Drug Stores													X	X	X	X	X	X									
Dry Cleaning or Laundry ¹⁸																											
a. Dry Cleaning													X	X	X	X	X	X	X							X	
b. Laundromat													X	X	X	X	X	X	X								
c. Laundry Commercial																						X	X				
Emergency Shelters ¹⁴																	C		C	C	X	C				C	
Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack) ¹⁸	C	C	C	C													♦										C
Exterminators																	C						X	X	X	X	
Farm Worker Housing ¹⁸									X	X	X	X															
Feed and Grain Stores																X	X	X									
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X	X	X						X				
Fraternity/Sorority ¹⁸									C	C	C	C	C														
Frozen Food Locker																							X	X			
Gasoline Dispensing - Non-retail accessory to an auto-related use ¹⁸																	X						X	X	X	X	
Glass Shops and Glass Studios—Stained, etc.																X	X						X	X		X	

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones							
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUJ (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS			
Golf Courses or Golf Driving Ranges with Incidental Commercial Uses ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C																	◆
Handicapped Housing ¹⁸								X	X	X	X	X	X	X	X														
Heavy Equipment Sales and Rentals																	X						X	X					
Hospitals ¹⁸															◆		◆		◆	◆						C	C	C	
Hotels ¹⁸																													
a. With 20% or less of the units containing kitchens													X	X	X		X		C				X	X	X				
b. With over 20% of the units containing kitchens													C	C	C		C		C				C	C	C				
Ice Cream Stores—Including Yogurt Sales													X	X	X	X	X	X	X							X			
Impound Yards																						X							
Jewelry Stores													X	X	X	X	X	X											
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		◆	◆	◆	◆	C						
Laboratories (medical and dental) ¹⁸													X	X	X	X	X		X	X		X	X	X	X				
Libraries ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X				
Liquor Stores													◆	◆		◆	◆												
Live/Work Unit ^{12, 18}													X	X	X														
Locksmith Shops													X	X	X	X	X	X				X	X	X	X				
Lodge Halls and Similar Facilities ¹⁸													◆	◆	◆	◆	◆		◆					◆	◆				
Lumberyards																	X					X							
Mail Order House																	X					X	X	X	X				
Manufacturing and Assembly ¹⁸																													

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUJ (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																						X	X	X	X	
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																						X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																						X	X			
d. Retail sales of goods produced or warehoused on-site ³																						X	X	X	X	
Medical Clinics/Medical Care¹⁸																										
Inpatient care													X	X	X	X	X		X	X		X	X	X	X	
Urgent care													X	X	X	X	X		X	X						
Medical device services and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices															X	X		X								
Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment															X	X		X								
Mobile Home Parks ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C														
Mobile Home Sales or Rentals (outdoor display)																	C									
Mortuaries																										

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Exhibit A

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
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With cremation services																							X	X			
No cremation services			C	C	C	C	C	C	C	C	C	C			◆	◆	◆							X	X		
Museums ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Newspaper and Printing Shops													X	X	X	X	X					X	X	X	X		
Nightclubs ¹⁸														C	C		C										
Nursery, (Plant), Wholesale and Distribution	X	X	X	X																		X	X			X	
Offices (administrative and professional) ¹⁸													X	X	X	X	X	X	X	X			X	X	X		
Open Air Theaters ¹⁸															C						C					C	
Orphanages ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C															
Painting Contractor																						X	X				
Parcel Delivery Terminals ¹⁸																						X	X	X	X		
Parking Lot															C	C	X	X	C					X			
Parks and Recreation Facilities (public) ¹⁸	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Personal Services (e.g., nail salons, spa facilities ¹⁵ , barber and beauty shops, and tattoo parlors) ¹⁸													X	X	X	X	X	X	X						X		
Pharmacy ⁴													X	X	X	X	X	X	X						X		
Photo Studios													X	X	X	X	X	X	X						X		
Plumbing Shops																X									X		
Plumbing Supply Stores for Contractors																							X	X	X		
Pool Hall ¹⁸														◆		◆	◆										
Postal Services													X	X	X	X	X	X	X				X	X	X		
Pottery Sales with Outdoor Sales													X	X	X	X	X	X				X			X		

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones									
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Public Administration, Buildings and Civic Centers ¹⁸													X	X	X	X	X	X	X	X	X	X	X	X	X						
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆						X	X	◆	◆	C
Racetracks ¹⁸																	C														
Record Store													X	X	X	X	X	X													
Recording Studio													X	X	X	X	X	X	X	X							X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆													
Recycling, Large Collection Facility ⁵																	◆										X	X			
Recycling, Small Collection Facility													X	X	X	X	X	X													
Recycling Processing Centers													X	X	X	X	X	X	X	X	X						X	X	X	X	
Refreshment Stands													X	X	X	X	X	X	X	X	X						X	X	X	X	
Rental Service																															
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X	X	X									X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)																◆	◆										X	X			
Research and Development ¹⁸													X	X	X				X	X							X	X	X	X	
Residential ¹⁸																															
Single-Family	X	X	X	X	X	X	X	X	X	X	X	X																			
Multiple-Family									X	X	X	X	X	X	X																
Manufactured home park (see mobile home parks)																															

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Exhibit A

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones					Industrial Zones							
	CH	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUJ (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS		
Residential Care Facility (for seven or more persons) ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C	C	C	X													
Restaurants (Eating and Drinking Establishments) ¹⁸																												
Without entertainment													X	X	X	X	X	X	X								X	
With Limited Live entertainment													X	X	X	X	X	X	X									
With alcoholic beverage sales													X	X	X	X	X	X	X								X	
With outdoor seating ¹³													X	X	X	X	X	X	X								X	
Restaurants (fast-food) ¹⁸																												
With drive-through																◆	◆										◆	
Without drive-through													X	X	X	X	X										X	
Retails Sales													X	X	X	X	X	X										
Support Retail Sales													X	X	X				X								X	
Sandwich Shops ⁶													X	X	X	X	X	X	X	X ⁶								
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆		◆	◆						◆	◆	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X								
Shoe Shine Stands													X	X	X	X	X		X	X				X	X			
Shoe Repair Shop													X	X	X	X	X	X										
Sign Shop													X	X	X	X	X	X				X	X	X	X			
Single room occupancy (SRO) facility ¹⁸											C	C	C	C	C		X											
Skating Rinks ¹⁸														X			X											
Smoke Shops ¹⁶																S	S	S	S									
Stationery Stores													X	X	X	X	X	X	X					X	X			
Statue Shop -Outdoor display																◆						X	X					

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	Residential Zones												Mixed Use Overlay			Commercial & Office Zones						Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9,11)	MUC (9,11)	MUJ (8,10,11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
Storage Lots and Mini-Warehouses																											
Indoor																	C						X				
Outdoor																	C						X				
Supportive and Transitional Housing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X							
Swim Schools/Center with Incidental Commercial Uses ¹⁸	C	C	C	C	C	C	C	C	C	C	C	C					X										
Taxidermist																	X						X	X			
Theaters (excludes open air) ¹⁸													X	X	X	X	X	X									
Tire Recapping																							X				
Trade and Vocational Schools ¹⁸													X	X	X		X		X	X				X	X	X	
Transfer, Moving and Storage Facilities																							X	X			
Truck Wash																							X	X			
Upholstery Shops																	X						X	X		X	
Vehicle Storage Yards																											
Indoor																	X						X	X			
Outdoor																	C						X	X			
Vending Machine Service and Repair																							X	X	X	X	
Veterinarian (including animal hospital) ¹⁸																											
All activities within an enclosed structure													X	X	X	X	X								X	X	
With outdoor activities																	◆								◆	◆	
Weight Reduction Center													X	X	X	X	X	X	X								
Wholesale, Storage, and Distribution ¹⁸																											

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	Residential Zones													Mixed Use Overlay			Commercial & Office Zones						Industrial Zones			
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All activities indoors (50,000 square feet or less)																						X	X	X	X	
All activities indoors (more than 50,000 square feet)																						X	X			
All activities outdoors																						X				
Retail sale of goods warehoused on-site ⁷																						X	X	X		
Wrecking Yard																						♦				

- Notes:
- (1) Do not consider residential use per distance requirement.
 - (2) The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
 - (3) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
 - (4) Permitted in the OC and VOR districts only as a support medical office facility.
 - (5) Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
 - (6) Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
 - (7) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
 - (8) In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
 - (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
 - (10) See Section 9.07.40 (Medical Use Overlay District)

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Exhibit A

- (11) See Section 9.09.260 (Mixed Use Development)
- (12) See Section 9.09.250 (Live-Work Development)
- (13) See Section 9.09.270 (Outdoor Dining)
- (14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)
- (15) For Spa Facilities refer to Title 11, Chapter 11.96 of the Municipal Code.
- (16) See Section 9.09.280.C (Smoke Shops) for distance requirements that require a Conditional Use Permit.
- (17) See Section 9.09.290 (Commercial Cannabis Activities) for all Commercial Cannabis Activities regulations.
- (18) See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.
- (19) For Day Care uses in the Moreno Valley Industrial Area Plan (SP 208), See Section 9.07.060 Airport Land Use Compatibility Plan for Airport Land Use Compatibility Plan (ALUCP) requirements for actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable ALUCP.

Zoning District Key			
HR	Hillside Residential District	MU	Mixed Use Overlay District
RR	Rural Residential District	MUN	Mixed-Use Neighborhood Overlay District
R1	Residential 1 District (40,000 square feet minimum lot size)	MUC	Mixed-Use Community Overlay District
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)	MUI	Mixed-Use Institutional Anchor Overlay District
R2	Residential 2 District (20,000 square feet minimum lot size)	NC	Neighborhood Commercial District
R3	Residential 3 District (10,000 square feet minimum lot size)	CC	Community Commercial District
R5	Residential 5 District (7,200 square feet minimum lot size)	VC	Village Commercial District
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)	OC	Office Commercial District
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)	O	Office District
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)	P	Public District
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)	I	Industrial District
R30	Residential 30 District (Up to 30 Dwelling Units per net acre)	LI	Light Industrial
		BP	Business Park District
		BPX	Business Park-Mixed Use District
		OS	Open Space District

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Exhibit B

9.02.040 General plan amendments.

- A. Purpose and Intent. As conditions within the city change, it may, from time to time, become necessary to amend the general plan to enhance its effectiveness. In addition, state law requires that the general plan be periodically updated. The purpose of this section is to provide a method for amending the general plan to ensure its continued effectiveness.
- B. Authority. Authority for approval of general plan amendments shall be vested in the city council. The community development director and planning commission shall provide recommendations to the city council regarding general plan amendments. The city council may amend all or part of the general plan, or any element thereof. All zoning districts, any specific plan and other plans of the city that are applicable to the same areas or matters affected by the general plan amendment, and which by law must be consistent with the general plan, shall be reviewed and amended concurrently as necessary to ensure consistency between the general plan and implementing zoning, specific plans, and other plans.
- C. Restriction on Number of Amendments. Except as otherwise specified by state law (e.g., Government Code Section 65358), no mandatory element of the general plan shall be amended more frequently than four times during any calendar year.
- D. Initiation of Amendments to the General Plan. An amendment to the general plan or any element thereof may be initiated by any of the following actions:
1. Recommendation of the planning commission and city council concurrence;
 2. Recommendation of the city council; and
 3. A privately filed application involving a change in land use designation for a specific property shall be submitted by the property owner or the owner's authorized agent and shall be accompanied by all required applications. Applications for amendment limited to changes in goals, objectives, policies and implementing actions may be submitted by any affected party and shall be accompanied by an explanation of reasoning and, if applicable, any concurrent applications required for approval of the particular development project the amendment is intended to accommodate. General plan amendment actions for any element, as necessary, will occur on approximately a quarterly basis.
- E. Authority and Hearings. Authority for approval of general plan amendments shall be vested in the city council. The community development director and planning commission shall provide recommendations to the city council regarding general plan amendments.
1. Planning Commission Review.
 - a. A public hearing before the planning commission shall be noticed in accordance with Section 9.02.200 of this chapter and held within a reasonable time (unless otherwise specified by state law), after the close of the quarterly filing period in which a privately initiated application is deemed complete and after required environmental documentation has been completed. A longer period of time may be prescribed by the city council in the case of a city-initiated amendment.
 - b. The planning commission shall make a written recommendation on the proposed amendment to approve, approve in modified form or disapprove.
 - c. Planning commission action recommending disapproval of proposed general plan amendment, regardless of how such amendment was initiated, shall be final unless appealed pursuant to the provisions of Section 9.02.240 of this chapter, within ten (10) consecutive calendar days after the planning commission's recommended disapproval or unless the city council assumes jurisdiction by the request of any member thereof, prior to the end of the ten (10) day appeal period.

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2. City Council Review and Action. A public hearing before the city council shall be noticed in accordance with Section 9.02.200 of this chapter and held on the earliest appropriate date after the recommendation of the planning commission to approve a proposed general plan amendment or appeal of a decision by the planning commission to disapprove a proposed general plan amendment or a decision by the city council or any of its members to hear the matter. The city council may approve, approve with modifications, or disapprove any proposed amendment. Prior to council action, any substantial modification proposed by the council which was not previously considered by the planning commission shall first be referred to the planning commission for its recommendation. Failure of the commission to report within forty-five (45) calendar days, or within the time period set by the city council, shall be deemed a recommendation for approval.
- F. Required Findings. Amendment to the text or maps of the general plan may be made if:
1. The proposed amendment is consistent with existing goals, objectives, policies and programs of the general plan;
 2. The proposed amendment will not adversely affect the public health, safety or general welfare.

Exhibit C

9.02.150 Temporary use permits.

- A. Purpose and Intent. The temporary use permit is intended to allow for short-term activities on privately owned property with appropriate regulations so that such activities will be compatible with the surrounding areas.
- B. Authority.
 - 1. Authority for approval of temporary use permits shall be vested with the community development director through the minor development review process.
 - 2. A permit shall not be required for events that occur in theaters, meeting halls, or other permanent public assembly facilities. Temporary uses may be subject to additional permits, other city department approvals, licenses, and inspections, as required by any applicable laws or regulations.
- C. Permitted Temporary Uses. The following table identifies those uses which may be permitted subject to the issuance of a temporary use permit:

Temporary Uses Table 9.02.150-3

Permitted Temporary Uses (With a Temporary Use Permit)	Locations	Max. No. Days per Calendar Year
Commercial and noncommercial Christmas tree sales, and incidental sales of Christmas lights, tree stands and decorations, but excluding gift items	All zones	30
Mobile health clinic	All commercial and industrial districts	14
Merchandise sale or provision of services - outdoors or in mobile or temporary enclosures - in conjunction with established businesses (see subsection D of this section)	All commercial districts	36 days per shopping or commercial center
Merchandise sale - outdoors or in mobile or temporary enclosures, sponsored by and on the premises of a bank, savings and loan association or credit union of merchandise typically financed by that institution in the normal course of its lending business (see subsection D of this section)	Banks, savings and loan associations and credit unions	12 days per shopping or commercial center
Real estate offices on the site of a proposed subdivision	All districts	n/a
Construction and security personnel offices on active construction sites	All districts	n/a
Temporary construction yards not located on active construction sites	All districts	n/a
Tent meetings	All districts	30
Commercial carnival, concert, exhibit, festival or similar event outdoors or in temporary enclosures	All commercial and industrial districts	14
Noncommercial carnival, fair, concert, exhibit, festival or similar; outdoors or in temporary enclosures	All districts	14
Pumpkin sales lots	All zones	30
Seasonal produce stands	All zones	120
Any other use deemed appropriate by the community development director.	All districts.	n/a
1. The community development director may extend the maximum number of days per calendar year based on special circumstances.		

- D. Special Requirement for Merchandise Sales. The following shall apply to merchandise sales or provision of services, as delineated in the Temporary Uses Table 9.02.150-3:
 - 1. "Merchandise sale in conjunction with established businesses" means an event managed and operated by the owner or operator of a permanently established business, on the premises of that business (or upon immediately adjacent common area of a shopping or commercial center in which the business is located),

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- conducting the sale, lease, rental or other transfer of control of merchandise which is inventory of the established business or the provision of services and which is of the same or similar kind and quality normally offered as immediately available to the public by that business at that business site. Sales operated by outside vendors shall not be permitted under this provision. An outdoor sale of merchandise or provision of services on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery or provides services at another site or at another time shall not be permitted under this provision. This subsection shall not apply to “merchandise sales on the premises of a bank, [etc.],” as listed in the Temporary Uses Table.
2. Merchandise sales or provision of services sponsored and sanctioned by the Master Property Association or Property Manager for Shopping Centers, shall be a maximum of thirty-six (36) days per calendar year. An outdoor sale of merchandise or provision of services on the premises of a business that ordinarily only displays merchandise and/or conducts sales or lease transactions for customer delivery or provides services at another site or at another time shall be permitted under this provision.
 3. Food and Entertainment. Upon approval of the community development director and in compliance with all other laws and regulations, food or entertainment may be sold or provided by secondary vendors incidental to the merchandise sale or provision of services, such as a hot dog cart, snow cone or popcorn wagon, pony ride, inflatable jumper, etc., provided that such uses occupy not more than twenty-five (25) percent of the total space occupied by the sale or four hundred (400) square feet, whichever is less.
 4. No secondary vendors, incidental to the merchandise sale or provisions of services provided, shall conduct business without a buffer of at least two hundred (200) feet from any established business on-site that sells similar products unless written consent from either the Master Property Association, Property Manager, or established business(es), for a lesser buffer, has been presented to the city of Moreno Valley.
 5. Merchandise sales (including display areas) or provision of services shall not occupy landscaped areas or unimproved surfaces.
 6. Merchandise sales or provision of services taking place upon parking surfaces shall be confined to improved parking surfaces. Merchandise sales or provision of services shall not occupy more than twenty (20) percent of the legally required improved parking spaces for the business conducting the sale or services, unless approved by the community development director. No merchandise sale or provision of services shall occupy parking spaces legally required for another business, including other businesses located in the same shopping or commercial center, or parking spaces otherwise required for the shopping or commercial center in which the business is located. Merchandise sales or provision of services may occupy on-site improved parking spaces that are not so legally required, subject to all other provisions of this chapter. No merchandise sale or provision of services shall occupy or encumber more than one hundred twenty-five (125) parking spaces.
 7. Merchandise sales or provision of services shall not negatively affect the vehicular and pedestrian circulation patterns of the subject site or nearby streets, or the usability of the remaining parking spaces for the site, and shall allow unabated access for public safety personnel and vehicles.
 8. Setup and Takedown. One day of setup before a merchandise sale and one day of takedown/cleanup after the sale shall not be counted against the total number

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- of permitted sale days. No sales activity shall occur on such setup or takedown/cleanup days.
9. No Use of Public Right-of-Way. Any and all personal properties or merchandise or services shall be solely contained on private property and shall not extend into the public right-of-way.
 10. Cleanup. The permittee shall be responsible for cleanup of the site within twenty-four (24) hours of termination of the event.
- E. Application Requirements. Applications for temporary use permits shall be filed a minimum of thirty (30) days prior to the date of the proposed event with the community development department. Applications must be accompanied by all appropriate fees and deposits, as determined by resolution of the city council. The application shall include, at a minimum, the following information:
1. A site plan identifying the area to be occupied, including the location of merchandise or provision of services, proposed signage, temporary structure(s) (e.g., tents, shade structures, vending stands, etc.) and all pedestrian areas, parking lot areas and/or drive aisles proposed to be closed, blocked, obstructed and/or barricaded and their proximity to major circulation aisles, public rights-of-way and buildings. The site plan shall provide proof of compliance with all requirements of applicable laws, ordinances and regulations;
 2. Written authorization from the property owner or the property owner's duly authorized agent;
 3. Written operational/environmental statement identifying the proposed dates, defining the nature of the event or use and containing such other information as the community development director or designee shall consider necessary to determine the expected effects and impacts of the event or use;
 4. Proof of all applicable city business licenses.
- F. Criteria for Permit Issuance. The community development director shall consider the following criteria in rendering a decision relative to a temporary use permit application:
1. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
 2. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site;
 3. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate;
 4. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the community development director and the city traffic engineer;
 5. The property shall be posted at least ten (10) days prior to issuance of a permit for a temporary outdoor event anticipated to accommodate two thousand five hundred (2,500) or more persons on a single site;
 6. Neither the applicant nor any person actually managing or operating the temporary use shall have been in violation of any prior temporary use permit within twelve (12) months of the date of application.
- G. Conditions of Approval. In approving an application for a temporary use permit, the community development director may impose conditions that are deemed necessary to ensure that the permit will be applied in accordance with the criteria outlined above. These conditions may involve any factors affecting the operation of the temporary use or event, and may include, but are not limited to:

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1. Provision of temporary parking facilities, including vehicular ingress and egress;
2. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination of adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases and heat;
3. Regulation of temporary buildings, structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards;
4. Provision of sanitary and medical facilities;
5. Provision of solid waste collection and disposal;
6. Provision of security and safety measures, including deputized officers if necessary, as determined by the chief of police, with all costs borne by the applicant for security and police services;
7. Regulation of signs, including without limitation, placement of any signage outside of the city limits;
8. Regulation of operating hours and days, including limitation of the duration of the temporary use to a shorter time period than that requested;
9. Submission of a performance bond or other surety device to assure that any temporary facilities or structures used for the proposed temporary use will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition;
10. Submission of a site plan indicating any information required by this section; all events, structures, equipment, merchandise and activities shall be confined to the area designated on the approved site plan for that event;
11. A requirement that the approval of the requested temporary use permit is contingent upon compliance with applicable provisions of other ordinances;
12. All noncity sponsored groups and individuals who wish to utilize city of Moreno Valley, Moreno Valley community service district (MVCSD) or redevelopment agency (RDA) facilities shall be subject to the following requirements:
 - a. Noncity sponsored groups or individuals must complete an application which includes an indemnification and hold harmless clause protecting the city and MVCSD or RDA from the lessee's activities;
 - b. Noncity sponsored groups or individuals must provide the city with evidence of adequate general liability insurance by either:
 - i. Providing the city with an original certificate of liability insurance and endorsement binder naming the city of Moreno Valley, MVCSD or RDA, where appropriate, as an additional insured,
 - ii. Participating in the city's special events insurance program if available and approved by the city manager;
13. Other conditions which will ensure the operation of the proposed temporary use in an orderly and efficient manner and in accordance with the intent and purpose of this section;
14. Timely payment of all business license fees, gross receipts taxes and sales and use taxes attributable to the temporary use.

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9.03.040 Residential site development standards.

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this title or to otherwise revise the standards established by this title.

A. Rural Residential Requirements.

1. Slope-Density-Natural Area Relationship. The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
 - a. Slope-Density-Natural Area Table 9.03.040-4.

Slope Class	Allowable Density (DU/Acre)	Amount of Open Space Required
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The slope analysis shall be certified by a qualified civil engineer or licensed surveyor.
 - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the ten (10) to fifteen (15) percent slope class and five acres falls within the 15.1 percent to twenty-five (25) percent slope class, then the total permitted yield shall be two dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).
2. Minimum Lot Size. Minimum lot size shall be one dwelling unit per 2.5 acres within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, minimum lot size within the rural residential district may be reduced to twenty thousand (20,000) square feet, or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.
3. Subdivision Design and Future Land Divisions.
 - a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
 - b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or

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open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.

4. **Building Height.** Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
5. **Setbacks and Other Site Development Criteria.** Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

6. Grading within the rural residential district shall be performed as described under the hillside residential requirements, subsection (B)(6) of this section.

B. Hillside Residential Requirements.

1. **Slope-Density-Natural Area Relationship.** The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table, as defined below.
 - a. Slope-Density-Natural Area Table 9.03.040-5.

Slope Class	Allowable Density (DU/Acre)	Minimum Amount of Open Space Required
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15%	0.50 (1 du/2 ac)	35%
Less than 10%	1.00 (1 du/ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under subsection C of this section. The community development director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.
 - c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if ten (10) acres of the project falls within the 15.1 percent to twenty-five (25) percent slope class and five acres falls within the greater than twenty-five (25) percent slope class, then the total permitted yield shall be three dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).
2. **Minimum Lot Size.** Minimum lot size shall be one acre within a slope category of ten (10) percent or less unless determined to be reduced by an approved slope analysis. Based on the outcome of a slope analysis, the lot size within the hillside residential district may be reduced to ten thousand (10,000) square feet or the minimum lot size of the adjacent zone, whichever is greater, if clustered on slopes of less than ten (10) percent and the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the city. The ongoing maintenance of such open space areas shall be ensured through a mechanism approved by the city.

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3. Subdivision Design and Future Land Divisions.
 - a. Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within three hundred (300) feet of the project boundary. Parcels greater than five acres in area shall be excluded from the calculations when determining the average lot size within three hundred (300) feet of the project boundary.
 - b. Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the district. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by development agreement or other type of recorded deed restriction approved by the city.
4. Building Height. Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height, provided that on slopes of less than ten (10) percent, the overall height shall not exceed thirty-five (35) feet.
5. Setbacks and Other Site Development Criteria. Front, side and rear setbacks and other site development standards not specifically referenced in this section shall be subject to the following standards:

Lot Size	Standards
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

6. Grading of any site shall be minimized and shall conform to the provisions contained in the city of Moreno Valley design guidelines, Ch. 9.16, under Applications for hillside development, Article IV, Sections 9.16.170 through 9.16.230 of this title, and the following standards:

Slope Class	Standards
15.1—25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large, padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use custom, multiple-level foundations.
For all areas	All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls or jute netting.

- C. Slope Calculations. For the purposes of this section, the following method will be used to determine slope.
 1. "Slope" is defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by one hundred (100).
 2. a. For the purpose of determining the amount and location of land falling into each slope

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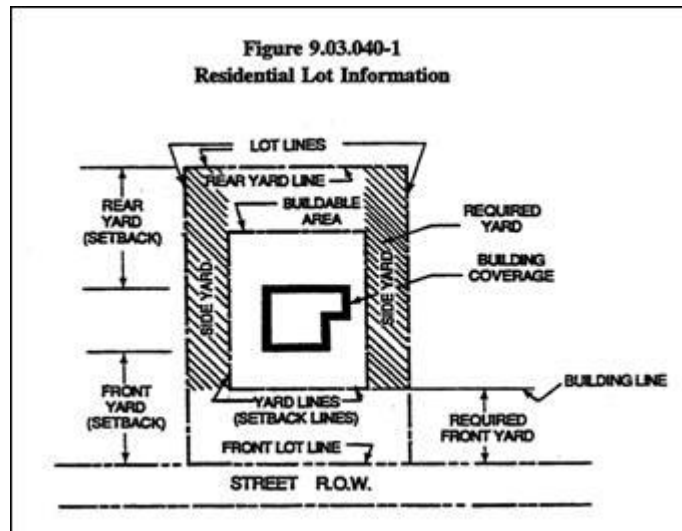
category, the applicant shall submit to the community development department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.

- b. This base topographic map shall include all adjoining properties within three hundred (300) feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.

3. Slope Mapping Method.

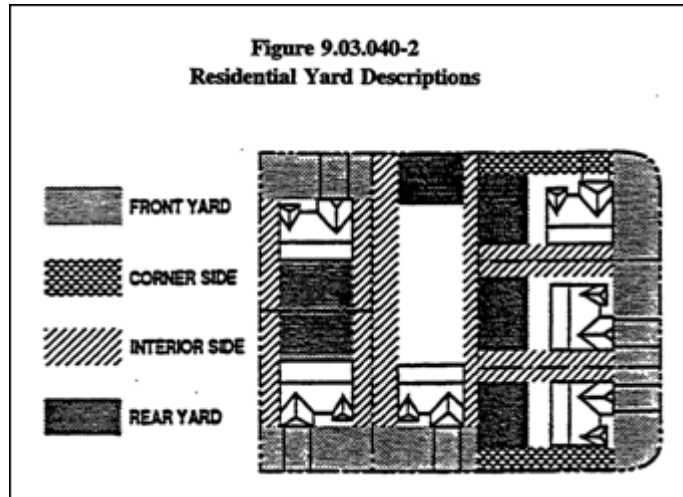
- a. The percent slope of any particular piece of land shall be plotted on the map as described in this subsection.
- b. In preparing a slope map, those portions of ravines, ridges and terraces of less area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.

D. General Residential Requirements. The following tables sets forth minimum site development standards for residential development projects in the specified residential districts. In addition, projects must comply with the special development standards enumerated in this section, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and standards.



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**Table 9.03.040-6
Residential Site Development Standards
Single-Family Standards**

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages						10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	15
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

Notes to Residential Site Development Standards Table 9.03.040-6.

1. Combined interior side yard setbacks of twenty (20) feet shall be provided with a minimum of five feet on one side.

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2. Combined interior side yard setbacks of fifteen (15) feet shall be provided with a minimum of five feet on one side.
3. In the RS10 district the minimum street side setback shall be ten (10) feet. The interior side setback shall be five feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be ten (10) feet. Where applicable, an easement at least five feet in width shall be provided along the common lot line. The easement shall guarantee the right to use and occupy the easement for a roof overhang(s), stormwater drainage and for building maintenance and repair.
4. The minimum front yard setback from private streets within the R1, R2 and R3 districts shall be fifty-five (55) feet measured from the center line of the street. The minimum front yard setback from private streets within the R5 district shall be fifty (50) feet measured from the center line of said street.

**Table 9.03.040-7
Residential Site Development Standards
Multifamily Standards**

Requirement	R10	R15	R20	R30
1. Maximum density (DUs*/net acre)	10	15	20	30
2. Minimum lot size (net area in sq. ft.)**	1 acre	1 acre	1 acre	1 acre
3. Minimum lot width in ft.	200	200	200	200
4. Minimum lot depth in ft.	175	175	175	175
5. Minimum front yard setback, in ft.	20	25	30	30
6. Minimum side yard setback, in ft.				
Interior side yard	10	10	10	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
Street side yard	20	20	20	20
7. Minimum rear yard setback, in ft.	15	20	25	10 ft. plus 2 ft. for every 5 ft. in height over 30 ft.
8. Maximum lot coverage	40%	45%	50%	50%
9. Maximum building and structure height, in ft.	50 feet			
10. Minimum dwelling size (sq. ft.)	See Note 1			
11. Minimum distance between buildings, in ft. (including main DUs and accessory structures)	20	20	20	20
12. Floor area ratio	.75	.75	.75	1.0

* The term "DUs" means dwelling units.

** Minimum lot size only applies to newly subdivided multi-family lots; existing lots can be developed under the multi-family development standards

E. Special Single-Family Residential Development Standards.

1. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
2. In the R2, RA2, R3 and R5 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.

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3. In the RS10 district, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
 4. Within the RS10 district, small lot single-family subdivisions on less than fifteen (15) gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two of the following amenities throughout the project:
 - a. Front porches;
 - b. Automatic garage door openers;
 - c. Electronic security systems.
 5. Within the RS10 district, small lot single-family subdivisions on fifteen (15) gross acres or more shall include usable common open space encompassing a minimum of ten (10) percent of each development. Usable common open space does not include individually owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners' association shall be established to provide continual maintenance of the commonly owned facilities.
 6. For all developments within the R5 land use district, a buffer of lots held to the development standards of the R3 land use district shall be included for all portions of a subdivision located adjacent to lower density single-family residential land use districts, including the R1, R2, RA-2, and RR zones.
 7. For all single-family residential developments in the R10, R15, R20, and R30 districts a Planned Unit Development application shall be submitted to establish the applicable development standards.
 8. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.
- F. Special Multiple-Family Residential Development Standards.
1. In the R10, R15, R20 and R30 districts, buildings exceeding one story in height shall maintain a minimum building setback of fifty (50) feet from any single-family district. Any single-story building within the R10, R15, R20 or R30 district shall maintain a minimum setback of twenty (20) feet from any single-family district.
 2. In any residential district, front yard setbacks in subdivision developments may be reduced by twenty (20) percent provided the mean of all such setbacks in the development is not less than the minimum required for the district.
 3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.
 4. In the RS10, R10, R15, R20 and R30 districts, developments of five or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plant materials, except for necessary walks, drives and fences.
 5. In the RS10, R10, R15, R20 and R30 districts, a minimum of thirty-five (35) percent of the net site area, exclusive of private patio and yard areas, shall be landscaped. Turf shall not exceed fifty (50) percent of this area. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominately of plant materials to include water efficient native plants, except for necessary walks and

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fences. Landscape areas shall be designed to promote water retention and allow runoff from impervious surfaces. Hardscape areas are recommended to be constructed with pervious surfaces where feasible to reduce run off.

6. Where a multiple-family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping within a planter of at least five-foot interior width shall be erected and maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. The community development director may approve alternative materials, provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.
7. Parking for each use shall comply with the requirements of Chapter 9.11 of this title.
8. In the R30 District, Landscape Trees. One tree per twenty (20) linear feet of building dimension for the portions of building visible from parking lot or ROW and one tree per twenty (20) linear feet of perimeter planter areas.
9. In the R30 district, for a development of three acres or greater, up to sixty (60) percent of the units may be in buildings with three or four stories, fifty (50) feet maximum height subject to planning commission approval.

Table 9.03.040-8

Designation	Minimum Density*	Maximum Density
R10	8 units/acre	10 units/acre
R15	12 units/acre	15 units/acre
R20	16 units/acre	20 units/acre
R30	24 units/acre	30 units/acre

* Eighty (80) percent of allowable density must be achieved by all multiple-family residential developments.

G. General Multiple-Family Guidelines.

1. Opposing garages or carports should be turned to avoid the monotony of alley-like parking corridors.
2. Parking areas should be staggered and landscaped to add visual interest, and opportunities for accent treatments.
3. Parking spaces within multifamily areas shall be located within two hundred fifty (250) feet of the dwellings they serve.
4. Multifamily parking lots shall be limited to two double aisles of cars to help reduce expanses of paving. Parking lots shall provide openings in curbs to convey surface drainage into landscape areas for water quality, retention and absorption.
5. Open parking areas should be clustered and treated as landscaped plazas and courts.
6. Landscaping shall be used around the perimeter of the lot, as well as within the lot, reducing paved area and providing for a more pedestrian oriented site.
7. No more than four units for a two-story structure should be served by one entry.
8. Each multiple-family unit shall have at least one hundred and fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.
9. Common open space at a minimum of three hundred (300) square feet per each residential dwelling in the project is required.
10. Individual units should have a porch or porch-like space at the front door.
11. Trash enclosures shall be located to provide a maximum walking distance of two hundred

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- fifty (250) feet from the units they serve.
12. Trash enclosures shall include solid roofs and be designed to be compatible with the project's architecture.
 13. Trash enclosures shall not be located on dead end drive aisles, unless adequate turnaround is provided for collection vehicles.
 14. There shall be at least one double-bin trash enclosure for every forty-eight (48) residential units.
 15. Mail boxes should be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to post office guidelines.
 16. Drive aisles should be curved and should incorporate landscaping and paving treatments to reduce vehicle speed. Landscaping treatments may include pinched planters and a mix of canopy and vertical trees. Paving treatments may include interlocking paver bands or etchings across drives. Speed bumps or Botts' dots are not an acceptable alternative.
 17. Freestanding structures, like gazebos or pergolas, should be located to define activity areas at pathway intersections or in secluded landscape areas.
 18. Drive aisles shall be at least twenty-four (24) feet wide for two-way traffic and shall be at least twenty (20) feet wide for one-way traffic.
 19. Buffer setbacks and landscaping shall be provided along all property lines. Buffers may also be appropriate within the complex, separating recreational areas from units and limiting lines of sight between balconies and into parking areas.
 20. Multiple-family projects warrant special design considerations, including:
 - a. Intimate, shaded outdoor seating areas;
 - b. A network of pathways, providing interesting walking experiences;
 - c. Gentle slopes for outdoor pathways and ramps to entry doors and between floors;
 - d. Convenient and attractive access to transit, including porte cocheres, information kiosks, seating areas and water elements;
 - e. Security;
 - f. Direct ambulance access (senior housing projects);
 - g. Parking close to units;
 - h. Elevators (senior housing projects).
 21. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.
 22. Multifamily units shall be clustered to minimize grading and to help maintain the natural landscape.
 23. Multifamily projects shall be designed for the needs of the intended residents. For example, children's needs would require open space, tot lots, handrails, and enclosed yards on ground floor units. Disabled or elderly needs would require ramps, parking close to units, minimum and gradual elevation changes and elevators.
 24. Architectural features should be used to increase privacy from nearby units and common or public spaces.
 25. Roof forms should be mixed and combined to vary the perception of building height, to differentiate units and to add interest to building mass. The long, straight roofline of a single gable is not permitted.
 26. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each visitor entrance of a multiple-family development.
 27. Buildings shall provide for a variety of colors and architectural features to break up the massing of buildings and provide visual interest.

Exhibit E

9.07.010(B) Downtown Center (DC).

B. Downtown Center (DC).

1. Purpose and Intent. The downtown center is envisioned as the primary hub and focal point of Moreno Valley and an economic and cultural engine in the region. The district establishes standards to foster development of a vibrant downtown center at the heart of the city to serve as a focal point of the community and destination for people from around the region. The district allows for a vibrant mix of business, entertainment, residential, cultural, and civic uses with the focus of the highest intensity of development along Nason Street. It integrates existing uses and layers compatible new land uses and public amenities together at various scales and intensities to foster a mix of uses that encourages people to live, work, play, and shop within the downtown center.
 With a range of activities day and night, this thriving area will draw people and businesses to Moreno Valley and will showcase the highest quality architecture and design to rival anything in the region. The downtown center will integrate the existing hospital complexes and provide visual and physical connections to Moreno Valley College, Lake Perris, and other key destinations within the community.
 Visibility is a critical design consideration for the downtown center. Design standards for development at the core of the downtown center could take advantage of the relatively flat terrain and promote higher building heights to help build visual connections from other locations within the community and enhance the prominence of the downtown center as an important destination. Additionally, public plazas and other vantage points within the downtown center should be designed to allow for view of the scenic hills surrounding the city, enhancing sense of place.
2. Property Development Standards. The downtown center zone applies primarily to parcels in the area generally bounded by Lasselle Street, Iris Avenue, Nason Street, and extending to Cottonwood Avenue at some locations. The intent is to allow for development of a downtown that will include commercial, office, vertical and horizontal mixed use, higher density multifamily development, and lower density residential on the periphery. The most intense development is expected to be focused towards Nason Street. The zone is intended to:
 - a. Ensure orderly and thorough planning and review procedures that will result in quality design;
 - b. Provide the creation and improvement of common open space and coordination of vehicular, pedestrian, and bicycle circulation;
 - c. Establish a procedure for the development of land under unified control to achieve efficient land use patterns while permitting creative and innovative approaches to the development of residential, commercial, and mixed-use in the designated DC district in order to create a central downtown business atmosphere towards Nason Street;
 - d. Encourage mixed development patterns and avoid monotony in large developments by allowing greater flexibility in selecting the means to provide access, light, open space, and amenities; and
 - e. Decrease the burden created by new development on utilities and other infrastructure systems by permitting mixed use development consistent with policies of the general plan.
3. Special Requirements. In order to implement the downtown center (DC) district general plan policies, an area plan will be required demonstrating consistency with

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the principles outlined in the land use and community character (LUCC) element, Table LCC-2 and the illustrative development program shown in the LUCC element, Table LCC-3 prior to approval. For large projects, an existing or proposed specific plan may be used in lieu of an area plan. Development on smaller parcels and multifamily housing projects may satisfy this requirement with a site plan as determined by the community development director, and development of residential projects on the periphery of the downtown center may satisfy the requirement through approval of a planned unit development application.

- a. The Floating Zone Concept. A floating zone is a zone that delineates a general area where certain conditions would need to be considered before a development proposal is approved.
- b. Floating PUDs. The floating planned unit development (DC-PUD) designation allows for the development of single-family housing and less dense multifamily housing on the periphery of the downtown center. This will support development of the most intense development in proximity to Nason Street, allowing residential mixed-use projects with ground-floor commercial uses in proximity to the intersection of Nason Street and Alessandro Boulevard, and encouraging residential development greater than twenty (20) dwelling units per acre along portions of Alessandro Boulevard towards Nason Street.

The designation for the floating planned unit development zone is indicated on the official zoning map with a circle border and the letters "DC-PUD." This symbol represents a "floating" designation and is only intended to indicate a general area within which a PUD could be located. It does not preclude other development or uses that would otherwise be permitted within the downtown center. The purpose and intent of the PUD floating zone is to provide flexibility in planning for residential development of projects.

- c. Floating Plazas. The floating parks and plazas (DC-PPL) zone is used to designate lands that can be publicly or privately- owned and are intended to be programmed for low intensity, publicly accessible open space uses. Parks and plazas represent a creative solution to provide more public space in the downtown center zone. Plazas and pocket parks will generally be spaces that are developed and maintained privately, but open to the public. Opportunities for the creation of these types of plazas will occur as properties in the DC zone develop with higher intensity uses.

The designation for the park or plaza is indicated on the official zoning map with a circle border and the letters "DC-PPL." This symbol represents a "floating" designation and is only intended to indicate a general area within which a park or plaza site should be located. The specific size, exact location and configuration of such park or plaza site will be finalized only through future development of specific parcels in the DC district through an area plan, specific plan, or a site plan. Until such time that these properties are privately developed as a publicly accessible park or plaza space or purchased by the city, development is allowed consistent with the DC zone.

4. Site Development Standards.
 - a. General Requirements. The following sets forth minimum site development standards for the downtown center. In addition, projects must comply with the special requirements enumerated in subsection (B)(3) of this section, the performance standards included in Chapter 9.10, and other applicable

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ordinances, policies, and programs. The parking standards in Section 9.11.040 off-street parking requirements shall apply.

Downtown Center (DC) - Development Standards

Requirement	Development Standards
Block Development	Blocks over 500 feet should feature midblock connections shall as pedestrian pathways or alleys. Block sizes should range between 330 and 660 linear feet where feasible
Mid-Block Pathways	Mid-block pathways shall be no less than 16 feet wide
Buildings shall be oriented such that frontages and entrances are visible and accessible from the public right-of-way, pedestrian connections, parks, or plazas	Buildings shall be oriented such that frontages and entrances are visible and accessible from the public right-of-way, pedestrian connections, parks, or plazas
Density - Dwelling Units (Du)/Acre ^{*1}	NA (with or without affordable housing)
Minimum Site Area	As determined through area plan if required or site plan review
Minimum site width, in feet	As determined through area plan if required or site plan review
Minimum site depth, in feet	As determined through area plan if required or site plan review
Front building setback, in feet (after dedications for right-of-way) ground floor use	0—10
Side street building setback area, in feet (after dedications for right-of-way)	0—10
Interior side yard setback in feet	0—10
Rear yard setback in feet	10
Lot coverage, maximum	Pending landscape and open space requirements
Building height, in feet, maximum	None
Floor Area Ratio (FAR)	NA
Minimum Dwelling Size	*See note below
Minimum distance between buildings in feet (between residential and commercial uses)	10
Parking (surface) front street setback, in feet (after dedications for right-of-way)	10
Parking (surface) side street setback, in feet (after dedications for right-of-way)	5
Garage/Tuck-Under Parking	Prohibited along front lot lines
Underground/Podium Parking	Allowed beneath building footprints
Above Ground Parking Structure	Allowed if screened from views from public right-of-way and adjacent single family residential zones
Setback Landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas
Publicly Accessible Open Space (nonresidential)	15% of net lot area
Private Open Space (multifamily residential) ²	150 sq ft per unit on 1st floor, and 100 sq ft per unit on upper floors
Common Open Space (multifamily residential) ²	300 sq ft per unit

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Requirement	Development Standards
Ground floor building frontages clear glazing material	60%
Ground floor-to-ceiling minimum height in feet	15—20
<p>Notes:</p> <ol style="list-style-type: none">1. Minimum Dwelling Unit Sizes.<ol style="list-style-type: none">a. Studio and One Bedroom: four hundred fifty (450) square feet;b. Two Bedroom: eight hundred (800) square feet;c. Three Bedroom: one thousand (1,000) square feet.2. The Planning Commission may modify minimum open space requirements.	

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Exhibit F

9.08.070 Fences and walls.

- A. General Provisions.
1. No fence or wall shall be placed in a manner that would deter the fire department from immediately discerning and gaining access to any fire hydrant or other fire protection device. Fences and walls shall be located to maintain a minimum of three feet of clearance around the circumference of any fire hydrant.
 2. No fence or wall shall be placed within a city right-of-way without approval of an encroachment permit by the city engineer for such fence or wall.
 3. Nothing in this section shall be construed to supersede more restrictive provisions of Chapter 8.21 of the municipal code (Grading Regulations), the International Building Code or the International Fire Code.
 4. An open fence or wall, as used in this section, means any fence or wall for which at least seventy-five (75) percent of that portion which is above three feet in height consists of openings that provide visibility and allow the passage of light and air. All other fences and walls are considered solid.
 5. All fences and walls shall comply with the sight distance requirements for traffic safety in accordance with the California Department of Transportation Highway Design Manual.
 6. Required Walls and Fences along Moreno Valley Freeway (California State Highway 60)
 - a. Development projects adjacent to the Moreno Valley Freeway (California State Highway 60) right-of-way shall construct either a split-face block wall or tubular steel fence along the property line abutting freeway right-of-way.
 - b. The split-face block wall or tubular steel fence shall be eight feet (8') tall measured from the highest adjacent grade (property in question or freeway right-of-way).
 - c. Projects with frontage along City right-of-way abutting the Moreno Valley Freeway (California State Highway 60) right-of-way shall install walls and/or fencing along the limits of the right-of-way. The Public works director or their designee may require a fee in-lieu or may waive this requirement.
 - d. Wall heights may be increased subject to the recommendations of a property specific noise study and concurrence by the Community Development Director or their designee.
- B. Fences and Walls in Residential Developments.
1. In required front yards of residential developments:
 - a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall;
 - b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six

Exhibit F

- feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2);
- c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.
2. In required side and rear yards of residential developments:
 - a. Height.
 - i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.
 - ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).
 - iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.
 - b. Retaining Walls and Combinations of Retaining Walls and Nonretaining Fences.
 - i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).
 - ii. A six-foot high retaining wall may be placed three feet or more from the side or rear property line (See Figure 9.08.070-5).
 - iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.
 - iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed twelve (12) feet in height subject to approval by the community development director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).
 - c. Fence and Wall Design.
 - i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the community development director.

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- ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the community development director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the community development director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.
 - iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the community development director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.
 - iv. View Lots. Except where the community development director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen (15) or more feet above the pad height of the adjacent residential lot.
- C. Fences and Walls in Nonresidential Developments.
1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.
 2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.
 3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height.

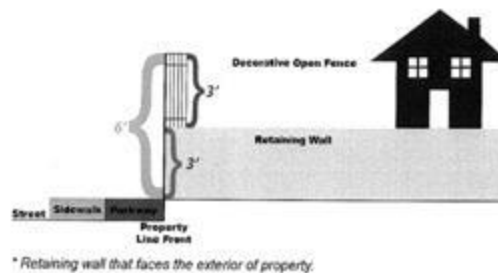
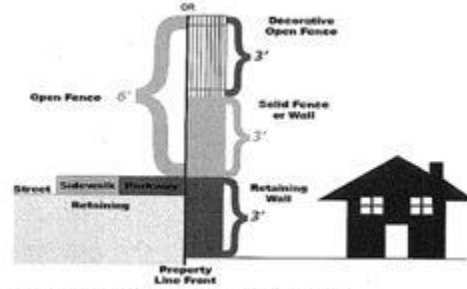


Figure 9.08.070-1

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* Retaining wall that faces the interior of property:

Figure 9.08.070-2

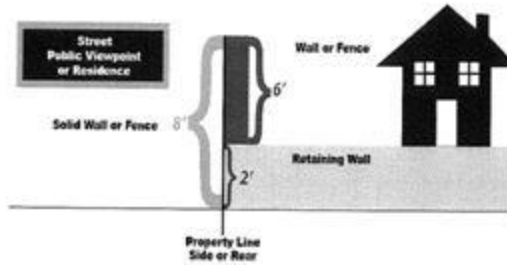


Figure 9.08.070-3

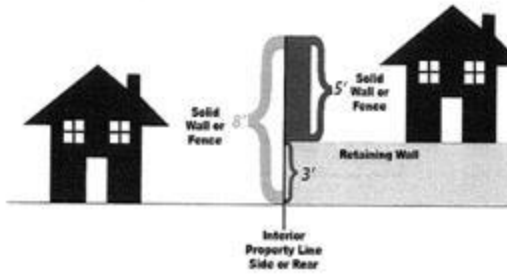


Figure 9.08.070-4

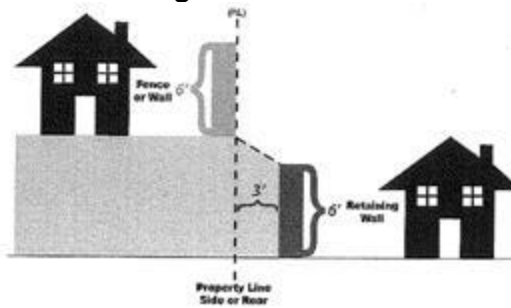


Figure 9.08.070-5

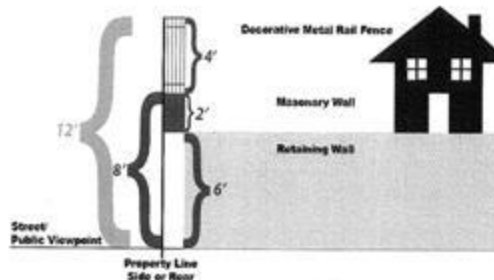


Figure 9.08.070-6

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Exhibit G

9.09.080 Drive-in, drive-through, fast food and take-out restaurants.

- A. Purpose and Intent. The purpose of this section is to ensure that drive-in, drive-through, fast food and take-out restaurants do not result in adverse impacts on surrounding neighborhoods by reason of customer and employee parking demand, traffic generation, noise, light, litter, or cumulative impact of such demands in one area, consistent with the goals, objectives and policies of the general plan.
- B. Applicability. Drive-in, drive-through, fast food, or take-out restaurants may be permitted subject to the standards of the underlying district and special conditions listed below. The provisions of this section shall apply to all drive-in, drive-through, fast food and take-out restaurants constructed or the use of which commenced after the effective date of this title and to any expansion of more than twenty (20) percent of the gross floor area or increase of more than twenty-five (25) percent of the number of seats in any such restaurant in use prior to the effective date of this title. Floor area added for the purpose of compliance with state or local health laws or access requirements of the disabled shall not be included in floor area calculations for purposes of determining applicability of this section.
- C. Minimum Development Standards. The following minimum development standards shall apply to all drive-in, drive-through, fast food and take-out restaurants.
1. Hours of Operation. When located on a site adjacent to, or separated by an alley from any residentially zoned property, a drive-in, drive-through, fast food or take-out restaurant shall not open prior to six a.m., nor remain open after ten p.m. unless extended hours are specifically approved by the planning commission.
 2. Driveways. Drive-in and drive-through restaurants sites shall have two points of ingress and/or egress.
 3. Queuing. Drive-up and drive-through restaurants shall have a capacity for queuing a minimum of eight vehicles awaiting service. Queuing area shall not interfere with on- or off-site circulation patterns and shall be reviewed and approved by the city traffic engineer prior to issuance of a building permit.
 4. Parking. A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval by the city traffic engineer prior to approval of a conditional use permit.
 5. Trash Receptacle. A minimum of one outdoor trash receptacle shall be provided on-site. At least one additional on-site outdoor trash receptacle shall be provided for every ten (10) required parking spaces.
 6. Noise. Any drive-up or drive-through speaker system shall not be detectable above ambient noise levels beyond the property boundaries. The system shall incorporate best available technology to compensate for ambient noise levels.

Exhibit H

9.11.040 Off-street parking requirements.

- A. Automobile Parking Requirements. Off-street automobile parking shall be provided in accordance with the requirements of this chapter. The following tables set forth the required off-street parking requirements and certain notations for various residential, commercial, industrial, public and quasi-public uses. Parking provided above required off-street must be constructed with permeable surfaces and/or enhanced landscaped retention and absorption areas:

**Table 9.11.040A-12
Off-Street Parking Requirements**

Residential Uses	Requirement	Covered Parking	Notes
Single-family	2/unit	Within an enclosed garage	
Accessory dwelling unit	1/bedroom		The accessory dwelling unit shall provide a minimum of one parking space per bedroom in addition to the parking required for the main dwelling, except as exempted by state law (refer to Section 9.09.130 Accessory dwelling units). Spaces may be provided as uncovered and/or tandem parking on a driveway.
Duplex ¹	2/unit	Within an enclosed garage	
3 or more units: ¹ Studio 1 bedroom 2 bedrooms 3+ bedrooms	1.25/unit 1.5/unit 2.0/unit 2.5/unit	1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing: ¹ Studio 1 bedroom + bedrooms	1.0/unit 1.25/unit 1.5/unit	1 covered/unit 1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.
Residential care homes ¹	Parking requirements shall be determined by the community development director subject to an approved parking study.		
Live-work units (residential component)	2/unit	2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "live-work" parking standard.

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Residential Uses	Requirement	Covered Parking	Notes
Residential component of mixed-use project ¹	See multiple-family requirements in this table	See multiple-family requirements in this table	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the nonresidential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
General Note:			
1. Required Parking for tenants and guests shall not be rented separately from dwelling units.			

Table 9.11.040B-12
Off-Street Parking Requirements

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public. 2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments: Self-serve Automated	2 spaces + 2/washing stall 10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15% of the interior gross floor area of the primary food service use; if outdoor dining area is over 15%, 1 space for every 60 sq. ft. or 1 space for every 3 seats, whichever is greater.
Eating and drinking establishments within shopping centers of 25,000 sq. ft. of building area or greater	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage	
Hotel/motel	1/guest room	

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Commercial Uses	Requirement	Notes
Kennels	2 spaces/1,000 sq. ft.	2 spaces/1,000 sq. ft. of indoor animal enclosure.
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail salons	1 space/2 work stations	
Schools, private: Business and trade College Elementary/junior high Senior high	10 spaces + 24/classroom 10 spaces + 30/classroom 10 spaces + 2/classroom 10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum.
Medical and health services: Convalescent and nursing homes Homeless shelter Hospitals Residential care facilities	1/3 beds 1/4 beds 1/bed see Residential Uses, Section 9.11.040 Table 9.11.040A-12	
Recreation: Arcades Bowling and billiards Commercial stables Golf course Golf driving range Golf, miniature Health club Parks—public and private Skating rink Tennis, handball and racquetball facilities	1/75 sq. ft. of gross floor area 5/alley + 2/billiard table 1/5 horse capacity for boarding on-site 6/hole 1/tee 3/hole 1/100 sq. ft. of gross floor area To be determined by the approval authority based upon an approved parking study. 1/100 sq. ft. of gross floor area 3/court	
Theaters	1/3 fixed seats	

**Table 9.11.040C-12
Off-Street Parking Requirements**

Industrial Uses	Requirement	Notes
Manufacturing	1/500 sq. ft. of gross floor area	Trailer parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

**Table 9.11.040D-12
Off-Street Parking Requirements**

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Public and Quasi-Public Uses	Requirement	Notes
Libraries, museums and galleries	1/300 sq. ft. of gross floor area	
Public utility facilities without an office on-site	2/employee on the largest shift + 1/company vehicle	A minimum of 2 spaces shall be required.
Auditorium, places of public assembly and places of worship	1/3 fixed seats or 1/35 sq. ft. of gross floor area of the assembly area or 1 space for every 4.5 lineal feet of benches/pews, whichever is greater	
Government offices	To be determined by a parking study approved by the community development director	

B. Schedule of Accessible Parking Requirements. The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.
2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.
3. Accessible parking spaces for other uses shall be provided at the following rates:

No. of Automobile Spaces Provided	No. of Accessible Spaces Provided
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2% of total spaces
1,001 and over	20 plus 1 for each 100 spaces or fraction thereof over 1,001

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

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5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.
 6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
 7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space, with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.
 8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.
 9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.
 10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein.
- C. Low Emitting Fuel Efficient Carpool/Vanpool Vehicle Parking. Eight percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles for all new nonresidential development.
- D. Parking requirements for religious institution affiliated housing development projects (RIAHD).
1. Notwithstanding any provisions of this Title or any adopted specific plan to the contrary, the parking requirements for a religious institution affiliated housing development project are subject to the provisions of Government Code section 65913.6, as amended.
 2. Religious institution affiliated housing development project” (RIAHD) is defined as a housing development project that meets all of the following requirements:
 - a. The housing development project is located on one or more contiguous parcels that are each owned, entirely, whether directly or through a wholly owned company or corporation, by a religious institution.
 - b. The housing development project qualifies as being near collocated religious-use parking by being on or adjacent to a parcel with religious-use parking or by being located within one-tenth of a mile of a parcel that contains religious-use parking.
 - c. Qualifies for a density bonus under Government Code section 65915.
 3. Allows up to 50 percent elimination of total religious-use parking spaces available for a

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- Religious Institution Affiliated Housing Development project.
4. No replacement requirement of religious-use parking spaces for a Religious Institution Affiliated Housing Development project proposes to eliminate, provided the reduction does not exceed 50 percent.
 5. Allows the remaining religious-use parking spaces to count toward number of parking spaces required for the Religious Institution Affiliated Housing Development project.
 6. Prohibits the reduction in parking spaces from reducing the minimum parking standards below one space per unit unless the Religious Institution Affiliated Housing Development project is within one-half mile of a high-quality transit corridor or a major transit stop, or a car share vehicle within one block of parcel.
 - a. High-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.
 - b. Major transit stop includes existing rail or bus rapid transit station, ferry terminal served by either bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
 - c. Car sharing means a model of vehicle rental where users can rent vehicles for short periods of time and users are members that have been preapproved to drive.

Exhibit I

9.14.065 Finance and conveyance maps.

- A. Purpose and Intent.
1. The purpose of this chapter is to set forth the process for financing and/or conveyance for sites, which already have an approved tentative parcel and/or tract map. It is not the intent of the finance and/or conveyance map to create any legal building site(s) as a future map, or parcel map, shall be processed in order for any development to occur.
 1. This criteria shall govern the filing and processing of tentative maps for finance and/or conveyance purposes. Applications for finance and/or conveyance maps (collectively referred to as “financing maps”) may only be accepted under one of the following criteria:
 - a. The site to be subdivided by the map is already developed, and the proposed map will not create legal building sites upon which new development may occur; or
 - b. A future map for development purposes must be processed and recorded in order for any development on the site to occur, and this fact is clearly stated on the face of the map; or
 - c. An approved conditional use permit, master plan, or master Plot Plan is approved for the site, has not expired, and all conditions of approval, expected exactions, and mitigation measures associated with the underlying approval(s) shall be implemented as previously prescribed, or as properly modified, for any development on the property to occur.
- B. Definition.
1. As follows is the City’s definition of a “finance and conveyance map”: it’s a map used to parcelize undivided undeveloped land, existing parcel maps, and/or existing tract maps for non-buildable reasons.
- C. Filing Instructions. Finance and/or conveyance maps are filed with the Community Development Department, 14177 Frederick Street, Moreno Valley, California, 92552. Application forms are available at the community development department or may be obtained on-line at www.moval.org, or by contacting the planning division at (951) 413-3206.
- D. Submittal Requirements. The form, content and supplementary information that must accompany a finance and conveyance map shall conform to the submittal requirements for tentative maps set forth in Section 9.14.040 of this code except as hereafter provided.
1. Notwithstanding the requirements set forth in Section 9.14.040, the director of community development or designee may waive the following requirements in writing if requested in advance by the applicant:
 - a. Internal streets and access ways within the boundary of the map (with concurrence of the city engineer);
 - b. Dimensions and location of sidewalks and common areas;
 - c. Soils and geology report;
 - d. Regional housing needs statement; and/or
 - e. Other submittal requirements set forth in Chapter 9.14, Land Divisions, or the Subdivision Map Act, provided, the city engineer determines in advance, that the proposed map continues to comply with the spirit and intent of the Subdivision Map Act, the Subdivision Ordinance, and these subdivision regulations.
 2. The following statement must be clearly printed on the face of the proposed financing map: “FOR FINANCE AND CONVEYANCE PURPOSES ONLY.”

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3. If a future map is required for any development, the face of the map must include the following additional statement: "THIS MAP DOES **NOT** CREATE A LEGAL BUILDING SITE. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY."
 4. If a previously approved tentative map, vesting tentative map, or conditional use permit is in place on the property, the face of the map must include the following additional statement in addition to the statement required in subsection (C)(2): "THIS MAP DOES NOT REMOVE ANY DEVELOPMENT REQUIREMENTS SET FORTH WITH APPROVAL OF {insert case number(s)}, WHICH MUST BE SATISFIED WITH CONTINUED DEVELOPMENT OF THE PROPERTY."
- E. Review Procedure. Except as otherwise noted herein, finance maps shall be processed in the same manner and shall be subject to the same requirements as specified for tentative maps in Section 9.14.050 of the municipal code. The community development department will distribute copies of the financing map to the appropriate reviewing bodies to determine whether the map conforms to the requirements of this chapter, and the Subdivision Map Act. These reviewing bodies are set forth in Section 9.14.050(C) of this chapter.
- F. Approval Process.
1. Criteria. The advisory agency reviewing authority shall base its decision to approve, conditionally approve, or disapprove the proposed financing map on the information required under this chapter, and any additional information reasonably necessary to determine that the property covered by the map can be feasibly developed under the existing zoning and general plan designations for the site. At a minimum, the advisory agency/reviewing authority must ensure the following:
 - a. The parcel (or parcels) of land covered by the map meet the minimum size requirements to ensure that future development can meet all applicable site development standards imposed by Title 9 of the municipal code.
 - b. The parcel (or parcels) of land have access from a public road, or access is both feasible and required by a condition of approval for the proposed map.
 - c. The parcel lines do not conflict with any public easements.
 - d. There are not physical constraints or other issues which may affect the feasibility of future development on the site (e.g., vehicular access, utility service extensions). If necessary in order to adequately evaluate the map, additional technical studies (e.g., access study) should be required prior to finding the application complete.
 - e. The map provides sufficient information on future uses and feasibility of future uses to ensure consistency with the general plan and zoning designations for the site.
 - f. The site is suitable for the future permitted or proposed uses.
 - g. The map provides sufficient information on the subdivision design and future improvements to evaluate its potential impact on the environment in compliance with the California Environmental Quality Act.
 - h. There is sufficient information on the subdivision design and future improvements to enable the city to determine whether the map complies with applicable water quality standards, particularly with respect to future discharge of waste into the sewer system.
 2. Findings. A tentative map for finance and conveyance purposes shall be approved or conditionally approved only if the advisory agency can make the following findings:

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- a. That the proposed map is consistent with applicable general and specific plans and the zoning ordinance.
 - b. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 - c. That the site is physically suitable for the type of development.
 - d. That the site is physically suitable for the proposed density of development.
 - e. 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.
 - f. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.
 - g. 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.
 - h. That the requirements of the California Environmental Quality Act have been satisfied.
- G. **Mandatory Conditions of Approval.** In addition to the standard subdivision conditions of approval applied to all maps for development purposes, the following shall apply to all financing maps:
1. Any submittal requirements which were waived in connection with the financing map in accordance with subsection (C)(1) shall be submitted concurrently with the first discretionary application for development of the property covered by the map (i.e., with an application for a future map, a conditional use permit, or master plan), or shall be submitted as prescribed by conditions of approval already in place with underlying entitlement approvals that govern continued or subsequent development of the property as described on the face of the map per subsection (C)(4).
 2. This map is approved for finance and land conveyance purposes only. No applications for building or grading permits shall be accepted for the parcel or parcels created by this map until a (future map/conditional use permit/master plan) for development has been approved by the city, or as prescribed by conditions of approval already in place with underlying entitlement approval that govern continued or subsequent development of the property as described on the face of the map per subsection (C)(4).

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9.14.090 Final land division maps.

- A. General. After the approval or conditional approval of the tentative map and prior to the expiration of such map, the subdivider may cause the real property included within the map, or any part thereof, to be surveyed and a final map thereof prepared in accordance with the current city standards and the approved or conditionally approved tentative map.
- B. Subdivision Boundary Plat Requirements.
1. Surveys made in preparation of final land division maps shall be in accordance with standard practices and principles of surveying and all applicable provisions of the Subdivision Map Act.
 2. Before the final map of a subdivision will be accepted by the city engineer for checking, the land divider shall submit and obtain approval by the city engineer of a map showing:
 - a. A boundary survey of the land division, including all courses and distances necessary to compute a closure;
 - b. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found or set, adjoining maps or property lines of record.
 3. The city engineer may waive the boundary plat if sufficient survey information is of record.
 4. Whenever the city engineer has established the centerline of a street, that data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and proper reference made to field books or maps of public record, relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map shall show city and county boundaries adjoining the division of land.
- C. Preliminary Filing of Final Subdivision Map.
1. When a boundary survey map is approved or waived by the city engineer, the subdivider may then file his final map for preliminary checking in the office of the city engineer. The quantity of the number of positive prints shall be determined by the city engineer.
 2. The final map shall be accompanied by the following:
 - a. Map checking fee, as set by the city council;
 - b. Any additional data, as determined by the city engineer.
 3. Proposed improvement plans shall be submitted and accompanied with the plan checking fee, as set by the city council.
 4. Prior to the recordation of the final map, the following items shall be provided and approved:
 - a. A copy of the approved conditions, covenants and restrictions (CC&Rs) that are to be recorded with the final map;
 - b. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on a final land division map, a subdivision guarantee shall be issued by a California title company. The consent of the owner or owners of any contingent reversionary interest in the lands to be subdivided is not necessary and need not be named in the guarantee of title;
 - c. All requests for waivers of signatures as provided in the Subdivision Map Act;

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- d. Utility Plans.
 - i. An original and three positive prints of each map showing the proposed water distribution and sewage collection systems, signed by a registered civil engineer and the water and sewer purveyors. Each system shall comply with all applicable state and county and city regulations. The city fire prevention officer shall also sign the water plans when conditions include fire protection, and
 - ii. Letters from other utility purveyors that will serve the land division certifying that satisfactory provisions have been made with each of the public utility purveyors as to location of their facilities and construction thereof.

- D. Preliminary Filing of Final Parcel Map. After a tentative parcel map is approved, the land divider may cause a final parcel map to be prepared and submitted to the city engineer. The land divider shall submit the following:
 - 1. A number of positive prints of the final parcel map, as determined by the city engineer with plan checking fee, as set by the city council;
 - 2. All required improvement plans with plan checking fee, as set by the city council; and
 - 3. Evidence of title in the form of a current preliminary title report issued by a California title company, showing the names of persons having any record title interest in the land to be divided, together with the nature of their respective interests herein. In the event that any dedication is to be made for public use of any property shown on a final parcel map, a subdivision guarantee shall be issued by a California title company.

- E. Data Required—Final Land Division Maps.
 - 1. Final subdivision and parcel maps shall conform to all of the following provisions:
 - a. Each map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or good quality polyester base film, including certificates, except that such certificates may be legibly stamped or printed upon the map with opaque material when recommended by the city engineer and authorized by the county recorder. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch;
 - b. Each map, including each sheet of a multisheet map shall bear the number as assigned by the Riverside County road department or other proper official which shall be followed by a subtitle consisting of a general description of all the property being divided by reference to record maps, and to section surveys or ranchos. Reference shall be spelled out and worded identically with original records, with complete reference to proper book and page of record;
 - c. All sheets shall be numbered, the relation of one sheet to another clearly shown, and the number of sheets used shall be set forth on each sheet. An adequate number of sheets shall be submitted to clearly present all pertinent data;
 - d. A location map shall be placed on the final map which indicates the location of the proposed land division and its relationship to existing streets and highways;

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- e. The certificates and acknowledgements, required by the Subdivision Map Act and this title, shall appear on the first sheet only. "Certificates" shall include the following:
- i. Owner's certificate,
 - ii. Trustee's certificate,
 - iii. Recorder's certificate,
 - iv. Surveyor's/engineer's certificate,
 - v. City engineer's certificate,
 - vi. City clerk's certificate,
 - vii. Tax collector's certificate,
 - viii. Tax bond certificate (as appropriate).
- The first sheet shall also include: (1) signature omissions (relating to oil, gas or mineral rights) and (2) notice of election by land divider to defer payment of drainage fees. If needed, the second map sheet may be used for notary acknowledgements. In no case shall the certificates noted above be placed on the second sheet of a multisheet map;
- f. The recorder's certificate shall be placed in the upper right-hand corner of the map or in the upper right-hand corner of the first sheet only of multisheet maps;
- g. The surveyor's or engineer's certificate shall state that the survey was made by him or under his direction, that the survey is true and complete as shown, that all monuments are of the character and occupy the positions indicated and are sufficient to enable the survey to be retraced, that the map conforms to the approved tentative map and conditions of approval thereof, and that all provisions of the applicable state and local ordinances have been complied with;
- h. The number, scale, north point and sheet number shall be shown on each sheet of the map. The map shall be drawn at a suitable engineer's scale to identify and describe all essential details clearly. If more than two map sheets are used, an index showing the division of land, with lots numbered as shown on the map, shall be shown. A complete boundary survey shall be shown on one sheet of every phase of a unitized subdivision. Such boundary shall also reflect the original boundary as shown on the tentative map of the subdivision;
- i. A land division name shall not be shown on the map;
- j. The exterior boundary of the land shown on a land division map shall be indicated by a distinctive delineation and clearly designated;
- k. A statement labeled surveyor's notes or engineer's notes shall be shown on the first map sheet after the signature sheet of a multisheet map. The statement shall include the basis of bearings; the monuments that were found; the monuments and points that were set, with reference to city standards; and a key to the symbols and abbreviations and such other information required by the city engineer;
- l. Lots shall be numbered consecutively, commencing with the number "1," with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys or barrier strips shall be lettered. Easements shall be clearly identified; and
- m. Where a part-width street is shown on a map, the centerline of the improvements shall be monumented and shown correctly, as related to the full future width of the street.

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2. The following data shall be shown on each final subdivision and parcel map:
- a. Dates of survey and the name and registration number of the person authorized to practice land surveying by the state of California and who is responsible for the preparation of the map;
 - b. Locations and names (without abbreviations) of all adjoining, existing and proposed streets and the location of alleys. Proposed public area and easements shall also be identified;
 - c. Gross area of land division, and the net acreage, computed to the nearest .01 acres, on all lots containing one acre or more. Lot lines shall be shown by solid lines;
 - d. Centerlines of all streets and lengths, tangent, radius and central angle or radial bearings on all points on curves and the bearings of radial lines to each lot corner on a curve; the width of each street, the width of the portion being dedicated and the width of existing dedications; and the widths of right-of-way of railroads, flood control or drainage channels and other easements appearing on the map;
 - e. Sufficient data to determine readily the bearing and length of each line. Recorded survey data as required by the city engineer;
 - f. Sufficient primary survey control points;
 - g. Ties to and recording references to adjacent record maps and to section corners, quarter section corners and also to section lines and quarter section lines when adjacent or within the map;
 - h. Centerline data and width of all easements to which the division of land is subject. If the easements are not definitely located by record, a statement as to the easement shall appear on the title sheet of the land division. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual location. Alignment data alongside lot lines of easements shall be provided when not controlled by paralleling lines or centerline. The easement shall be clearly labeled and identified and, if already on record, proper reference to the records given. Easements dedicated in land divisions shall be included in the owner's certificate of dedication. Easements shall be shown on the map by broken lines;
 - i. Clear indication of stakes, monuments or other evidence found on the ground to determine the boundaries of the tract, data to determine physical description, size, ground position, tag number and record reference of survey markers; untagged monuments accepted as control shall be tagged or replaced by the surveyor or engineer making the survey;
 - j. No setback lines shall appear on the final map;
 - k. New street names shown on a land division map must be approved by the city engineer;
 - l. When an environmental constraint sheet is required, a note shall be placed below the surveyor's notes on the final map in one-fourth inch high bold block letters, stating:
ENVIRONMENTAL CONSTRAINT NOTE: Environmental constraint sheet affecting this map is on file in the Office of the City Engineer. This affects Lot Nos. _____ or Parcel No. _____.
 and
 - m. The basis of bearings must be between two found monuments of one record map survey plat or right-of-way map on file and approved by the county surveyor or the city engineer. Replacement monuments may be

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used if the position of the original monuments have been preserved by cross-ties or swing ties acceptable to the city engineer. The bearing and distance of the reference line shall be shown on the map and if the distance is also of record it shall be so stated. If a basis of bearing is not available from a record map then a basis will be, as determined by the city engineer.

- F. Parcel Maps Compiled from Recorded Data. A parcel map of four or less parcels may be compiled from recorded or filed data, if such data is acceptable to the city engineer.
- G. Filing of Final Land Division Maps.
1. After the preliminary final land division map is determined to be correct, the city engineer shall notify the land divider to prepare and submit the original and duplicate original of the final map together with all required agreements for improvements and securities and all other required documents as may be necessary for consideration of the final map. If the final land division map or documents are not determined complete by the city engineer, they shall be returned to the land divider for corrections.
 2. The original and duplicate original map shall be inscribed on polyester base film, including the required signatures, and shall meet the requirement of the city engineer.
- H. Action by the City Engineer.
1. When a Schedule "A," "B," "C," or "D" final tract map and all agreements, securities and other required documents have been submitted and found to be in correct form, the city engineer shall, within twenty (20) days thereafter, file the final map and documents with the city clerk and certify that:
 - a. He has examined the map;
 - b. The land division as shown is substantially the same as it appeared on the tentative map and any approved alterations thereof;
 - c. All provisions of the Subdivision Map Act and all city ordinances applicable at the time of approval of the tentative map have been complied with;
 - d. He is satisfied that the map is technically correct; and
 - e. In the certificate, the city engineer shall state the date of approval of the tentative map and the date of expiration.
 2. When a Schedule "E", "F", "G", "H", or "I" final parcel map and all agreements, securities and other required documents have been submitted and found to be in correct form, the City Engineer shall, within 20 days thereafter, approve the map if it conforms to all the requirements of the Subdivision Map Act and this ordinance applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or, if it does not so conform, disapprove the map; provided, however, that the final map shall not be disapproved due to technical or inadvertent errors which in the opinion of the City Engineer do not materially affect the validity of the map. When the map is approved, the City Engineer may accept or reject dedications and offers of dedication that are made by certificate on such map, and may sign the certificate for the City. The City Engineer shall file the approved map and documents with the City Clerk.
- I. Action by the City Council. The city council, upon filing of a Schedule "A," "B," "C," or "D" map, shall at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it conforms to all the requirements of the Subdivision Map Act and this title applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder, or if it does not so conform, disapprove the map; provided, however, that the final map shall not be disapproved due to technical or inadvertent errors which in the opinion of the city engineer do not materially affect the validity of the map.

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- J. Surveys and Monuments.
1. At the time of making the survey for a final land division map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code and also comply with city standards.
 2. All monuments for final land division maps containing five or more lots, and all Schedule "E" maps regardless of the amount of lots shown on the map, shall be set prior to the recordation of the map unless the land divider executes a secured agreement guaranteeing the setting of the monuments.
 3. All monuments for final land division maps containing four or less lots, except Schedule "E" maps, shall be set prior to the recordation of the map.
- K. Delivery of Final Map to the Recorder.
1. Upon approval by the city council, the city clerk shall certify that all required certificates, security and deposits have been filed and shall transmit the final map to the recorder.
 2. The land developer shall present to the recorder evidence that, at the time of the filing of a final map, the parties consenting to the filing are all of the parties having a record title interest in the real property being divided whose signatures are required, as shown by the records in the office of the recorder; otherwise, the map shall not be filed.
 3. The recorder shall have not more than ten (10) days within which to examine the final land division map and either accept or reject it for filing.
 4. If the recorder accepts the map for filing, such acceptance shall be certified on the face thereof.
 5. The recorder, upon filing the final subdivision map or parcel map, shall attach the recording data to the polyester type film duplicate original and thereupon deliver the same to the city engineer who shall retain custody thereof.
- L. Waived Maps.
1. The waiver of a final map shall only be approved by the city engineer based on the required findings pursuant to Section 66428(b) of the Subdivision Map Act. To allow a waiver, the city engineer shall first determine that the proposed division of land complies with city requirements with respect to area, improvements and design, floodwaters and drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or city ordinances.
 2. The requirement for a tentative parcel map may be waived by the community development director if it is determined by the city engineer that the land division meets the requirements herein for approval of a waiver of the final parcel map and a request for waiver of the tentative parcel map accompanies the request for waiver of the final parcel map.
 3. When a final parcel map has been waived, the city engineer shall distribute copies of the certificate of compliance and waiver of the parcel map to the community development department and file a certificate of compliance with the recorder's office upon payment of the fee set per the city council.
- M. Certificate of Correction of Final Maps. After a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction.
1. Application. The land divider may apply for a certificate of correction upon finding that one or more of the following conditions apply:
 - a. To correct an error in any course or distance shown thereon;
 - b. To show any course or distance that was omitted therefrom;

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- c. To correct an error in the description of the real property shown on the map;
 - d. To indicate monuments set after the death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments;
 - e. To show the proper location or character of any monument which has been changed in location or character and originally was shown at the wrong location or incorrectly as to its character; or
 - f. To correct any other type of map error or omission as approved by the city engineer which does not affect any property right. Such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent record maps. As used in this section, "error" does not include changes in courses or distances from which an error is not ascertainable from the data shown on the final or parcel map.
2. The application for a certificate of correction shall be made to the city engineer upon payment of fees set by the city council and on the forms provided by the city engineer and shall include such information, as required by the city engineer in addition to the following:
 - a. The certificate of correction shall be prepared and signed by a registered civil engineer or licensed land surveyor and shall show in detail the corrections made and show the names of the present fee owners of the property affected by the correction or omission.
 3. Recordation of Certificate of Correction. Once the certificate of correction has been certified by the city engineer, the certificate of correction shall be filed in the office of the county recorder in which the original map was filed. Upon such filing, the county recorder shall index the names of the fee owners and the appropriate tract designation shown on the amended map or certificate of correction in the general index and map index respectively. Thereupon, the original map shall be deemed to give notice of all such corrections in the same manner as though set forth upon the original map.
- N. Amendment of Final Maps.
1. In addition to the amendments authorized by subsection M of this section, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by an amendment of final map.
 2. Application. The land divider may apply for an amendment of final map on the forms provided by the city engineer upon payment of fees as set by the city council and shall include such information, as required by the city engineer.
 3. No amendment of final map shall be approved unless it complies with the following standards:
 - a. There are changes in circumstances which make any or all of the conditions of such a map no longer appropriate or necessary;
 - b. The modifications do not impose any additional burden on the present fee owner of the property;
 - c. The modifications do not alter any right, title, or interest in the real property reflected on the recorded map; and
 - d. The city engineer finds that the map, as modified, conforms to the provisions of Section 9.14.080 of this chapter.
 4. Notice of Hearing. The city engineer shall set the matter for public hearing in accordance with Section 9.02.200 of this title. The hearing shall be confined to consideration of and action on the proposed modification.

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5. Recordation of Amendment of Final Map. When the changes to a final map are in conformance with the standards, the city engineer shall certify to this fact on the amended map.

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DELETING SECTION 3.32.050 (STATUTORY PUBLIC MEETING) FROM CHAPTER 3.32 (FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM) OF TITLE 3 (REVENUE AND FINANCE), AND AMENDING SECTION 8.12.170 (STANDARDS OF CONSTRUCTION) WITHIN CHAPTER 8.12 (FLOOD DAMAGE PREVENTION AND IMPLEMENTATION OF NATIONAL FLOOD INSURANCE PROGRAM (NFIP)) OF TITLE 8 (BUILDINGS AND CONSTRUCTION) OF THE MORENO VALLEY MUNICIPAL CODE

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

WHEREAS, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, morals and/or safety; and

WHEREAS, staff has recommended that the City Council delete Section 3.32.050 in its entirety; and

WHEREAS, staff has recommended that the City Council adopt amendments to Title 8, which include revising certain provisions of Chapter 8.12 Flood Damage Prevention and Implementation of National Flood Insurance Program (NFIP) referred to herein as “PEN22-0232”; and

WHEREAS, staff has determined that PEN22-0232 is consistent with the MOVAL 2040 General Plan and its goals, objectives, policies, and programs, and with any applicable specific plan; and

WHEREAS, staff has further determined that PEN22-0232 will not adversely affect the public health, safety or general welfare; and

WHEREAS, staff has also determined that PEN22-0232 is consistent with the purposes and intent of Titles 3 and 8; and

WHEREAS, staff has determined that PEN22-0232 Amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

Ordinance No. _____
Date Adopted: MONTH DD, YYYY

Attachment: Ordinance XXX - Titles 3 and 8 [Revision 1] (6037 : Winter 2022 Omnibus)

That the above recitals are true and correct and are incorporated herein as though set forth at length herein.

Section 2. AUTHORITY

That this Ordinance is adopted pursuant to the authority granted by Article XI, Section 7 of the Constitution of the State of California and California Government Code Section 37100, and it is not intended to be duplicative of state law, or be preempted by state legislation.

Section 3. AMENDMENT TO SECTION 3.32.050 (STATUTORY PUBLIC MEETING)

That Section 3.32.050 (Statutory Public Meeting) is hereby deleted in its entirety, as set forth in Exhibit A.

Section 4. AMENDMENT TO 8.12.170 STANDARDS OF CONSTRUCTION

Section 8.12.170 Standards of Construction of Chapter 8.12 (Flood Damage Prevention and Implementation of National Flood Insurance Program (NFIP)) of Title 8 (Buildings and Construction) is hereby amended as set forth in Exhibit B.

Section 5. CEQA COMPLIANCE

That PEN22-0232 Amendments are exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

Section 6. FINDINGS

The ordinance is consistent with the City's 2040 General Plan.

Section 7. SEVERABILITY

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

Section 8. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

Ordinance No. ____
Date Adopted: MONTH DD, YYYY

Section 8. EFFECTIVE DATE

That this Ordinance shall take effect thirty (30) days after its second reading.

Section 9. CERTIFICATION

That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

INTRODUCED at a regular meeting of the City Council on ____ __, _____, and PASSED, APPROVED, and ADOPTED by the City Council on _____ __, ____, by the following vote:

Ulises Cabrera, Mayor
City of Moreno Valley

ATTEST:

Jan Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Attachment: Ordinance XXX - Titles 3 and 8 [Revision 1] (6037 : Winter 2022 Omnibus)

Ordinance No. _____
Date Adopted: MONTH DD, YYYY

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. YYYY-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____ day of ____, YYYY, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK _____

(SEAL)

Attachment: Ordinance XXX - Titles 3 and 8 [Revision 1] (6037 : Winter 2022 Omnibus)

Ordinance No. _____
Date Adopted: MONTH DD, YYYY

Exhibit A

~~3.32.050 Statutory public meeting.~~

~~—Pursuant to California Government Code Sections 66016 and 66018, the city clerk shall cause notice to be provided as set forth in Government Code Section 6062a, and the city council periodically, at least annually, shall receive at a regularly scheduled meeting oral and written presentations concerning fees and charges proposed to be increased or added. Such notice, oral and written presentation, and public meeting shall be completed before the city council approves any new or increased fee or charge. At least one such public hearing shall be held annually in accordance with California Government Code Section 66018 in conjunction with the city annual budget process and hearing. (Ord. 372 § 1.2, 1992)~~

Exhibit B

8.12.170 Standards of construction.

In all areas of special flood hazards the following standards are required:

- A. Anchoring. All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- B. Construction Materials and Methods. All new construction and substantial improvement shall be constructed:
 1. With flood resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;
 2. Using methods and practices that minimize flood damage;
 3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located pursuant to the adopted California Building Standards Code so as to prevent water from entering or accumulating within the components during conditions of flooding; and
 4. Within zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.
- C. Elevation and Floodproofing.
 1. Residential Construction. All new construction or substantial improvements of residential structures, shall have the lowest floor, including basement, and all non-flood-resistant building material and all of the structure's support equipment such as, but not limited to, electrical, heating, ventilation ductworks, plumbing, and air conditioning equipment and other service facilities that could be damaged if submerged under water:
 - a. In AE, AH, A1-30 zones, elevated at least one foot above the base flood elevation;
 - b. In an AO zone, elevated at least one foot above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two feet above the highest adjacent grade if no depth number is specified;
 - c. In A zone, without BFEs specified on the FIRM (unnumbered A zone), elevated at least one foot above the base flood elevation; as determined in Section 8.12.140(C).
Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor, and verified by a city official to be properly elevated. Such certification and verification shall be provided to the floodplain administrator.
 2. Nonresidential Construction. All new construction or substantial improvements of nonresidential structures shall either be elevated to conform with Section 8.12.170(C)(1) or:
 - a. Be floodproofed, together with attended utility and sanitary facilities, below the elevation recommended under Section 8.12.170(C)(1), so that the structure is watertight with walls substantially impermeable to the passage of water;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c. Be certified by a registered civil engineer or architect that the standards of Sections 8.12.170(C)(2)(a) and (b) are satisfied. Such certification shall be provided to the floodplain administrator.
 3. Flood Openings. All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must exceed the following minimum criteria:
 - a. For nonengineered openings:

Exhibit B

- i. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - ii. The bottom of all openings shall be no higher than one foot above grade;
 - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater; and
 - iv. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or
 - v. Be certified by a registered civil engineer or architect.
 - vi. Manufactured homes. See Section 8.12.200.
 - vii. Garages and low cost accessory structures.
4. Attached Garages.
- a. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See Section 8.12.170(C)(3). Areas of the garage below the BFE must be constructed with flood resistant materials. See Section 8.12.170(B).
 - b. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA Technical Bulletin TB-6.
5. Detached Garages and Accessory Structures.
- a. "Accessory structures" used solely for parking (two-car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Section 8.12.050, may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:
 - i. Use of the accessory structure must be limited to parking or limited storage;
 - ii. The portions of the accessory structure located below the BFE must be built using flood-resistant materials;
 - iii. The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;
 - iv. Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;
 - v. The accessory structure must comply with floodplain encroachment provisions in Section 8.12.220; and
 - vi. The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with Section 8.12.170(C)(3).
 - b. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 8.12.170.



Report to City Council

TO: Mayor and City Council

FROM: Steve Quintanilla, Interim City Attorney

AGENDA DATE: December 20, 2022

TITLE: CENSURE RESOLUTION

RECOMMENDED ACTION

Recommendation:

1. That the City Council take whatever action it deems necessary under the circumstances.

SUMMARY

At the November 1, 2022 City Council Regular Meeting, Council Member Elena Baca-Santa Cruz made a motion to add a proposed resolution of censure of Council Members Ulises Cabrera and David Marquez to a future agenda, for their participation in the appointment of Dolores Ladonna Jempson ("Ms. Jempson") to the City Council on October 19 2021 in violation of the Brown Act, which was seconded by Mayor Pro Tem Ed Delgado, and approved on a 3-2 vote with Mayor Dr. Yxstian Gutierrez, Mayor Pro Tem Delgado and Council Member Baca-Santa Cruz voting yes, and Council Members Cabrera and Marquez voting no.

Again, this censure is related to the October 19, 2021 appointment of Ms. Jempson to fill the District 1 Council Member vacancy resulting from the October 5, 2021 passing of the late Mayor Pro Tem/District 1 Council Member Victoria Baca.

SUMMARY OF FACTS

On the October 19, 2021 City Council Regular Meeting agenda, the following item appeared on the "General Business" calendar:

- G.2. CITY COUNCIL DIRECTION REGARDING FILLING CITY COUNCIL DISTRICT 1 VACANCY (Report of: City Clerk)

Recommendations: That the City Council:

1. Direct the City Clerk to prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council.

OR

2. Direct the City Clerk to prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.

The Staff Report for the above item, as prepared by the City Clerk, recommended that the City Council consider the same actions that appeared in the agenda as Item G.2 on the General Business Calendar. On October 19, 2021, there were only three members on the City Council which consisted of Mayor Gutierrez, and Council Members Cabrera and Marquez.

According to Section 36810 of the California Government Code and Section 3.3.1 of the "Rules of Procedure for Council Meetings and Related Functions and Activities," ("Rules of Procedure") since there were only three council members, two of the three would be sufficient to establish a quorum for purposes of calling the October 19, 2021 City Council Regular Meeting to order. Incidentally, under Chapter 13 (Quorum) of the Standard Code of Parliamentary Procedure, it provides that "[i]n computing a quorum, only members in good standing are counted."

In light of the "quorum" rules, as set forth in the California Government Code, the Rules of Procedure, and the Standard Code of Parliamentary Procedure, it was clear that as of October 19, 2021, since there were only three council members on the City Council, two of the three constituted the necessary quorum for calling the October 19, 2021 City Council Regular Meeting to order. However, while the Rules of Procedure provides that "a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend," certain types of actions require three affirmative votes. For instance, the Rules of Procedure require three affirmative votes for "orders or appropriations for payment or expenditure of money" and the appointment of the mayor pro tem. As such, before the October 19, 2021 City Council Regular Meeting was called to order, it was recommended by the Interim City Attorney, City Manager, Assistant City Manager/Chief Financial Officer/City Treasurer, and City Clerk, that certain items requiring three affirmative votes be removed from the October 19, 2021 City Council Regular Meeting agenda which included those items involving the expenditure of money and the appointment of the mayor pro tem.

General Business Item G.2, however, remained on the October 19, 2021 City Council Regular Meeting agenda since it was determined by the City Clerk that there would be no “Fiscal Impact” related to the City Clerk simply seeking direction on whether to proceed with preparing the necessary documents for either appointing or calling a special election to fill the District 1 City Council vacancy. Despite the foregoing, according to the minutes of the October 19, 2021 meeting, Council Member Marquez moved to appoint Ms. Jempson, which was seconded by Council Member Cabrera, after which former City Clerk Jacquez-Nares administered the oath to Ms. Jempson and Ms. Jempson took her seat on the dais.

It is important to note that the situation described above was different from the action recommended and taken at the September 14, 2013 City Council meeting at which the following appeared on the agenda:

G.1 CONSIDER THE PROCEDURAL OPTIONS TO FILL THE VACANCY ON THE COUNCIL IN DISTRICT 4 AND TAKE POSSIBLE ACTION TO FILL THE VACANCY
(Report of: City Attorney Department)

Recommendations ***That the City Council:*** Consider the various procedural options to fill the vacant Council seat in District 4 and ***take possible action to fill the vacancy by appointment or by calling for an election.***

The September 24, 2013 minutes reflect that former Council Member Tom Owings opened agenda item G.1 for public comments, after which former Council Member Victoria Baca made a “Motion to approve Dr. Yxstian Gutierrez to the City Council of the City of Moreno Valley to fill the unexpired term of resigned Council Member Co to end December 9, 2014,” which was seconded by former Council Member Jesse Molina, and which was “Approved by a vote of 3-1, Council Member Richard A. Stewart opposed.” This action was consistent with the recommendation to “take possible action to fill the vacancy by appointment or by calling for an election.”

CURE AND CORRECT DEMANDS

On October 22, 2021, the Assistant General Counsel of Californians Aware sent a letter (via email) to Mayor Gutierrez, and Council Members Cabrera and Marquez which was labeled as follows: Brown Act Demand for Cure and Correction (Gov’t. Code §§ 54960, 54960.1 & 54960.2) AND Public Records Act Request (Gov’t. Code § 6250, et seq.). The Californians Aware letter alleged that the action taken on October 19, 2021 to appoint Ms. Jempson to the District 1 seat on Moreno Valley City Council violated the Brown Act since the action taken was not listed on the agenda as one of recommended actions.

Also on October 22, 2021, the Law Offices of Stone Busailah, LLP on behalf of Moreno Valley resident Robert Palomarez, submitted a Cease and Desist letter to the City Council alleging that the City Council violated the Brown Act when it appointed

Ms. Jempson on October 19, 2021 since the action taken was not listed on the agenda as one of the recommended actions.

Thereafter, on November 11, 2021, the City was served with a Petition for Writ of Mandate and Complaint for Declaratory Relief (“Lawsuit”) on behalf of Moreno Valley resident Robert Palomarez challenging the appointment of Ms. Jempson to the City Council in part because the action taken to appoint Ms. Jempson was not listed on the agenda as one of the recommended actions, which the Lawsuit alleges was a violation of the Brown Act.

Finally, on November 18, 2021, a letter addressed to the “Moreno Valley City Council” was received from Assistant District Attorney Elaina Bently on behalf of Michael Hestrin, District Attorney for the County of Riverside (“D.A.’s Letter”). The D.A.’s Letter stated as follows:

“The Riverside County District Attorney's Office has received multiple requests to investigate a substantial violation of a central provision of the Ralph M. Brown Act and Article I, which may jeopardize the finality of the action taken by the Moreno Valley City Council at a meeting that occurred on October 19, 2021.

In its meeting on October 19, 2021, the Moreno Valley City Council took action to appoint LaDonna Jempson to the vacant City Council seat from District 1. The appointment occurred upon a motion made by Councilmember David Marquez and was seconded by City Councilmember Ulises Cabrera. The vote was unanimous 2-0, in favor of appointment. The appointment did not appear on the agenda for the meeting.”; and

The D.A.’s letter further stated that pursuant to Government Code Section 54954.2(a)(3), a legislative body is specifically barred from taking any action or engaging in any discussion regarding any matter that does not appear on the posted agenda. Specifically, Government Code Section 54954.2(a)(3) provides in part as follows:

“No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”

The District Attorney’s legal analysis concluded that the City Council's vote to fill the vacant District 1 seat on October 19, 2021, constituted a clear violation of the Brown Act, since a vote was taken despite inadequate public notice of the vote to the public on the posted agenda for the meeting, and there was no finding of fact by the City Council that urgent action was necessary on a matter unforeseen at the time the agenda was posted as an exception to the notice requirement.

In summary, Californians Aware, Robert Palomarez and the Riverside County District Attorney have each opined that the action taken by Council Members Cabrera and Marquez to appoint Ms. Jempson to fill the District 1 council seat was in violation of the Brown Act which prohibits taking any action on a matter that is not on the posted agenda, unless a bona fide exemption exists. The October 19, 2021 action was also a violation of the City's Rules of Procedure which require any item involving the expenditure of money be approved by three affirmative votes.

LEGAL ANALYSIS

1. Censure

The ability to censure a co-member of a legislative body is an inherent power of a legislative body. (*Whitener v. McWatters*, 112 F.3d 740 (4th Cir. 1997)) "Censure" is defined in part as "an official reprimand or condemnation." *Black's Law Dictionary* (11th ed. 2019). A censure is an expression of disapproval by a majority of the legislative body of the conduct of one of its members. (*Phelan v. Laramie Cty. Cmty. Coll. Bd. of Trs.*, 235 F.3d 1243 (10th Cir. 2000); *Braun v. City of Taft*, 154 Cal. App. 3d 332, 201 Cal. Rptr. 654 (1984).) Aside from an expression of disapproval, a censure alone carries no legal effect or penalty. (*Phelan, supra*) Moreover, a censure proposal should be focused on council member conduct, so as not to infringe on a council member's protected free speech rights. (*Richard v. City of Pasadena*, 889 F. Supp. 384 (1995).)

The contents of a censure have also been deemed by the California Court of Appeal to be insulated from any claims of defamation, since statements and opinions expressed in the context of a City Council meeting are subject to legislative immunity. (*Braun, supra*.) In short, a censure can take the form of a reprimand or condemnation, etc. which the courts will treat merely as an opinion of a majority of the City Council that is both protected from claims of defamation and an expression of the City Council's right to free speech.

There are no state laws that specifically address the censure process. However, Ordinance No. 988, which was adopted by the City Council on July 5, 2022, includes as one of the Mayor's duties, "*Approving all censures of any council member who has committed any crimes of moral turpitude or violated any city policies or regulations, subject to a majority vote of the city council.*" Although it is clear that no crime of moral turpitude has been committed, it appears that the basis for a censure in this case would be over a violation of any City policies or regulations.

2. Due Process

While under existing law, a formal censure process is not required, a council member subject to censure should be afforded with some due process, which may consist of simple notice of the potential censure and an opportunity to be heard prior to the imposition of a censure. In other words, while only minimal due process standards may apply, a council member who may be faced with the possibility of a censure should be

provided with notice and an opportunity to refute the allegations. (*Rodriguez (Michael) v. Jurupa Unified Sch. Dist.*, No. S186503, 2010 Cal. LEXIS 11846 (2010))

In this case, sufficient notice of this Censure Resolution was provided to Council Members Cabrera and Marquez in light of the vote that was taken at the November 1, 2022 City Council Regular Meeting, at which Council Member Baca-Santa Cruz made a motion to add the censure of Council Members Cabrera and Marquez to a future agenda, which was seconded by Mayor Pro Tem Delgado, and approved on a 3-2 vote with Mayor Gutierrez, Mayor Pro Tem Delgado and Council Member Baca-Santa Cruz voting yes, and Council Members Cabrera and Marquez voting no. Notice of this Censure Resolution was also listed on the agenda for the December 6, 2022 City Council Regular Meeting agenda which was posted and distributed at least 72 hours before the December 6, 2022 meeting.

3. City Policies

The City has two policies that may be relevant to the matter at hand: 1) the Rules of Procedure and the 2) the Standards of Ethics which are contained in the City's Administrative Policies, both of which were approved and adopted by the City Council.

- Section 3.3.2. (Matters Requiring Three Votes) of the Rules of Procedure require three affirmative votes for: (a) adoption of ordinances; (b) resolutions granting franchises, (c) resolutions amending the general plan; and (d) **orders or appropriations for payment or expenditure of money.**
- The City's Standards of Ethics as set forth in Personnel Policy # 5.04 of the City's Administrative Policies which were established as guidelines for ethical standards of conduct expects each council member to comply with the City's Standards of Ethics by observing the highest standards of ethics and discharging faithfully the duties of their offices regardless of personal considerations, while recognizing that the public interest must be their primary concern; and
- The City's Standards of Ethics as set forth in Personnel Policy # 5.04 of the City's Administrative Policies which provides that council members are required to conduct themselves with honesty and integrity in order to maintain public confidence in their performance and maintain public trust in the City of Moreno Valley.

4. Scope of Censure

As discussed above, a censure can take the form of a reprimand or condemnation, etc. which the courts will treat merely as an opinion of a majority of the City Council. However, a censure proposal should be focused on a council member's conduct, so as not to infringe on a council member's protected free speech rights. (*Richard v. City of Pasadena* (1995) 889 F.Supp. 384. In addition, it is important to note that a censure is an expression by the city council of their opinion of inappropriate conduct, but it is not a

formal legal finding of wrongdoing. (*Little v. City of N. Miami*, 805 F.2d 962 (11th Cir. 1986) [censure is a city council's opinion regarding the propriety of a person's activity].)

The intent and purpose (scope) of this Censure Resolution is to express the City Council's opinion that Council Members Cabrera and Marquez engaged in inappropriate conduct when they voted to appoint Ms. Jempson to the vacant District 1 Council seat inconsistent with the provisions of the Rules of Procedure and the Brown Act, which is viewed by some as sufficient for the City Council finding and determining that such conduct is wholly inconsistent and in conflict with, and thus a violation, of the following City policies:

Section 3.3.2. Matters Requiring Three Votes of the Rules of Procedure for Council Meetings and Related Functions and Activities which require three affirmative votes for orders or appropriations for payment or expenditure of money.

The City's Standards of Ethics as set forth in Personnel Policy # 5.04 of the City's Administrative Policies which were established as guidelines for ethical standards of conduct and expects each council member to comply with the City's Standards of Ethics by observing the highest standards of ethics and discharging faithfully the duties of their offices regardless of personal considerations, while recognizing that the public interest must be their primary concern; and

The City's Standards of Ethics as set forth in Personnel Policy # 5.04 of the City's Administrative Policies which provides that council members are required to conduct themselves with honesty and integrity in order to maintain public confidence in their performance and maintain public trust in the City of Moreno Valley.

In light of the foregoing, it has been recommended that Council Members Cabrera and Marquez receive, in addition to the AB 1234 Biennial Two-Hours Ethics Training required of council members in California, at least one hour of training related to the application of the Brown Act and at least one hour of training regarding general parliamentary procedures, from any source sponsored, authorized, approved or supported by the League of California Cities and/or the Institute for Local Government. It is also recommended that the City Attorney's Office be directed to submit a copy of the Censure Resolution and related documents to the Riverside County Grand Jury with a request that the Grand Jury review the matter and provide any recommendations it deems relevant and/or necessary.

PREPARATION OF STAFF REPORT

Prepared By:
Steve Quintanilla
Interim City Attorney

Department Head Approval:
Steve Quintanilla
Interim City Attorney

CITY COUNCIL GOALS

To observe the highest standards of ethics and discharging faithfully the duties of a council member regardless of personal considerations, while recognizing that the public interest must be their primary concern.

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

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

- 1. 2021 BROWN ACT VIOLATION PRESENTATION [FINAL]
- 2. Nov 1 Summary Report
- 3. Censure Resolution - Cabrera & Marquez (12.07.2022)

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/14/22 6:27 PM
City Attorney Approval	<u>✓ Approved</u>	12/14/22 5:06 PM
City Manager Approval	<u>✓ Approved</u>	12/15/22 8:48 AM

2021

**Ralph M. Brown Act Violation Proceedings
&
Demands to Cure and Correct Ralph M. Brown Act Violation**

October 6, 2021

Passing of the late Mayor Pro Tem
District 1 Council Member Victoria Baca

October 19, 2021

Appointment of LaDonna Jempson to fill the District 1 Council Member Vacancy

APPLICABLE LAWS, RULES AND REGULATIONS

Ralph M. Brown Act

Political Reform Act

Fair Political Practices Commission Regulations

Moreno Valley Municipal Code

California Government Code

California Elections Code

Rules of Procedure for Council Meetings and Related Functions and Activities

Standard Code of Parliamentary Procedure

Ralph M. Brown Act

**City Council Meetings Must Be Open and Public
With Some Exceptions**

Topics

What constitutes a meeting

Prohibited meetings

Agenda Requirements

Quorum

Voting Requirements

Public Comments

Remedies for Brown Act Violations

Political Reform Act

TOPICS

Financial Conflicts of Interests

Disclosure of Economic Interests

Prohibitions on Participating in Making Decisions

Fair Political Practices Commission Regulations

PURPOSE

To Implement the Political Reform Act

Forms

Regulations

Recusals

Opinions

Advice Letter Summaries

California Government Code

Ralph M. Brown Act

Political Reform Act

Vacancies on the City Council

Filling Vacancies on the City Council

City Council Voting Requirements

Etc.

California Elections Code

All Election Issues
Calling Special Elections
Regular Election Dates
Candidacy Issues

Moreno Valley Municipal Code

District Elections

Number of Council Members

Council Member Compensation and Reimbursement

Requires City Council to Adopt Rules of Procedure

Conduct of Meetings, Related Functions, Activities And Regulations

*Rules of Procedure for Council Meetings
and
Related Functions and Activities*

TOPICS

Quorum Requirements

Voting Requirements

Calling Special Meetings

Placing Items on Future Agendas

Etc.

Standard Code of Parliamentary Procedure

Intended Purpose

Guide

Absence of a Rule or a Written Policy Adopted by the City Council

To

Govern a Particular Point or Procedure

Approximately 285 Pages

BACKGROUND

VACANCY CREATED ON CITY COUNCIL

OCTOBER 6, 2021

Passing of Mayor Pro Tem/City Council Member Victoria Baca

California Government Code Section 1770(a)

Office Becomes Vacant Upon The Death Of A Sitting Council Member

STATE LAW REGARDING FILLING VACANCIES

California Government Code Section 36512(b)

*Within 60 days of the Occurrence of a Vacancy on the City Council
City Council Must Fill the Vacancy
Either By Appointment Or By Calling A Special Election.*

Deadline

City Council had Until

December 5, 2021

To Appoint or Call a Special Election

OCTOBER 19, 2021
COUNCIL MEETING

JUST 3 MEMBERS ON COUNCIL

1.
Mayor Gutierrez

2.
District No. 3
Council Member Marquez

3.
District No. 4
Council Member Cabrera

QUORUM

**California Government Code
Section 36810**

A majority of the City Council constitutes a quorum for transaction of business.

QUORUM

Rules of Procedure for Council Meetings

Section 3.3.1

MAJORITY QUORUM AND MAJORITY VOTE

Unless otherwise provided for in the Municipal Code or by state law, a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend.

OCTOBER 19 REGULAR COUNCIL MEETING CALLING MEETING TO ORDER

ONLY TWO ATTENDED

REMEMBER

2 OUT OF 3 = QUORUM

COUNCIL MEMBER MARQUEZ
COUNCIL MEMBER CABRERA

VOTING REQUIREMENTS

ONLY TWO COUNCIL MEMBERS AT MEETING

2 – 0
VOTE

OK

ITEMS THAT DO NOT SPECIFICALLY REQUIRE 3 AFFIRMATIVE VOTES

Rules of Procedure for Council Meetings

Section 3.3.1

MAJORITY QUORUM AND MAJORITY VOTE

Motions May Be Passed 2-1 If Only 3 Attend

RULES OF PROCEDURE FOR COUNCIL MEETINGS

Section 3.3.2.

MATTERS REQUIRING THREE VOTES.

“The following matters, however, require three affirmative votes: (a) adoption of ordinances; (b) resolutions granting franchises, (c) resolutions amending the general plan; and (d) orders or appropriations for payment or expenditure of money.”

3 AFFIRMATIVE VOTES REQUIRED

1

Ordinances

2.

Franchises

3

General Plan Amendments

4

Orders Or Appropriations

For Payment Or Expenditure Of Money

3 AFFIRMATIVE VOTES REQUIRED APPOINTMENT OF MAYOR PRO TEM

Rules of Procedure for Council Meetings
Section 4.1.3.
Selection Process

Nominations for the office Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective.

Appointment shall be by three or more affirmative votes.

•

OCTOBER 19 AGENDA ITEMS REMOVED

REQUIRED THREE AFFIRMATIVE VOTES

A-5 PAYMENT REGISTER- AUGUST 2021

A-7 AWARD A CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT

A-8 ACCEPTANCE OF LOCAL ROADWAY SAFETY PLAN GRANT FUNDING

A-9 AWARD AN AGREEMENT TO FEHR & PEERS FOR THE LOCAL ROADWAY SAFETY

A-11 ACCEPT AND RECEIVE A GRANT AWARD FROM THE CALIFORNIA STATE LIBRARY

B-4 AWARD A CONSTRUCTION CONTRACT TO MUSCO SPORTS LIGHTING,

&

G-3 SELECTION OF MAYOR PRO TEM

October 19, 2021 City Council Meeting Agenda

GENERAL BUSINESS CALENDAR

G.2.

CITY COUNCIL DIRECTION REGARDING FILLING CITY COUNCIL DISTRICT 1 VACANCY

(Report of City Clerk)

RECOMMENDATIONS

That the City Council:

- 1. Direct the City Clerk to prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council.*

OR

2. *Direct the City Clerk to prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.*

**ACTION TAKEN
AT
OCTOBER 19 MEETING**

ONLY TWO COUNCIL MEMBERS PRESENT

Motion to Appoint Dolores LaDonna Jempson

BROWN ACT

APPOINTMENT OF A COUNCIL MEMBER WAS NOT ON THE AGENDA

Government Code Section 54954.2(a)(3)

“No action or discussion shall be undertaken on any item not appearing on the posted agenda”

URGENCY ITEMS EXCEPTION

RULES OF PROCEDURES

Section 3.3.2.

MATTERS REQUIRING THREE VOTES.

Orders Or Appropriations For Payment Or Expenditure Of Money

For Payment Or Expenditure Of Money???

Council Member Compensation & Benefits

Motion to Appoint Dolores LaDonna Jempson

MOTION

Council Member Marquez

SECOND

Council Member Cabrera

ABSENT:

Mayor Gutierrez

2013 Mayor's Seat Became Vacant

FORMER MAYOR TOM OWING

CORRUPTION PROBE

Federal Bureau of Investigation
Internal Revenue Service
Riverside County District Attorney's Office

SEPTEMBER 14, 2013
CITY COUNCIL MEETING

APPOINTMENT OF GUTIÉRREZ TO THE COUNCIL

CONSIDER THE PROCEDURAL OPTIONS TO FILL THE VACANCY ON THE COUNCIL
IN DISTRICT 4 AND TAKE POSSIBLE ACTION TO FILL THE VACANCY

(Report of: City Attorney Department)

Recommendations That the City Council: Consider the various procedural options to fill the vacant Council seat in District 4 and **take possible action to fill the vacancy by appointment or by calling for an election.**

SEPTEMBER 14, 2013
CITY COUNCIL MEETING
4 COUNCIL MEMBERS PRESENT

“Motion to appoint Dr. Yxstian Gutierrez to the City Council”

Motion
Council Member Victoria Baca

Second
Council Member Jesse Molina

“Approved by a vote of 3-1, Council Member Richard A. Stewart opposed.”

Council Member Tom Owings Voted Yes

SEPTEMBER 14, 2013
CITY COUNCIL MEETING

APPOINTMENT OF GUTIERREZ TO THE COUNCIL
PERMISSIBLE ACTION

Recommendations That the City Council: Consider the various procedural options to fill the vacant Council seat in District 4 and **take possible action to fill the vacancy by appointment or by calling for an election.**

OCTOBER 22, 2021
Law Offices Of Stone Busailah
REPRESENTING
ROBERT PALOMAREZ
CEASE AND DESIST LETTER

ALLEGATION

City Council violated the Ralph M. Brown Act when it appointed LaDonna Jempson to the City Council at the October 19, 2021 City Council meeting.

•

ROBERT PALOMAREZ
CEASE AND DESIST LETTER

Government Code Section 54954.2(a)(3)

The Brown Act proscribes an act taken or discussion about any item not appearing on the posted agenda.

OCTOBER 22, 2021

CALIFORNIANS AWARE
PUBLIC FORUM RIGHTS

BROWN ACT CURE AND CORRECT LETTER

Allegation

Brown Act Violation

*Must Refrain From Taking Action On Items
Not Listed On The Posted Agenda.*

Government Code Section 54954.2

NOVEMBER 18, 2021
RIVERSIDE COUNTY DISTRICT ATTORNEY
BROWN ACT CURE AND CORRECT LETTER

“The appointment did not appear on the agenda for the meeting.”

Government Code Section 54954.2(a)(3)

“Bars any action or discussion by a legislative body that does not appear on the posted agenda.”

Three
Demand Letters to Cure and Correct
Brown Act Violation

CALIFORNIANS AWARE

ROBERT PALOMAREZ

RIVERSIDE COUNTY DISTRICT ATTORNEY

ALL CITE GOVERNMENT CODE SECTION 54954.2

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

CURE AND CORRECT

**Government Code
Section 54960.1**

30 Days to Cure and Correct

If Cure and Correct Does Not Occur Within 30 Day Period

15 Days To File A Brown Act Violation Lawsuit Against The City

**OCTOBER 27, 2021
SPECIAL CITY COUNCIL MEETING
ATTEMPT TO CURE AND CORRECT**

BUSINESS CALENDAR

A.1 REQUEST TO PLACE ON A FUTURE AGENDA THE RESCISSION OF THE DECISION TO APPOINT DOLORES LADONNA JEMPSON TO FILL THE VACANCY OF THE CITY COUNCIL FOR DISTRICT 1 IN RESPONSE TO THE “BROWN ACT DEMAND FOR CURE AND CORRECTION” LETTER, DATED OCTOBER 22, 2021, FROM CALIFORNIANS AWARE, THE CENTER FOR PUBLIC FORUM RIGHTS;

A.2 REQUEST TO PLACE ON A FUTURE AGENDA THE CONSIDERATION OF A PROCESS, APPOINTMENT OR ELECTION, TO FILL VACANCY OF THE CITY COUNCIL FOR DISTRICT 1; and

A.3 REQUEST TO PLACE ON A FUTURE AGENDA THE CONSIDERATION OF APPOINTMENT TO FILL COUNCIL SEAT FOR DISTRICT 1, INCLUDING SWEARING IN OF THE SUCCESSFUL CANDIDATE.

Attachment: 2021 BROWN ACT VIOLATION PRESENTATION [FINAL] (6034 : CENSURE RESOLUTION)

OCTOBER 27, 2021
SPECIAL CITY COUNCIL MEETING
ATTEMPT TO CURE AND CORRECT

PRESENT AT SPECIAL MEETING

**GUTIERREZ
MARQUEZ
CABRERA
JEMPSON**

OCTOBER 27, 2021
SPECIAL CITY COUNCIL MEETING
ATTEMPT TO CURE AND CORRECT

**QUORUM = 3 COUNCIL MEMBERS
TO CALL MEETING TO ORDER**

**MAJORITY = 3 COUNCIL MEMBERS
TO TAKE ACTION**

OCTOBER 27, 2021
SPECIAL CITY COUNCIL MEETING
ATTEMPT TO CURE AND CORRECT

JEMPSON RECUSES DUE TO CONFLICT OF INTEREST

LEAVES THREE COUNCIL MEMBERS

MAYOR EXITS MEETING

LEAVES TWO COUNCIL MEMBERS

LOST QUORUM

MEETING ADJOURNED DUE TO LACK OF QUORUM

CURE AND CORRECT DEADLINES

NOVEMBER 21, 2021

CALIFORNIANS AWARE

ROBERT PALOMAREZ

&

DECEMBER 18, 2021

RIVERSIDE COUNTY DISTRICT ATTORNEY

LAWSUIT FILED AGAINST CITY Robert Palomarez

Challenged Appointment Because It Did Appear On October 19 Agenda

November 12, 2021 – Emergency Hearing

Plaintiff try to convince the Court to immediately remove Ms. Jempson from the City Council pending the outcome of the trial.

Court did not have sufficient time to thoroughly review the Plaintiff's moving papers since the previous day was a Court holiday (Veterans Day).

Judge continued the Ex Parte Hearing to the morning of November 16, 2021

City and Plaintiff agreed to continue November 19, 2021

Day After November 18 Special Meeting

NOVEMBER 18, 2021
CITY COUNCIL SPECIAL MEETING
CURE AND CORRECT RESOLUTIONS

CALIFORNIANS AWARE

A.2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, **CURING AND CORRECTING**, PURSUANT TO SECTIONS 54960, 54960.1 AND 54960.2 OF THE CALIFORNIA GOVERNMENT CODE, THE ALLEGED BROWN ACT VIOLATIONS DESCRIBED IN THE LETTER, DATED OCTOBER 22, 2021, RECEIVED FROM **CALIFORNIANS AWARE**.

Recommendation: That the City Council: 1. Approve and Adopt A Resolution Of The City Council Of The City Of Moreno Valley, California, **Curing And Correcting**, Pursuant To Sections 54960, 54960.1 And 54960.2 Of The California Government Code, The Alleged Brown Act Violations Described In The Letter, Dated October 22, 2021, Received From **Californians Aware**.

INVALIDATED JEMPSON APPOINTMENT
APPROVED BY COUNCIL

**NOVEMBER 18, 2021
CITY COUNCIL SPECIAL MEETING
CURE AND CORRECT RESOLUTIONS**

ROBERT PALOMAREZ

A.3. A **RESOLUTION** OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, **CURING AND CORRECTING**, PURSUANT TO SECTIONS 54960, 54960.1 AND 54960.2 OF THE CALIFORNIA GOVERNMENT CODE, THE ALLEGED BROWN ACT VIOLATIONS DESCRIBED IN THE LETTER, DATED OCTOBER 22, 2021, RECEIVED FROM **ROBERT PALOMAREZ**.

Recommendation: That the City Council: 1. Approve and Adopt A **Resolution** Of The City Council Of The City Of Moreno Valley, California, **Curing And Correcting**, Pursuant To Sections 54960, 54960.1 And 54960.2 Of The California Government Code, The Alleged Brown Act Violations Described In The Letter, Dated October 22, 2021, Received From **Robert Palomarez**.

**INVALIDATED JEMPSON APPOINTMENT
APPROVED BY COUNCIL**

Attachment: 2021 BROWN ACT VIOLATION PRESENTATION [FINAL] (6034 : CENSURE RESOLUTION)

DECEMBER 7, 2021 REGULAR CITY COUNCIL MEETING CURE AND CORRECT

RIVERSIDE COUNTY DISTRICT ATTORNEY’S OFFICE

G.3. A **RESOLUTION** OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, **CURING AND CORRECTING**, PURSUANT TO SECTIONS 54960, 54960.1 AND 54960.2 OF THE CALIFORNIA GOVERNMENT CODE, THE ALLEGED BROWN ACT VIOLATIONS DESCRIBED IN THE LETTER, RECEIVED ON NOVEMBER 18, 2021, FROM THE **RIVERSIDE COUNTY DISTRICT ATTORNEY’S OFFICE** (Report of: City Attorney)

Recommendations: That the City Council: Approve and Adopt a **Resolution** of the City Council of the City of Moreno Valley, California, **Curing and Correcting**, pursuant to Sections 54960, 54960.1 and 54960.2 of the California Government Code, the alleged Brown Act violations described in the letter, dated November 18, 2021, received from **Riverside County District Attorney**

INVALIDATED JEMPSON APPOINTMENT

APPROVED BY COUNCIL

**DECEMBER 7, 2021
REGULAR CITY COUNCIL MEETING

CALL OF SPECIAL ELECTION**

G.2. ADOPTION OF RESOLUTIONS CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION FOR APRIL 12, 2022 TO FILL THE DISTRICT 1 CITY COUNCIL VACANCY, REQUESTING CONSOLIDATION AND ESTABLISHING REGULATIONS AND COSTS FOR CANDIDATE STATEMENTS (Report of: City Clerk)

Recommendations: That the City Council: 1. Adopt Resolution No. 2021-XX, a Resolution of the City Council of the City of Moreno Valley, California, calling and giving notice of a Special Municipal Election to be held in the City of Moreno Valley on Tuesday, April 12, 2022, to fill the District 1 City Council vacancy, and requesting that the Board of Supervisors of the County of Riverside consolidate the Special Municipal Election with any other election to be held on that same date. -14- 2. Adopt Resolution No. 2021-XX, a Resolution of the City Council of the City of Moreno Valley, California, establishing regulations pertaining to materials for candidates and costs pertaining to candidate statements submitted to the voters.

APPROVED BY COUNCIL

The End



Report to City Council

TO: Mayor and City Council

FROM: Steve Quintanilla, Interim City Attorney
Steve Quintanilla, Interim City Attorney

AGENDA DATE: November 1, 2022

TITLE: SUMMARY REPORT OF 2021 BROWN ACT VIOLATION PROCEEDINGS RELATED TO APPOINTMENT OF LA DONNA JEMPSON TO THE CITY COUNCIL

RECOMMENDED ACTION

RECOMMENDED ACTION

1. That the City Council receive and file this Summary Report and take whatever additional action it deems necessary under the circumstances.

BACKGROUND

At the October 18, 2022, regular City Council meeting, Council Member Elena Baca-Santa Cruz requested that this item be placed on the next City Council meeting agenda. However, since her request was not presented in the form of a motion, there was no second and no vote taken on her request to add this item as future agenda item. Pursuant to Section 3.1 AGENDA ITEMS of the Rules of Procedure for Council Meetings and Related Functions and Activities, "Items may also be placed on the agenda of any regular, special meeting, or study session with the consent of a majority of the City Council obtained during a public meeting of the City Council."

Notwithstanding the above, the Mayor subsequently placed the item on the agenda for the City Council's consideration. The Mayor was authorized to place this item on the agenda pursuant to Section 3.1 AGENDA ITEMS which also provides that "Items may be placed on the agenda of any regularly scheduled meeting of the City Council by the Mayor"

PURPOSE

Attachment: Nov 1 Summary Report (6034 : CENSURE RESOLUTION)

The purpose of this staff report is to provide a summary of the proceedings related to the Demands to Cure and Correct the alleged Ralph M. Brown Act violations related to the October 19, 2021, appointment of LaDonna Jempson to fill the District 1 Council Member vacancy, resulting from the October 5, 2021 passing of the late Mayor Pro Tem/District 1 Council Member Victoria Baca. The City was served with several of these Demands by Assistant District Attorney Elaina Bently on behalf of Michael Hestrin, District Attorney for the County of Riverside, Assistant General Counsel Shaila Nathu on behalf of Californians Aware - The Center for Public Forum Rights, and the Law Offices of Stone Busailah, LLP on behalf of Moreno Valley resident Robert Palomarez.

OCTOBER 6, 2021 - VACANCY CREATED ON CITY COUNCIL

On October 6, 2021, the District 1 City Council seat became “vacant” by the unexpected passing of the late Mayor Pro Tem/Council Member Victoria Baca. Earlier in 2021, the District 2 City Council seat became “vacant” by the unexpected passing of the late Council Member Dr. Carla Thornton. A Special Election was called for November 9, 2021, to fill the vacant District 2 seat. Due to the passing of the two Council Members, this meant that on the day of October 19, 2022, the City Council had only three members: Mayor Dr. Yxstian Gutierrez, District 3 Council Member David Marquez and District 4 Council Member Ulises Cabrera.

OCTOBER 19, 2021 – CITY COUNCIL AGENDA ITEMS

On October 19, 2021, after the passing of Mayor Pro Tem/Council Member Victoria Baca, a regular City Council meeting was held. Included on the “General Business” calendar of the October 19, 2021 Agenda, was the following item:

G.2. CITY COUNCIL DIRECTION REGARDING FILLING CITY COUNCIL DISTRICT 1 VACANCY (Report of: City Clerk)

Recommendations: That the City Council:

1. Direct the City Clerk to prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council.

OR

2. Direct the City Clerk to prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.

For this item, the City Clerk prepared a Staff Report which was included in the October 19, 2021 agenda packet. As described in the Staff Report, under the particular circumstances, within 60 days of a vacancy (caused by the death of a Council Member), the City Council must either: (1) appoint someone to fill the vacancy until the person elected to fill the District 1 seat at the City's General Municipal Election on November 1, 2022 is officially installed to fill the subject vacancy through the remaining unexpired term of the vacated seat; or (2) call a Special Election to fill the vacancy for the unexpired term of the vacated seat which expires in December 2024. In light of the foregoing, the City Clerk recommended in the October 19, 2021 Staff Report that the City Council consider the following actions, which were identical to what appeared in the agenda as Item G.2 on the General Business Calendar:

1. Direct the City Clerk to prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council.
OR
2. Direct the City Clerk to prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.

Incidentally, the October 19, 2021 Staff Report was based on the fact that the subject vacancy occurred during the first half of the late Mayor Pro Tem Victoria Baca's unexpired term on the Moreno Valley City Council, which was scheduled to expire in 2024. Ms. Baca was most recently reelected to the City Council on November 2, 2020, and the vacancy occurred on October 6, 2021, which fell within the first half of her unexpired term.

OCTOBER 19, 2021 - CITY COUNCIL REGULAR MEETING QUORUM ATTENDANCE

Again, at the time of the October 19, 2021, regular City Council meeting, there were only three members on the City Council consisting of Mayor Gutierrez, District No. 3 Council Member Marquez, and District No. 4 Council Member Cabrera. As such, according to Section 36810 of the California Government Code and Section 3.3.1 of the Rules of Procedure for Council Meetings and Related Functions and Activities, since there were (at that time) only three Council Members, two of the three would be sufficient to establish a quorum for purposes of calling the October 19, 2021 City Council meeting to order, since a majority of the City Council at that time was just two of three Council Members.

When determining whether a quorum exists for purposes of deciding whether the Moreno Valley City Council may meet and take action as a legislative body, one must consider the Ralph M. Brown Act, the Rules of Procedure for Council Meetings and

Related Functions and the Standard Code of Parliamentary Procedure. Pursuant to Section 36810 of the California Government Code, a majority of the City Council constitutes a quorum for transaction of business. This is consistent with Section 3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities, attached hereto, which provides as follows:

3.3. QUORUM AND REQUIRED MAJORITIES

3.3.1. MAJORITY QUORUM AND MAJORITY VOTE.

Unless otherwise provided for in the Municipal Code or by state law, a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend.

Under Chapter 13 (Quorum) of the Standard Code of Parliamentary Procedure, it provides that “[i]n computing a quorum, only members in good standing are counted.”

In light of the “quorum” rules, as articulated in Section 36810 of the California Government Code, Section 3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities and Chapter 13 of the Standard Code of Parliamentary Procedure, it was clear that as of October 19, 2021, since there were only three Council Members, 2 of the 3 constituted the necessary quorum for calling the City Council’s October 19, 2021, regularly scheduled meeting to order. As such, the two Council Members present at the October 19, 2021 meeting could have voted to provide the direction sought by the City Clerk with respect to directing the City Clerk to either: 1) prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council; or 2) prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.

OCTOBER 19, 2021 - VOTING REQUIREMENTS AND REMOVAL OF VARIOUS AGENDA ITEMS FROM CITY COUNCIL AGENDA

While Section 3.3.1. (Majority Quorum and Majority Vote) of the Rules of Procedure for Council Meetings and Related Functions and Activities provides that “a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend,” certain types of actions require three affirmative votes. For instance, Section 3.3.2. (Matters Requiring Three Votes) of the Rules of Procedure for Council Meetings and Related Functions and Activities, as set forth below, the following matters, require three affirmative votes: “(a) adoption of ordinances; (b) resolutions granting franchises, (c) resolutions amending the general plan; and (d) orders or appropriations for payment or expenditure of money.” Incidentally, although under Section 36936 of the California Government Code, as set forth below, only a majority of the quorum (2 of 3 as of October 19, 2021) would have been authorized to

approve ordinances, resolutions and orders for the payment of money, Section 3.3.2 takes precedence over California Government Code Section 36936, which means that “three affirmative votes” (regardless of the total membership of the City Council) were required to approve the items described in Section 3.3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities, as set forth below:

RULES OF PROCEDURE FOR COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES

3.3.2. MATTERS REQUIRING THREE VOTES.

The following matters, however, require three affirmative votes: (a) adoption of ordinances; (b) resolutions granting franchises, (c) resolutions amending the general plan; and (d) orders or appropriations for payment or expenditure of money.

GOVERNMENT CODE SECTION 36936.

Resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of the city council.

In light of the foregoing, after a discussion involving the Interim City Attorney, City Manager, Assistant City Manager/Chief Financial Officer/City Treasurer, and City Clerk, before the October 19, 2021 meeting was called to order, it was recommended that the following items be removed from the October 19, 2021 agenda for future consideration since each would require “three affirmative votes” to approve since they required the expenditure of money. Although the appointment of the Mayor Pro Tem did not require the expenditure of money, Section 4.1.3. (Selection Process) of the Rules of Procedure for Council Meetings and Related Functions and Activities provides that the appointment of the Mayor Pro Tem requires three or more affirmative votes.

The items removed from the October 19, 2021 Agenda included the following:

- A.5. PAYMENT REGISTER- AUGUST 2021
- A.7. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT FOR THE HEACOCK STREET PEDESTRIAN AND BICYCLE FACILITY ENHANCEMENTS NEAR GREGORY LANE, PROJECT NO. 801 0076
- A.8. ACCEPTANCE OF LOCAL ROADWAY SAFETY PLAN (LRSP) GRANT FUNDING
- A.9. AUTHORIZATION TO AWARD AN AGREEMENT TO FEHR & PEERS FOR THE LOCAL ROADWAY SAFETY PLAN FOR MORENO VALLEY (PROJECT NO. 810 0020)

- A.11 ACCEPT AND RECEIVE A GRANT AWARD FROM THE CALIFORNIA STATE LIBRARY, CALIFORNIA LIBRARY LITERACY SERVICES PROGRAM
- B.4 AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO MUSCO SPORTS LIGHTING, LLC FOR SPORTS LIGHTING AT EL POTRERO PARK, (PROJECT NO. 807 0059)
- G.3. CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEM

The items that remained on the October 19 Agenda consisted of items that did not involve the adoption of an ordinance, the adoption of a resolution granting a franchise or amending the City's General Plan, nor did they involve any orders or appropriations for payment or expenditure of money. This meant that General Business Item G.2 remained on the October 19, 2021 Agenda as follows:

1. Direct the City Clerk to prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council.
OR
2. Direct the City Clerk to prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.

Item G.2 was simply seeking direction on whether the City Clerk should prepare the necessary documents for either appointing or calling a special election to fill the District 1 City Council vacancy, which did not require three affirmative votes since there was no "Fiscal Impact" at the time related to the requested direction.

OCTOBER 19, 2021 - ACTION TAKEN AT CITY COUNCIL MEETING

Again, at the October 19, 2021 regular City Council meeting, only two Council Members attended, which at that time constituted a quorum since there were only three members on the City Council – Mayor Gutierrez, Council Member Marquez and Council Member Cabrera. According to the draft minutes of the October 19, 2021 meeting, "Council Member Marquez moved to appoint Dolores LaDonna Jempson." The draft minutes also reflect that "Council Member Cabrera seconded the motion." After some back and forth discussion between Council Members Marquez and Cabrera, the City Clerk and the Interim City Attorney, a recessed was called at 6:55 p.m. After the meeting was reconvened at 7:07 p.m., "Council Member Marquez asked City Clerk Jacquez-Nares to swear-in Ms. Jempson." In response to Council Member Marquez's request, the draft minutes reflect that "City Clerk Jacquez-Nares administered the oath to Deloris [sic] LaDonna Jempson." Council Member Jempson

then took her seat on the dais, according to the draft minutes. The draft minutes memorialized the action taken at the October 19th meeting as follows:

RESULT: APPROVED [UNANIMOUS]
 MOVER: David Marquez, Council Member
 SECONDER: Ulises Cabrera, Council Member
 AYES: David Marquez, Ulises Cabrera
 ABSENT: Dr. Yxstian A. Gutierrez

SEPTEMBER 14, 2013 CITY COUNCIL MEETING MINUTES

The minutes of the October 19, 2021 City Council meeting also reflected that:

“Council Member Marquez remarked that he understood and questioned how this circumstance is any different from one that occurred in 2013/14 where a Council Member was appointed with no prior notification. He asked if the issue stemmed from the wording on the agenda.

Interim City Attorney Quintanilla stated the specific request is to provide direction to staff, to the City Clerk’s office.

Council Member Marquez declared his direction to the City Clerk at that time was to appoint and there was no difference from the appointment in 2013/14.”

Although the information was not readily available at the time to permit either the City Clerk or the Interim City Attorney to properly respond to Council Member Marquez’s inquiry during the October 19, 2021 meeting, regarding the 2013/14 appointment, it was discovered the next day upon review of the minutes of the September 24, 2013, City Council Regular Meeting of the City of Moreno Valley, that the following item was on the September 24, 2013 Agenda:

G.1 CONSIDER THE PROCEDURAL OPTIONS TO FILL THE VACANCY ON THE COUNCIL IN DISTRICT 4 AND TAKE POSSIBLE ACTION TO FILL THE VACANCY
 (Report of: City Attorney Department)

Recommendations That the City Council: Consider the various procedural options to fill the vacant Council seat in District 4 and take possible action to fill the vacancy by appointment or by calling for an election.

The September 24, 2013 minutes reflect that Tom Owings opened the agenda item for public comments, after which a there was a “Motion to approve Dr. Yxstian Gutierrez to the City Council of the City of Moreno Valley to fill the unexpired term of resigned Council Member Co to end December 9, 2014,” made by former Council Member

Victoria Baca, which was seconded by former Council Member Jesse Molina, and which was “Approved by a vote of 3-1, Council Member Richard A. Stewart opposed.”

OCTOBER 22, 2021 - CALIFORNIANS AWARE’S BROWN ACT CURE AND CORRECT LETTER

On October 22, 2021, Assistant General Counsel Shaila Nathu of Californians Aware sent an email to the Mayor at mayor@moval.org, David Marquez at davidma@moval.org, and Ulises Cabrera at ulises@moval.org, with the “Subject” line reading “Brown Act Demand & CPRA Request – Appointment of LaDonna Jempson.” The email contained the following message:

“Moreno Valley City Councilmembers:

Please see attached for a Brown Act demand and a California Public Records Act request regarding the appointment of LaDonna Jempson at the October 19, 2021 City Council meeting. We look forward to hearing from you.”

Attached to the email was a letter, dated October 22, 2021, attached hereto, addressed to the City Council, City of Moreno Valley, regarding the following:

“Brown Act Demand for Cure and Correction (Gov’t. Code §§ 54960, 54960.1 & 54960.2) AND Public Records Act Request (Gov’t. Code § 6250, et seq.)”

The October 22nd letter stated, in part, as follows:

“Dear City Council:

This demand is made on behalf of Californians Aware and a group of concerned citizens alarmed by the sudden appointment of LaDonna Jempson to the District 1 seat on Moreno Valley City Council, in violation of the Ralph M. Brown Act, Government Code section 54950, et seq. (“Brown Act”). The action must be rescinded to ensure that the public has a meaningful opportunity to participate in the decision-making process.”

The October 22nd letter also included the following “Demand.”

Demand

“In order to ensure that the public has the ability to meaningfully participate in the appointment of Councilmember Jempson, Californians Aware hereby demands that, pursuant to Government Code sections 54960 and 54960.1, the Board cure and correct its

illegal actions by rescinding the appointment and swearing in of Councilmember Jempson.

Additionally, pursuant to Government Code sections 54960 and 54960.2, the City Council must agree to refrain from taking action on items not listed on the posted agenda in the future, unless one of the stated exceptions as listed in the Brown Act applies.

The City Council must notify this office of its decision to cure and correct as described, or of its refusal to do so, within 30 days. If the City Council fails or refuses to cure and correct or respond as demanded, we intend to seek judicial invalidation of the challenged actions pursuant to § 54960.1, as well as other relief set out in § 54960.”

Section 54960.1(c)(3) of the California Government Code provides, in relevant part, as follows:

“If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.”

Section 54960.1(a) of the California Government Code provides as follows:

“The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.”

Basically, Section 54960.1 of the California Government Code provides that if the City Council does not “cure or correct” the alleged Brown Act violation, within the requisite 30-day period, the person/entity which sent the demand to cure or correct, has 15 days to file a Brown Act violation lawsuit against the City.

Section 54960 of the California Government Code, on the other hand, provides in relevant part as follows:

(a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or

threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

OCTOBER 22, 2021 – ROBERT PALOMAREZ CEASE AND DESIST LETTER

On October 22, 2021, the Law Offices of Stone Busailah, LLP on behalf of Moreno Valley resident Robert Palomarez, submitted a Cease and Desist letter to the City Council alleging that the City Council violated the Ralph M. Brown Act when it appointed LaDonna Jempson to the City Council at the October 19, 2021 City Council meeting.

The stated purpose of the October 22, 2021, letter was to provide the City Council with “an opportunity to avoid litigation over the ill-timed and ill-advised appointment of LaDonna Jempson to the Moreno Valley City Council seat which was held by Victoria Baca” The October 22, 2021, letter purports that the appointment of LaDonna Jempson to the Moreno Valley City Council was “a violation of several provisions of the Brown Act, which involves meetings of legislative public bodies at local levels of government.” The October 22, 2021, letter further stated as follows:

“First and foremost, among the derelictions of duty committed by City Council Members in this matter, was to make the appointment when such decision- making and action were not items on the October 19, 2021 agenda. The item on the agenda regarding the open seat involved directing the City Clerk in preparing applications for potential appointees to the vacancy. I Moreno Valley City Council Re: Moreno Valley City Council Seat October 22, 2021. Appointing a new member and filling the vacancy immediately was not on the agenda. Such action violated the Brown Act' s requirements for a city council to provide: notice of each item of business to be voted on at a council meeting; a brief, general description of each item of business to be transacted or discussed; and description of each distinct action to be taken by the council. As you must be aware, such requirements enable informed decision- making by the public whether to attend a council meeting or participate in a discussion on an issue. See Govt Code § 54954. 2(a)(1), (a)(3).) In essence, the Brown Act proscribes an act taken or discussion about any item not appearing on the posted agenda. As the immediate appointment to fill the open seat was not an act appearing on the posted agenda, the City Council' s appointment of Ms. Jempson was a proscribed act. Furthermore, no public comments were permitted prior to the appointment, which is a further Brown Act violation. Unless the Council complies with State

and City law and revokes the appointment of Ms. Jempson to the City Council, litigation will ensue. Pursuant to the remedy found in the - Brown Act, Mr. Palomarez intends to seek a preliminary injunction from the Superior Court and an order to vacate the appointment of Ms. Jempson as a City Council Member; an order that the City Council only take action on items put on the agenda, consistent with City and State law; and an order that the Council desists from further violating such Brown Act and municipal provisions. In other words, the Council must immediately act to invalidate its illegal action.”

Section 54960.1(c)(3) of the California Government Code provides, in relevant part, as follows:

“If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.”; and

Section 54960.1(a) of the California Government Code provides as follows:

“The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.”

Basically, Section 54960.1 of the California Government Code provides that if the City Council does not “cure or correct” the alleged Brown Act violation, within the requisite 30-day period, the person/entity which sent the demand to cure or correct, has 15 days to file a Brown Act violation lawsuit against the City.

Section 54960 of the California Government Code provides in relevant part as follows:

“(a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or

otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.”.

In light of the foregoing, the City Council had until November 21, 2021, which was the 30th day following the October 22, 2021 “Brown Act Demand for Cure and Correction” letter received from Robert Palomarez.

OCTOBER 27, 2021 - SPECIAL CITY COUNCIL MEETING

A Special Meeting was called to be held on Wednesday, October 27, 2021, commencing at 6:00 p.m. for the purpose of discussing the following matters:

A. BUSINESS

A.1 REQUEST TO PLACE ON A FUTURE AGENDA THE RESCISSION OF THE DECISION TO APPOINT DOLORES LADONNA JEMPSON TO FILL THE VACANCY OF THE CITY COUNCIL FOR DISTRICT 1 IN RESPONSE TO THE “BROWN ACT DEMAND FOR CURE AND CORRECTION” LETTER, DATED OCTOBER 22, 2021, FROM CALIFORNIANS AWARE, THE CENTER FOR PUBLIC FORUM RIGHTS;

A.2 REQUEST TO PLACE ON A FUTURE AGENDA THE CONSIDERATION OF A PROCESS, APPOINTMENT OR ELECTION, TO FILL VACANCY OF THE CITY COUNCIL FOR DISTRICT 1; and

A.3 REQUEST TO PLACE ON A FUTURE AGENDA THE CONSIDERATION OF APPOINTMENT TO FILL COUNCIL SEAT FOR DISTRICT 1, INCLUDING SWEARING IN OF THE SUCCESSFUL CANDIDATE.

The Notice and Call of Special Meeting was dated October 26, 2021, and executed by Council Member Ulises Cabrera and Council Member David Marquez.

OCTOBER 27, 2021 - SPECIAL MEETING AGENDA ITEMS

The Special Meeting Agenda for October 27, 2021, included the following items under the Business Calendar of the October 27 Agenda:

A.1. REQUEST TO PLACE ON A FUTURE AGENDA THE RESCISSION OF THE DECISION TO APPOINT DOLORES LADONNA JEMPSON TO FILL THE VACANCY OF THE CITY COUNCIL FOR DISTRICT 1 IN RESPONSE TO THE “BROWN ACT DEMAND FOR CURE AND CORRECTION” LETTER, DATED

OCTOBER 22, 2021, FROM CALIFORNIANS AWARE, THE CENTER FOR PUBLIC.

Recommendation: That the City Council provide staff direction.

A.2. REQUEST TO PLACE ON A FUTURE AGENDA THE CONSIDERATION OF A PROCESS, APPOINTMENT OR ELECTION, TO FILL VACANCY OF THE CITY COUNCIL FOR DISTRICT 1.

Recommendation: That the City Council provide staff direction.

A.3. REQUEST TO PLACE ON A FUTURE AGENDA THE CONSIDERATION OF APPOINTMENT TO FILL COUNCIL SEAT FOR DISTRICT 1, INCLUDING SWEARING IN OF THE SUCCESSFUL CANDIDATE.

Recommendation: That the City Council provide staff direction.

(ITEMS MAY BE DEFERRED BY COUNCIL IF TIME DOES NOT PERMIT FULL REVIEW.)

OCTOBER 27, 2021 - SPECIAL MEETING QUORUM ATTENDANCE

Mayor Gutierrez, Council Member Marquez, Council Member Cabrera and Council Member Jempson attended the October 27, 2021 Special Meeting. All four were present during roll call. At the time of the October 27, 2021 Special Meeting, there were only four Council Members, since the District 2 City Council seat remained vacant due to the death of former District 2 Council Member Dr. Carla Thornton. The District 2 vacancy was going to be filled by the Special Election which was not scheduled to be held until November 2, 2021.

According to Section 36810 of the California Government Code and Section 3.3.1 of the "Rules of Procedure for Council Meetings and Related Functions and Activities," since there were (as of October 27, 2021) only four Council Members, three of the four would be sufficient to establish a quorum for purposes of calling the October 27, 2021 City Council Special Meeting to order, since a majority (quorum) of the City Council at that time was just three of four Council Members.

When determining whether a quorum exists for purposes of deciding whether the Moreno Valley City Council may meet and take action as a legislative body, one must consider the Ralph M. Brown Act, the Rules of Procedure for Council Meetings and Related Functions and the Standard Code of Parliamentary Procedure.

Pursuant to Section 36810 of the California Government Code, attached hereto, a majority of the City Council constitutes a quorum for transaction of business. This is

consistent with Section 3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities, attached hereto, which provides as follows:

3.3. QUORUM AND REQUIRED MAJORITIES

3.3.1. MAJORITY QUORUM AND MAJORITY VOTE.

Unless otherwise provided for in the Municipal Code or by state law, a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend.

In light of the “quorum” rules, as articulated in Section 36810 of the California Government Code, Section 3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities and Chapter 13 of the Standard Code of Parliamentary Procedure, it is clear that as of October 27, 2021, since there were only four City Council Members, three of the four constituted the necessary quorum for calling the City Council’s October 27, 2021, Special Meeting to order, albeit four of the four Council Members were present during roll call.

After roll call, Council Member Jempson recused herself based on personal interests and left the Council Chamber since the entire subject of the Special Meeting pertained to her appointment, as set forth in the October 27, 2021 Special Meeting

Ms. Jempson’s recusal and her departure from the Council Chamber was consistent with the California Political Reform Act which requires public officials who have a disqualifying conflict of interest with respect to a particular matter on an agenda to recuse themselves from discussing and voting on the matter and leaving the room until after the decision has been made, unless the matter is on the portion of the agenda reserved for uncontested matters (generally understood to mean the consent calendar). Specifically, Section 87105(a)(2) and (3) of the California Government Code (California Political Reform Act) provides that a public official who has a financial interest in a decision shall: (a) Recuse himself or herself from discussing and voting on the matter, or otherwise acting in violation of Section 87100 and (b) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

Notwithstanding Ms. Jempson’s recusal, there still remained a quorum present at the October 27, 2021, Special Meeting since three of the four Council Members remained at the meeting, at least through the Public Comment period of the Special Meeting.

OCTOBER 27, 2021 - SPECIAL MEETING LOSS OF QUORUM

After the Public Comment period of the October 27, 2021 Special Meeting, the Mayor announced that he would be leaving the meeting and that he wanted the record to reflect when he left the meeting. Because of the Mayor’s departure from the Special

Meeting, that resulted in losing the “quorum” that was required to continue on with the proceedings.

When determining whether a quorum exists for purposes of deciding whether the Moreno Valley City Council may meet and take action as a legislative body, one must consider the Ralph M. Brown Act, the Rules of Procedure for Council Meetings and Related Functions and the Standard Code of Parliamentary Procedure.

Pursuant to Section 36810 of the California Government Code, a majority of the City Council constitutes a quorum for transaction of business. This is consistent with Section 3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities, attached hereto, which provides as follows:

3.3. QUORUM AND REQUIRED MAJORITIES

3.3.1. MAJORITY QUORUM AND MAJORITY VOTE.

Unless otherwise provided for in the Municipal Code or by state law, a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend.

In light of the “quorum” rules, as articulated in Section 36810 of the California Government Code, Section 3.2 of the Rules of Procedure for Council Meetings and Related Functions and Activities and Chapter 13 of the Standard Code of Parliamentary Procedure, it is clear that as of October 27, 2021, since there were only four City Council Members, three of the four constituted the necessary quorum for calling the City Council’s October 27, 2021, Special Meeting to order. However, after Ms. Jempson recused herself based on personal interests and left the Council Chamber, since the entire subject of the Special Meeting pertained to her appointment, she could no longer be counted toward re-establishing the quorum after the Mayor departed from the Special Meeting.

Under Chapter 13 (Quorum) of the Standard Code of Parliamentary Procedure, it provides as follows:

“In computing a quorum, only members in good standing are counted. The meaning of the phrase ‘in good standing’ varies with different organizations accruing to their bylaws. However, a member in good standing may be disqualified from voting on a particular question because of personal interest or benefit in it. In such a case that member could not be counted for the purpose of counting a quorum for a vote on that question. The presiding officer is counted in computing a quorum.

The above rule is wholly consistent with Section 18707(a)(3) of the Fair Political Practices Commission Regulations, attached hereto, which provides as follows:

§ 18707. Disqualification Requirements.

(a) (3) Recusal and Leaving the Room. The official must follow the recusal procedure, leave the room after the identification required by this regulation is made, and refrain from any participation in the decision. The official will not be counted toward achieving a quorum while the item is discussed.

In light of the foregoing, once the Mayor left the October 27, 2021 Special Meeting, the meeting had to be adjourned due to the loss of a quorum. Pursuant to Section 54955 of the California Government Code, any regular or special meeting of a legislative body may be adjourned if less than a quorum attends or is otherwise present at the meeting. As such, once the Mayor left no action could be taken on any of the items appearing on the October 27, 2021 Special Meeting Agenda, including curing and correcting the Brown Act violation referenced in the “Brown Act Demand For Cure And Correction” letter, dated October 22, 2021, From Californians Aware, The Center For Public Forum.

NOVEMBER 11, 2021 - PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY RELIEF

On November 11, 2021, the City was served with a Petition for Writ of Mandate and Complaint for Declaratory Relief challenging the appointment of LaDonna Jempson to the City Council. (“Lawsuit”) The Lawsuit was filed by on behalf of Moreno Valley resident Robert Palomarez.

The Lawsuit basically alleged that the appointment was unlawful and void for several reasons. A Notice of an Ex Parte Hearing scheduled for Friday, November 12, 2021. The Plaintiff’s purpose of requesting an Ex Parte hearing was to try to convince the Court to immediately remove Ms. Jempson from the City Council, pending the outcome of the trial on the merits of the Lawsuit. At Ex Parte hearing, the Court did not render a decision presumably because the Judge did not have sufficient time to thoroughly review the Plaintiff’s moving papers since the previous day was a Court holiday (Veterans Day). As such, the Judge continued the Ex Parte Hearing to the morning of November 16, 2021, which the City Attorney’s Office was successful in convincing Plaintiff’s attorney to stipulate to continuing to November 19, 2021, to allow the City Council an opportunity to consider the Cure and Correct matter prior to that time, in the context of a prospective Special Meeting.

NOVEMBER 18, 2021 - RIVERSIDE COUNTY DISTRICT ATTORNEY’S BROWN ACT CURE AND CORRECT LETTER

On November 18, 2021, a letter addressed to the “Moreno Valley City Council” was received by Assistant District Attorney Elaina Bently on behalf of Michael Hestrin, District Attorney for the County of Riverside. The letter stated as follows:

”The Riverside County District Attorney's Office has received multiple requests to investigate a substantial violation of a central provision of the

Ralph M. Brown Act and Article I, which may jeopardize the finality of the action taken by the Moreno Valley City Council at a meeting that occurred on October 19, 2021.

In its meeting on October 19, 2021, the Moreno Valley City Council took action to appoint LaDonna Jempson to the vacant City Council seat from District 1. The appointment occurred upon a motion made by Councilmember David Marquez and was seconded by City Councilmember Ulises Cabrera. The vote was unanimous 2-0, in favor of appointment. The appointment did not appear on the agenda for the meeting.”

The District Attorney’s letter referenced Government Code Section 54954.2(a)(3) which the District Attorney opined specifically bars any action or discussion by a legislative body that does not appear on the posted agenda. Government Code Section 54954.2(a)(3) provides as follows:

“No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.”

The District Attorney’s legal analysis concluded that the City Council’s vote to fill the vacant District 1 seat on October 19, 2021, constituted a clear violation of the Brown Act, since a vote was taken despite inadequate public notice of the vote to the public on the posted agenda for the meeting, and there was no finding of fact by the City Council that urgent action was necessary on a matter unforeseen at the time the agenda was posted as an exception to the notice requirement.

The District Attorney pointed out that pursuant to Government Code Section 54960.1(a), its office could institute an action to procure a judicial determination that the actions of the City Council were null and void based on a violation of Government Code Section 54954.2. Before doing so, however, the District Attorney stated it must make a written demand to the City Council to cure or correct the “illegal action.” As such, pursuant to Government Code Section 54960.1(b), the District Attorney demanded that the City Council cure or correct the “illegal action taken on October 19, 2021, regarding the appointment of Ladonna Jempson to the vacant board seat for District 1 in compliance with the Brown Act and all applicable California laws.”

Pursuant Government Code Section 54960.1(c)(2), the City Council had 30 days from the receipt of the District Attorney's demand letter to either cure or correct the challenged action or inform the District Attorney's Office of the City Council's decision not to do so. The District Attorney, in closing, stated "Should you fail to cure or correct pursuant to this demand letter, our office shall seek judicial invalidation of the illegal action taken by the Moreno Valley City Council on October 19, 2021, pursuant to Section 54960.1(a), and could lawfully seek the award of court costs and reasonable attorney fees under Government Code §54960.5."

NOVEMBER 18, 2021 – CITY COUNCIL SPECIAL MEETING

Mayor Gutierrez called a Special Meeting for November 18, 2021, for purposes of rescinding the October 19, 2021 appointment of Ms. Jempson to the City Council. The Special Meeting agenda included the following:

A.2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CURING AND CORRECTING, PURSUANT TO SECTIONS 54960, 54960.1 AND 54960.2 OF THE CALIFORNIA GOVERNMENT CODE, THE ALLEGED BROWN ACT VIOLATIONS DESCRIBED IN THE LETTER, DATED OCTOBER 22, 2021, RECEIVED FROM CALIFORNIANS AWARE.

Recommendation: That the City Council: 1. Approve and Adopt A Resolution Of The City Council Of The City Of Moreno Valley, California, Curing And Correcting, Pursuant To Sections 54960, 54960.1 And 54960.2 Of The California Government Code, The Alleged Brown Act Violations Described In The Letter, Dated October 22, 2021, Received From Californians Aware.

A.3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CURING AND CORRECTING, PURSUANT TO SECTIONS 54960, 54960.1 AND 54960.2 OF THE CALIFORNIA GOVERNMENT CODE, THE ALLEGED BROWN ACT VIOLATIONS DESCRIBED IN THE LETTER, DATED OCTOBER 22, 2021, RECEIVED FROM ROBERT PALOMAREZ.

Recommendation: That the City Council: 1. Approve and Adopt A Resolution Of The City Council Of The City Of Moreno Valley, California, Curing And Correcting, Pursuant To Sections 54960, 54960.1 And 54960.2 Of The California Government Code, The Alleged Brown Act Violations Described In The Letter, Dated October 22, 2021, Received From Robert Palomarez.

Both resolutions were adopted, and notice of the City Council's rescission of the October 19, 2021 decision to appoint Ms. Jempson to the City Council was provided to Mr. Palomarez and Californians Aware.

As a result of this action. Mr. Palomarez dismissed the Lawsuit he filed against the City.

DECEMBER 7, 2021 – REGULAR CITY COUNCIL MEETING

Finally, at the December 7, 2021 regular City Council meeting, the following was placed on the agenda:

G.3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CURING AND CORRECTING, PURSUANT TO SECTIONS 54960, 54960.1 AND 54960.2 OF THE CALIFORNIA GOVERNMENT CODE, THE ALLEGED BROWN ACT VIOLATIONS DESCRIBED IN THE LETTER, RECEIVED ON NOVEMBER 18, 2021, FROM THE RIVERSIDE COUNTY DISTRICT ATTORNEY'S OFFICE (Report of: City Attorney)

Recommendations: That the City Council: Approve and Adopt a Resolution of the City Council of the City of Moreno Valley, California, Curing and Correcting, pursuant to Sections 54960, 54960.1 and 54960.2 of the California Government Code, the alleged Brown Act violations described in the letter, dated November 18, 2021, received from Riverside County District Attorney

The resolution was adopted, and notice of the City Council's decision rescinding the October 19, 2021 decision to appoint Ms. Jempson to the City Council was provided to the District Attorney's Office.

APPLICABLE LAWS, RULES AND REGULATIONS

The laws, rules and regulations that are applicable to the issue at hand include, but are not limited to: a) Ralph M. Brown Act; b) Political Reform Act, c) Fair Political Practices Commission Regulations, d) Moreno Valley Municipal Code; e) California Government Code; f) California Elections Code; g) Rules of Procedure for Council Meetings and Related Functions and Activities; and h) Standard Code of Parliamentary Procedure.

The Ralph M. Brown Act, as set forth in Section 54950 et seq. of the California Government Code, contains provisions that require meetings of "legislative bodies" of local agencies (e.g. city councils) to be open and public. (California Government Code Section 54953(a)) The California Constitution recognizes, "[t]he people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny." (California Constitution Article I, Section 3(b)(1).) Statutes, court rules, and other authorities must be broadly construed if they further the people's right of access and narrowly construed if they limit the right of access. (California Constitution Article I, Section 3(b)(2)) This constitutional protection of the people's right of access to information was approved by the voters under Proposition 59, effective November 3, 2004. The Ralph M. Brown Act

addresses issues such as what constitutes a meeting, prohibited meetings, agenda requirements, quorum and voting requirements, public comments, remedies for Brown Act violations, etc.

The Political Reform Act, as set forth in Section 81000 et seq. of the California Government Code contains provisions that address financial conflicts of interests of public officials through disclosure of their economic interests and prohibitions on participation in making decisions that the official knows or has reason to know will result in a material financial effect on one of the official's economic interests.

The Fair Political Practices Commission Regulations (2 Cal Code Regs §18110 et seq.) contain regulations implementing the Political Reform Act. The Fair Political Practices Commission Regulations can be viewed on the FPPC's website (<https://www.fppc.ca.gov>). The FPPC website also contains the Political Reform Act text, forms, regulations, opinions, and advice letter summaries.

The California Government Code contains certain provisions outside the Ralph M. Brown Act and Political Reform Act that pertain to issues such as, but not limited to, vacancies on the City Council, filling vacancies on the City Council, voting requirements, etc.

The California Elections Code contains certain provisions pertaining to, but not limited to, calling special elections, regular election dates, etc.

The Moreno Valley Municipal Code contains certain provisions pertaining to, but not limited to district elections, number of Council Members, Council Member compensation and reimbursement, and the requirement that the City Council adopt rules of procedure to govern the conduct of its meetings and related functions, activities and regulations.

The Rules of Procedure for Council Meetings and Related Functions and Activities, adopted and amended by the City Council via a series of various resolutions adopted from 2013 through 2017 contain numerous provisions pertaining to, but not limited to, quorum requirements, voting requirements, calling special meetings, placing items on future agendas, etc. Pursuant to Section 2.04.040 (Adoption of Procedures) of the Moreno Valley Municipal Code, attached hereto as Exhibit 4, the City Council was required to adopt by resolution, rules of procedure to govern the conduct of its meetings, any of its other functions and activities, and regulations pertaining thereto.

The Standard Code of Parliamentary Procedure, Third Edition, which according to Section 5.6 of the Rules of Procedure for Council Meetings and Related Functions and Activities, are intended to be used as a guide in the absence of a rule or a written policy adopted by the City Council, to govern a particular point or procedure. This is the form of a book consisting of approximately 285 pages.

PREPARATION OF STAFF REPORT

Prepared By:

Department Head Approval:

Steven B. Quintanilla
Interim City Attorney

Steven B. Quintanilla
Interim City Attorney

CITY COUNCIL GOALS

1. To observe the highest standards of ethics and discharging faithfully the duties of a Council Member regardless of personal considerations, while recognizing that the public interest must be their primary concern.

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

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

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	10/27/22 6:55 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	10/27/22 6:56 PM

Attachment: Nov 1 Summary Report (6034 : CENSURE RESOLUTION)

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CENSURING COUNCIL MEMBERS CABRERA AND MARQUEZ FOR VIOLATING CERTAIN CITY POLICIES RELATED TO THE APPOINTMENT OF DOLORES LADONNA JEMPSON ON OCTOBER 19, 2021, INCONSISTENT WITH CERTAIN PROVISIONS OF THE BROWN ACT AND THE CITY'S RULES OF PROCEDURE

WHEREAS, this censure is related to the October 19, 2021 appointment of Dolores Ladonna Jempson ("Ms. Jempson") to fill the District 1 Council Member vacancy resulting from the October 5, 2021 passing of the late Mayor Pro Tem/District 1 Council Member Victoria Bacca; and

WHEREAS, on the October 19, 2021 City Council Regular Meeting agenda, the following item appeared on the "General Business" calendar:

G.2. CITY COUNCIL DIRECTION REGARDING FILLING CITY COUNCIL DISTRICT 1 VACANCY (Report of: City Clerk)

Recommendations: That the City Council:

1. Direct the City Clerk to prepare the application for persons interested in being appointed by the City Council to fill the District 1 vacancy, until such time the person who is officially elected to the District 1 seat at the next General Municipal Election, held on November 1, 2022, is officially installed on the City Council.

OR

2. Direct the City Clerk to prepare the requisite resolutions and related documents calling for a Special Election on April 11, 2022, for the eligible voters of District No. 1 to vote for who they want to fill the full remaining unexpired term of the vacated seat, which expires in December 2024.

WHEREAS, the Staff Report for the above item, as prepared by the City Clerk, recommended that the City Council consider the same actions that appeared in the agenda as Item G.2 on the General Business Calendar; and

WHEREAS, at the time of the October 19, 2021 City Council Regular Meeting, there were only three members on the City Council which consisted of Mayor Dr. Yxstian Gutierrez, District No. 3 Council Member David Marquez, and District No. 4 Council Member Ulises Cabrera; and

WHEREAS, according to Section 36810 of the *California Government Code* and Section 3.3.1 of the “*Rules of Procedure for Council Meetings and Related Functions and Activities*,” (“Rules of Procedure”) since there were (at that time) only three council members, two of the three would be sufficient to establish a quorum for purposes of calling the October 19, 2021 City Council Regular Meeting to order; and

WHEREAS, under Chapter 13 (Quorum) of the *Standard Code of Parliamentary Procedure*, it provides that “[i]n computing a quorum, only members in good standing are counted”; and

WHEREAS, in light of the “quorum” rules, as articulated in the *California Government Code*, the *Rules of Procedure*, and the *Standard Code of Parliamentary Procedure*, it was clear that as of October 19, 2021, since there were only three council members on the City Council, two of the three constituted the necessary quorum for calling the October 19, 2021 City Council Regular Meeting to order; and

WHEREAS, however, while the Rules of Procedure provides that “a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend,” certain types of actions require three affirmative votes; and

WHEREAS, the Rules of Procedure require three affirmative votes for “orders or appropriations for payment or expenditure of money” and the appointment of the mayor pro tem; and

WHEREAS, in light of the foregoing, before the October 19, 2021 City Council Regular Meeting was called to order, it was recommended by the Interim City Attorney, City Manager, Assistant City Manager/Chief Financial Officer/City Treasurer, and City Clerk, that certain items requiring three affirmative votes be removed from the October 19, 2021 City Council Regular Meeting agenda which included those items involving the expenditure of money and the appointment of the mayor pro tem; and

WHEREAS, General Business Item G.2 remained on the October 19, 2021 City Council Regular Meeting agenda since it was determined by the City Clerk that there would be no “Fiscal Impact” related to the City Clerk simply seeking direction on whether to proceed with preparing the necessary documents for either appointing or calling a special election to fill the District 1 City Council vacancy; and

WHEREAS, despite the foregoing, according to the minutes of the October 19, 2021 meeting, Council Member Marquez moved to appoint Ms. Jempson, which was seconded by Council Member Cabrera, after which former City Clerk Jacquez-Nares administered the oath to Ms. Jempson and Ms. Jempson took her seat on the dais; and

WHEREAS, this situation was different from the action recommended and taken at the September 14, 2013 City Council meeting at which the following appeared on the agenda:

G.1 CONSIDER THE PROCEDURAL OPTIONS TO FILL THE VACANCY ON THE COUNCIL IN DISTRICT 4 AND TAKE POSSIBLE ACTION TO FILL THE VACANCY
(Report of: City Attorney Department)

Recommendations ***That the City Council:*** Consider the various procedural options to fill the vacant Council seat in District 4 and ***take possible action to fill the vacancy by appointment or by calling for an election;*** and

WHEREAS, the September 24, 2013 minutes reflect that former Council Member Tom Owings opened agenda item G.1 for public comments, after which former Council Member Victoria Bacca made a “Motion to approve Dr. Yxstian Gutierrez to the City Council of the City of Moreno Valley to fill the unexpired term of resigned Council Member Co to end December 9, 2014,” which was seconded by former Council Member Jesse Molina, and which was “Approved by a vote of 3-1, Council Member Richard A. Stewart opposed,” which was consistent with the recommendation to “take possible action to fill the vacancy by appointment or by calling for an election” and

WHEREAS, on October 22, 2021, the Assistant General Counsel of Californians Aware sent a letter (via email) to Mayor Gutierrez, and Council Members Cabrera and Marquez which was labeled as follows: Brown Act Demand for Cure and Correction (Gov’t. Code §§ 54960, 54960.1 & 54960.2) AND Public Records Act Request (Gov’t. Code § 6250, et seq.); and

WHEREAS, the Californians Aware letter alleged that the action taken on October 19, 2021 to appoint Ms. Jempson to the District 1 seat on Moreno Valley City Council violated the Brown Act since the action taken was not listed on the agenda as one of recommended actions; and

WHEREAS, on October 22, 2021, the Law Offices of Stone Busailah, LLP on behalf of Moreno Valley resident Robert Palomarez, submitted a Cease and Desist letter to the City Council alleging that the City Council violated the Brown Act when it appointed Ms. Jempson on October 19, 2021 since the action taken was not listed on the agenda as one of the recommended actions; and

WHEREAS, on November 11, 2021, the City was served with a Petition for Writ of Mandate and Complaint for Declaratory Relief (“Lawsuit”) on behalf of Moreno Valley resident Robert Palomarez challenging the appointment of Ms. Jempson to the City Council in part because the action taken to appoint Ms. Jempson was not listed on the agenda as one of the recommended actions, which the Lawsuit alleges was a violation of the Brown Act; and

WHEREAS, on November 18, 2021, a letter addressed to the “Moreno Valley City Council” was received from Assistant District Attorney Elaina Bently on behalf of Michael Hestrin, District Attorney for the County of Riverside (“D.A.’s Letter”); and

WHEREAS, the D.A.’s Letter stated as follows:

”The Riverside County District Attorney's Office has received multiple requests to investigate a substantial violation of a central provision of the Ralph M. Brown Act and Article I, which may jeopardize the finality of the action taken by the Moreno Valley City Council at a meeting that occurred on October 19, 2021.

In its meeting on October 19, 2021, the Moreno Valley City Council took action to appoint LaDonna Jempson to the vacant City Council seat from District 1. The appointment occurred upon a motion made by Councilmember David Marquez and was seconded by City Councilmember Ulises Cabrera. The vote was unanimous 2-0, in favor of appointment. The appointment did not appear on the agenda for the meeting.”; and

WHEREAS, the D.A.’s Letter further stated that pursuant to Government Code Section 54954.2(a)(3), a legislative body is specifically barred from taking any action or engaging in any discussion regarding any matter that does not appear on the posted agenda; and

WHEREAS, Government Code Section 54954.2(a)(3) provides in part as follows:

“No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.” and

WHEREAS, the District Attorney’s legal analysis concluded that the City Council’s vote to fill the vacant District 1 seat on October 19, 2021, constituted a clear violation of the Brown Act, since a vote was taken despite inadequate public notice of the vote to the public on the posted agenda for the meeting, and there was no finding of fact by the City Council that urgent action was necessary on a matter unforeseen at the time the agenda was posted as an exception to the notice requirement; and

WHEREAS, in summary, Californians Aware, Robert Palomarez and the Riverside County District Attorney have each opined that the action taken by Council Members Cabrera and Marquez to appoint Ms. Jempson to fill the District 1 council seat was in violation of the Brown Act which prohibits taking any action on a matter that is not on the posted agenda, unless a bona fide exemption exists; and

WHEREAS, the October 19, 2021 action was also a violation of the City's Rules of Procedure which require any item involving the expenditure of money requires approval by three affirmative votes; and

WHEREAS, at the November 1, 2022 City Council Regular Meeting, Council Member Elena Baca-Santa Cruz made a motion to add a proposed resolution of censure of Council Members Cabrera and Marquez to a future agenda, for their participation in the appointment of Ms. Jempson to the City Council on October 19 2022 in violation of the Brown Act, which was seconded by Mayor Pro Tem Ed Delgado, and approved on a 3-2 vote with Mayor Dr. Yxstian Gutierrez, Mayor Pro Tem Ed Delgado and Council Member Elena Baca-Santa Cruz voting yes, and Council Members Cabrera and Marquez voting no; and

WHEREAS, the ability to censure a co-member of a legislative body is an inherent power of a legislative body per *Whitener v. McWatters*, 112 F.3d 740 (4th Cir. 1997); and

WHEREAS, "censure" is defined in part as "an official reprimand or condemnation per *Black's Law Dictionary* (11th ed. 2019); and

WHEREAS, a censure is an expression of disapproval by a majority of the legislative body of conduct of one of its members per *Phelan v. Laramie Cty. Cmty. Coll. Bd. of Trs.*, 235 F.3d 1243 (10th Cir. 2000) and *Braun v. City of Taft*, 154 Cal. App. 3d 332, 201 Cal. Rptr. 654 (1984); and

WHEREAS, the contents of a censure have been deemed by the California Court of Appeal to be insulated from any claims of defamation, since statements and opinions expressed in the context of a City Council meeting are subject to legislative immunity. (*Braun, supra.*); and

WHEREAS, in summary, a censure can take the form of a reprimand or condemnation, etc. which the courts will treat merely as an opinion of a majority of the City Council that is both protected from claims of defamation and an expression of the City Council's First Amendment right to free speech; and

WHEREAS, there are no state laws that specifically address the censure process; however, Ordinance No. 988, which was adopted by the City Council on July 5, 2022, includes as one of the Mayor's duties, "*Approving all censures of any council member who has committed any crimes of moral turpitude or violated any city policies or regulations, subject to a majority vote of the city council.*"; and

WHEREAS, while under existing law a formal censure process is not required, minimal due process standards should be applied by providing the council member who may be faced with the possibility of a censure be provided with notice and an opportunity to refute the allegations per *Rodriguez v. Jurupa Unified Sch. Dist.*, No. S186503, 2010 Cal. LEXIS 11846 (2010); and

WHEREAS, there was sufficient notice provided in light of the vote that was taken at the November 1, 2022 City Council Regular Meeting, at which Council Member Baca-Santa Cruz made a motion to add a resolution of censure of Council Members Cabrera and Marquez to a future agenda, which was seconded by Mayor Pro Tem Delgado, and approved on a 3-2 vote with Mayor Gutierrez, Mayor Pro Tem Delgado and Council Member Baca-Santa Cruz voting yes, and Council Members Marquez and Cabrera voting no, and notice of the resolution of censure was also listed on the agenda for the December 20, 2022, City Council Regular Meeting agenda which was distributed and posted at least 72 hours prior to the December 20, 2022 meeting; and

WHEREAS, a censure is an expression by the city council of their opinion of inappropriate conduct and it is not a formal legal finding of wrongdoing. (*Little v. City of N. Miami*, 805 F.2d 962 (11th Cir. 1986) [censure is City Council’s opinion regarding the propriety of a person’s activity and does not have force of law].); and

WHEREAS, the City’s Standards of Ethics as set forth in Personnel Policy # 5.04 of the City’s Administrative Policies were established as guidelines for ethical standards of conduct which applies to council members and describe those acts or actions that are incompatible with the best interests of the City and provide positive direction to prevent breaches of ethical standards; and

WHEREAS, each council member is expected to comply with the City’s Standards of Ethics which include observing the highest standards of ethics and discharging faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern; and

WHEREAS, if addition, as set forth in the Standards of Ethics, council members are required to conduct themselves with honesty and integrity to maintain public confidence in their performance and public trust in the City of Moreno Valley.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

Section 1. RECITALS

That the Recitals set forth above are true and correct, and are hereby incorporated herein by this reference, and adopted as findings in support of this Censure Resolution.

Section 2. ATTACHMENT AND STAFF REPORT

That the Staff Report prepared for this Censure Resolution and all documents referenced therein and in this Resolution are hereby incorporated by this reference and adopted as findings in support of this Censure Resolution.

Section 3. INTENT AND PURPOSE

Attachment: Censure Resolution - Cabrera & Marquez (12.07.2022) (6034 : CENSURE RESOLUTION)

That the intent and purpose of this Censure Resolution is to express the City Council's opinion that Council Members Ulises Cabrera and David Marquez engaged in inappropriate conduct when they voted to appoint Dolores Ladonna Jempson to the vacant District 1 Council seat inconsistent with the provisions of the *Rules of Procedure for Council Meetings and Related Functions and Activities* and the Ralph M. Brown Act.

Section 4. NOTICE

That sufficient notice of this Censure Resolution was provided to Council Members Ulises Cabrera and David Marquez in light of the vote that was taken at the November 1, 2022 City Council Regular Meeting, at which Council Member Baca-Santa Cruz made a motion to add the censure of Council Members Ulises Cabrera and Marquez to a future agenda, which was seconded by Mayor Pro Tem Delgado, and approved on a 3-2 vote with Mayor Gutierrez, Mayor Pro Tem Delgado and Council Member Baca-Santa Cruz voting yes, and Council Members Cabrera and Marquez voting no, and notice of this Censure Resolution was also listed on the agenda for the December 20, 2022, City Council Regular Meeting agenda which was posted and distributed at least 72 hours before the December 20, 2022 meeting.

Section 5. OPPORTUNITY TO REFUTE

That Council Members Cabrera and Marquez have been provided with an opportunity to refute any of the allegations related to this Censure Resolution.

Section 6. FINDINGS AND DETERMINATIONS

That the City Council finds and determines that the action taken by Council Member Cabrera and Marquez to appoint Dolores Ladonna Jempson to the vacant District 1 Council seat in a manner that was wholly inconsistent with certain provisions of the *Rules of Procedure for Council Meetings and Related Functions and Activities* and the Ralph M. Brown Act, constitutes a violation of the following City policies:

- Section 3.3.2. Matters Requiring Three Votes of the *Rules of Procedure for Council Meetings and Related Functions and Activities* which require three affirmative votes for orders or appropriations for payment or expenditure of money.
- The City's Standards of Ethics as set forth in Personnel Policy # 5.04 of the City's Administrative Policies which were established as guidelines for ethical standards of conduct which expects each council member to comply with the City's Standards of Ethics by observing the highest standards of ethics and discharging faithfully the duties of their offices regardless of personal considerations, while recognizing that the public interest must be their primary concern; and

- The City's Standards of Ethics as set forth in Personnel Policy # 5.04 of the City's Administrative Policies which provides that council members are required to conduct themselves with honesty and integrity in order to maintain public confidence in their performance and maintain public trust in the City of Moreno Valley.

Section 7. CENSURE

That the City Council hereby censures Council Members Ulises Cabrera and David Marquez based on the City Council's opinion that Council Members Ulises Cabrera and David Marquez's appointment of Dolores Ladonna Jempson to the vacant District 1 Council seat on October 19, 2021 was done in a manner that was wholly inconsistent with certain provisions of the *Rules of Procedure for Council Meetings and Related Functions and Activities* and the Ralph M. Brown Act, which constitutes a violation of the City policies described in Section 6 of this Resolution.

Section 8. Brown Act and Parliamentary Procedures Training

That the City Council hereby directs Council Members Ulises Cabrera and David Marquez to receive, in addition to the AB 1234 Biennial Two-Hours Ethics Training required of council members in California, at least one hour of training related to the application of the Ralph M. Brown Act and at least one hour of training regarding general parliamentary procedures, from any source sponsored, authorized, approved or supported by the League of California Cities and/or the Institute for Local Government.

Section 9. Grand Jury Review

That the City Council hereby directs the City Attorney's Office to submit a copy of this Resolution and related documents to the Riverside County Grand Jury with a request that the Grand Jury review the matter and provide any recommendations it deems relevant and/or necessary.

Section 10. Severability

That the City Council 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 11. Effective Date

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

Section 12. Certification.

That the City Clerk shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS ____ day of December 2022.

Dr. Yustman A. Gutierrez, Mayor

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Attachment: Censure Resolution - Cabrera & Marquez (12.07.2022) (6034 : CENSURE RESOLUTION)



Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, CMC, City Clerk

AGENDA DATE: December 20, 2022

TITLE: CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEM

RECOMMENDED ACTION

Recommendation:

1. Conduct the reorganization of the City Council by selecting one Council Member to serve a one-year term as Mayor Pro Tem.

SUMMARY

The City Council shall meet annually in December to choose one of its members as Mayor Pro Tem. The new Mayor Pro Tem shall be installed, sworn, and shall assume the office at the Council meeting.

DISCUSSION

Section 4.1.3 of the Rules of Procedure provides that nominations for the office Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective. Appointment shall be made by three or more affirmative votes on a motion to appoint. In the event that no person receives three or more votes in the selection process, the selection process shall be repeated immediately; provided, however, that the two persons receiving the highest number of votes in the preceding selection process shall be the only nominees. If, upon repeating the selection process of Mayor Pro Tem, no person has yet received three affirmative votes for such office, the City Council may either repeat the selection process until the officer has been duly selected or may continue the selection to the next regular meeting of the City Council.

The new Mayor Pro Tem, shall serve until the next meeting scheduled for selection of the Mayor Pro Tem in December 2023.

ALTERNATIVES

1. Conduct the reorganization of the City Council by selecting a Mayor Pro Tem.
2. Continue the selection to the next regular meeting of the City Council if upon repeating the selection process, no person receives three affirmative votes for Mayor Pro Tem.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Jane Halstead
Manager of the Office of Mayor and City Council/City Clerk

CITY COUNCIL GOALS

Positive Environment. Create a positive environment for the development of Moreno Valley's future.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

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

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	12/15/22 6:44 AM
City Attorney Approval	<u>✓ Approved</u>	

City Manager Approval

✓ Approved

12/15/22 8:42 AM