

SPECIFIC PLAN AMENDMENT NO. 4

**Amending Specific Plan 209
The Moreno Valley Auto Mall Specific Plan**

**Submitted to:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552**

**Submitted by:
MVPJL, LLC**

December 2003

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Section One

**EXECUTIVE
SUMMARY**

Section One

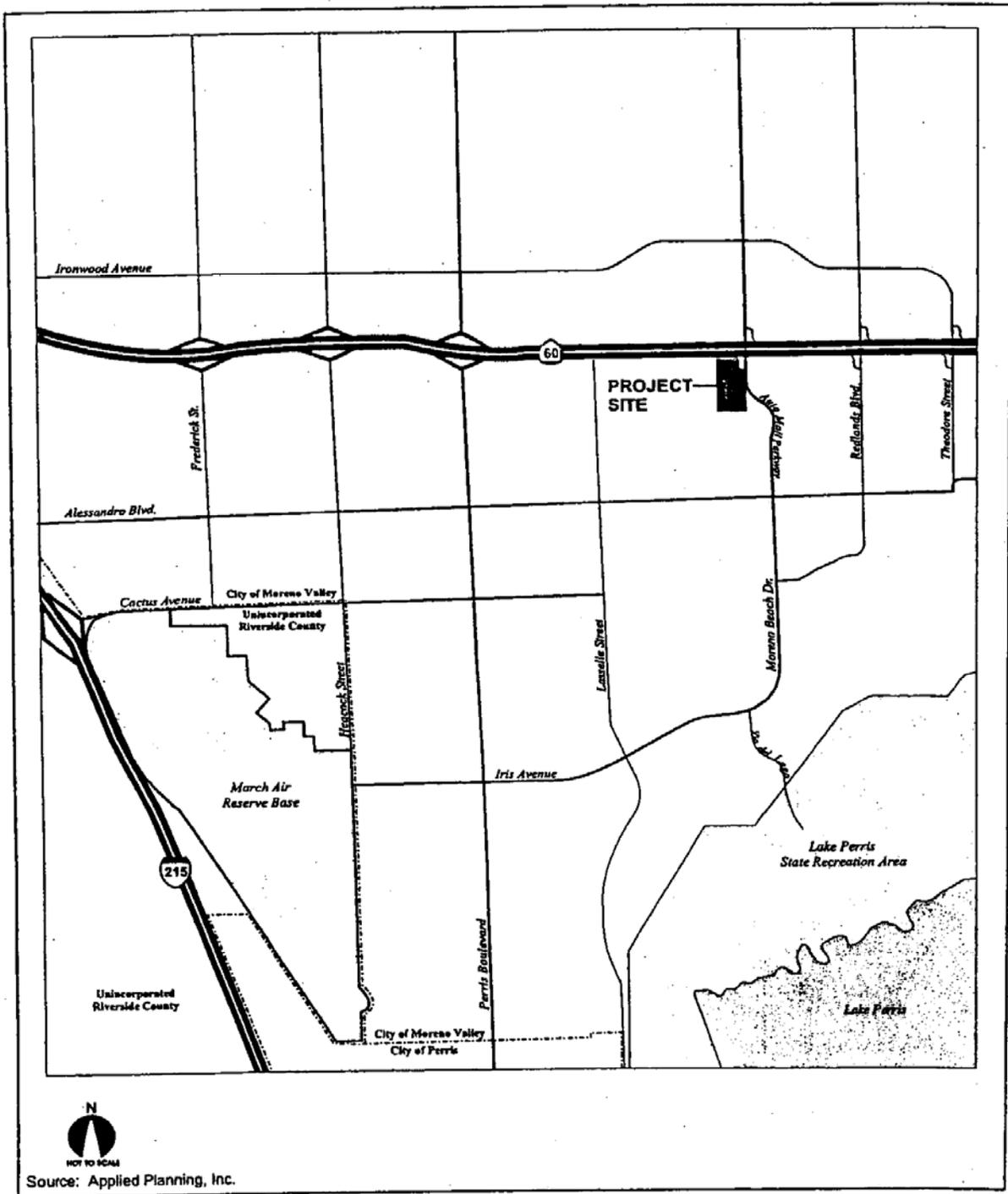
EXECUTIVE SUMMARY

1.1 BACKGROUND

MVPJL, LLC, Project Applicant and Master Developer, proposes this fourth amendment to Specific Plan 209, The Moreno Valley Auto Mall Specific Plan (hereinafter referred to as "Specific Plan"). The Specific Plan as adopted by the City of Moreno Valley in 1988 and as amended in May 1990 (the first amendment), August 1990 (the second amendment), and December 2001 (the third amendment), provides for the development of commercial and related uses on approximately 151.89 acres located south of State Route 60 (SR-60) at the Moreno Beach Drive off-ramp. The location of the project is illustrated in Figure 1.1-1, "Project Vicinity."

In May 1988 the City of Moreno Valley adopted the Specific Plan with conditions for approximately 80.03 acres referred to in the Specific Plan as Phases I and II. The 1988 the Specific Plan provided for the development of automobile sales and service uses, commercial uses, and open space within Phases I and II. In June 1990, the City of Moreno Valley adopted the First Amendment to the Specific Plan, with conditions, to expand the Specific Plan area by approximately 71.86 acres which is referred to as Phase III. The first amendment permitted the development of additional auto dealer sites as well as limited commercial and office uses in Phase III. Approval of the first amendment to the Specific Plan increased the total Specific Plan acreage to approximately 151.89 acres. The entire Specific Plan area is illustrated in Figure 1.1-2, "Specific Plan Boundaries."

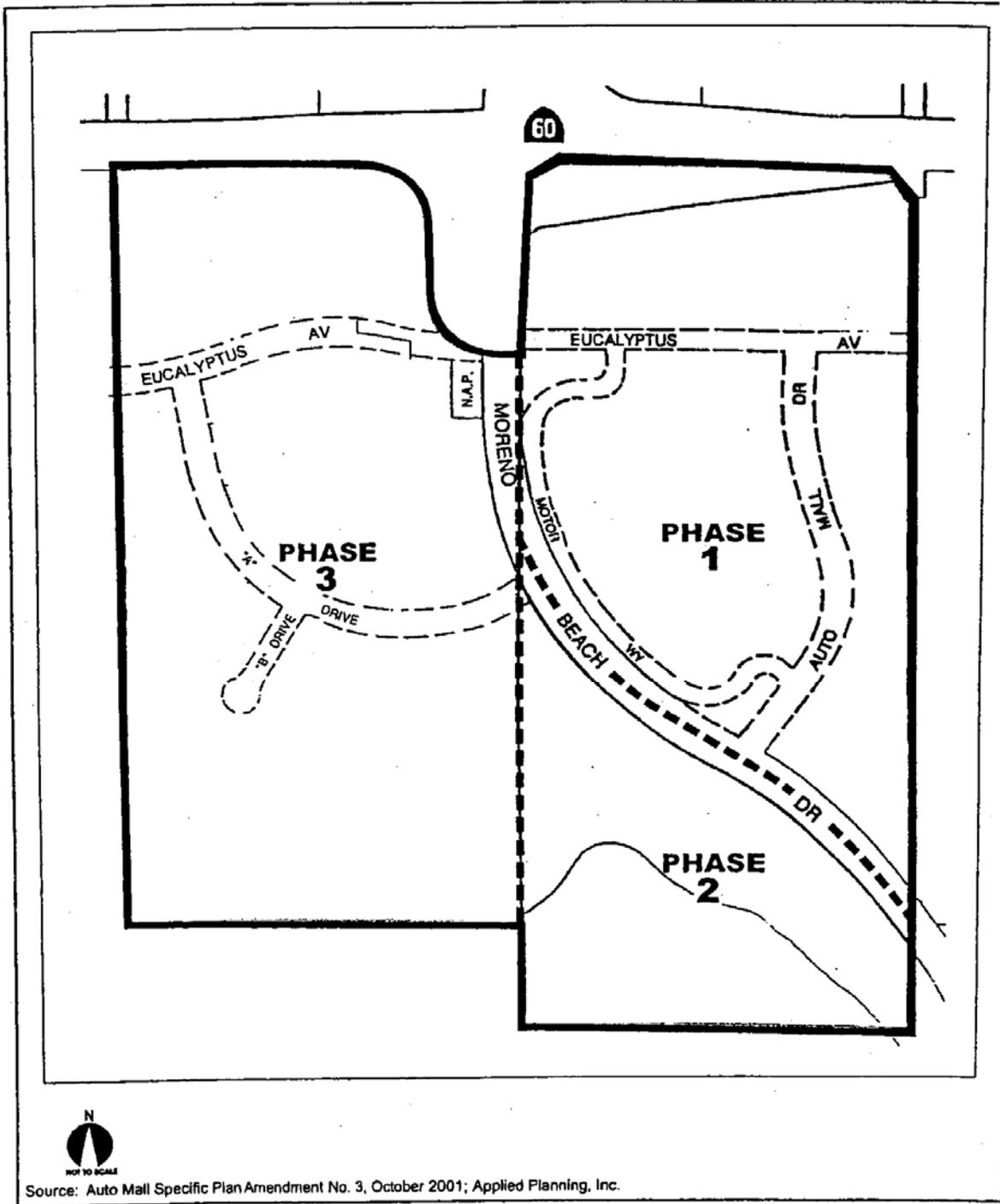
In August 1990 the City adopted the Second Amendment to the Specific Plan revising several portions of a City approved Design Manual adopted as part of the Specific Plan and intended as an implementation tool for the Specific Plan. The second amendment revised text and exhibits related to landscaping, bike lane classifications, and signs. The second amendment did not change any land use provisions of the overall Specific Plan. The third amendment to the Specific Plan (SPA No.3) amended provisions of the Specific Plan pertaining to Phases I and II. The area affected by SPA No. 3 included the entire Phase II area along with the southernmost portions of Phase I.



Source: Applied Planning, Inc.



Figure 1.1-1
 Project Vicinity
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Source: Auto Mall Specific Plan Amendment No. 3, October 2001; Applied Planning, Inc.



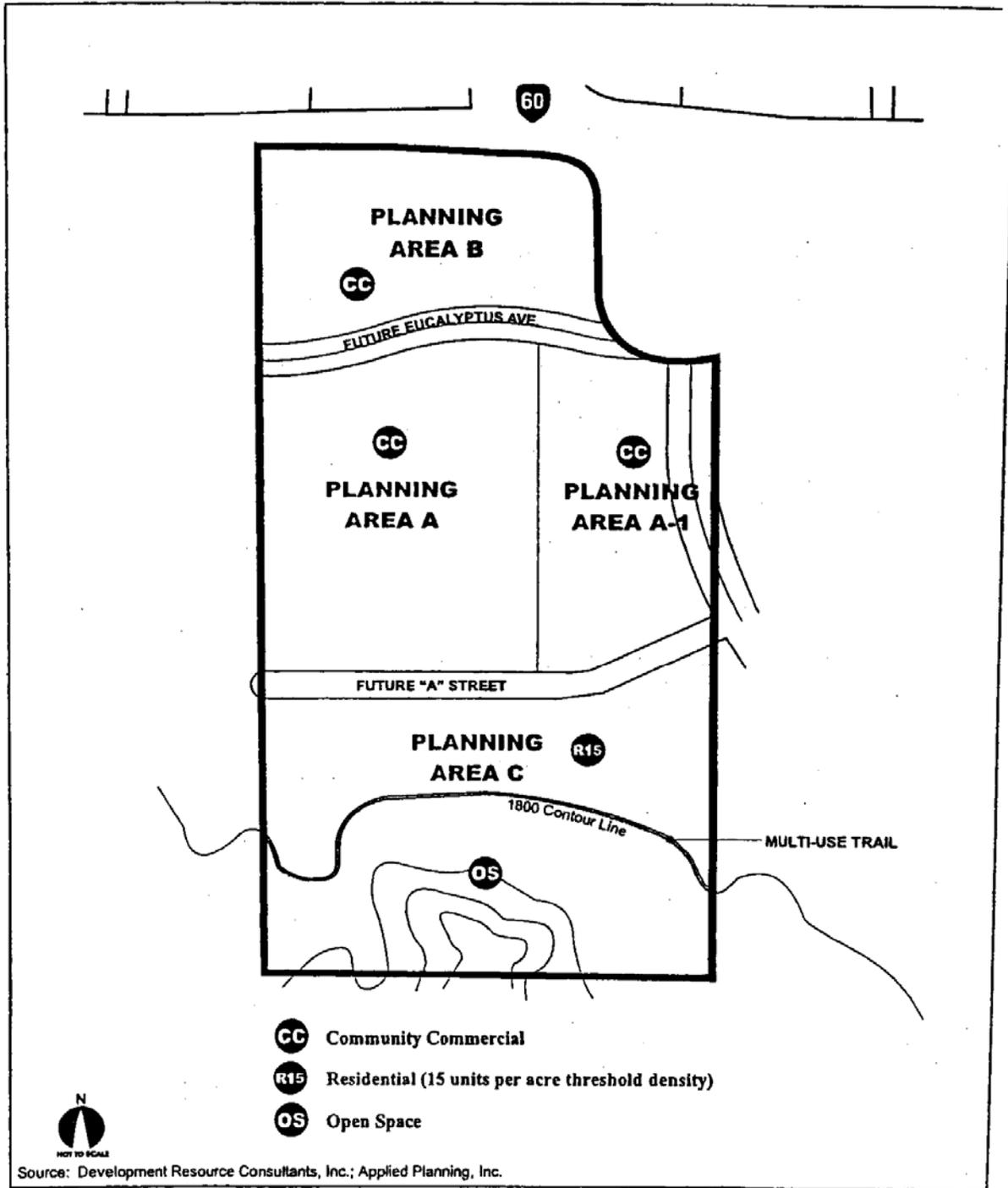
Ordinance No. 644
 Exhibit B
 Adopted: December 9, 2003

Figure 1.1-2
 Auto Mall Specific Plan Boundaries

The proposed fourth amendment to the Specific Plan (hereinafter referred to as SPA No. 4) proposes to amend provisions of the Specific Plan pertaining to Phase III. The area affected by proposed SPA No. 4, hereinafter referred to as the project area, is illustrated in Figure 1.1-3, "Project Area." The project area consists of approximately 72 gross acres. The entire project area is undeveloped.

SPA No. 4 proposes to amend the Specific Plan in the following manner:

- Expand the list of permitted uses for the project area to include:
 - General commercial uses;
 - Eating and drinking establishments, including fast food restaurants;
 - Service stations;
 - Residential uses; and
 - Other uses permitted pursuant to the "Community Commercial" standards of the City of Moreno Valley Municipal Code (City Municipal Code), Section 9.02.020.
- Amend the development regulations and design guidelines for the project area from those within the Specific Plan Design Manual (as amended August 1990), to those established under the City Municipal Code, except as otherwise provided for within Section 4.0 of this Specific Plan amendment
- Supercede conditions of approval adopted with the Specific Plan as applicable to the project area. SPA No. 4 does not amend or supercede any portion of the Specific Plan or the conditions of approval applicable to Phases I or II.



Ordinance No. 644 **Figure 1.1-3**
 Exhibit B
 Adopted: December 9, 2003 **Project Area**

1.2 DOCUMENT ORGANIZATION

SPA No. 4 is comprised of the following sections:

- **1.0 Executive Summary:** This section summarizes the background, content and format of SPA No. 4.
- **2.0 Overview:** This section presents a summary of the proposed SPA No. 4 development concept, identifies existing conditions within the project area, states the purpose and objectives of SPA No. 4, and establishes the relationship of SPA No. 4 to the City of Moreno Valley General Plan and the City of Moreno Valley Municipal Code. Entitlements necessary for project implementation, and an explanation of the documentation prepared for SPA No. 4 pursuant to the California Environmental Quality Act (CEQA) are also presented.
- **3.0 Plan Elements:** This section describes the key elements of SPA No. 4 including descriptions of the proposed land use concept, project and vicinity circulation and access plans, sign program, and landscaping/screening concept.
- **4.0 Development Regulations and Design Guidelines:** The project development regulations specify uses permitted within the project area, and standards regulating development of permitted uses. Design guidelines and development criteria addressing project site planning, architecture, and landscape features are presented.
- **5.0 Implementation:** This section addresses the policies and procedures for the City's review and approval of development proposals within the project area and stipulates the methods and procedures for interpretations related to SPA No. 4.

1.3 ADOPTION PROCESS

The authority to prepare, adopt, and implement SPA No. 4 is granted to the City of Moreno Valley by the California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450-57). The City of Moreno Valley Planning Commission is required to review and make recommendations to the City of Moreno Valley City Council regarding SPA No. 4. If approved, the City Council will adopt SPA No. 4 by ordinance, thereby establishing the zoning for the project area.

1.4 RELATED ENTITLEMENTS

SPA No. 4, when adopted, will serve to implement the City of Moreno Valley General Plan and will serve as the zoning for the project area. With the exception of any development that is to be reviewed and approved concurrently with the adoption of SPA No. 4, approval of a development review application is required for each subsequent development within the project area pursuant to Section 5.2.1 of this Specific Plan Amendment.

Section Two

OVERVIEW

Section Two

OVERVIEW

2.1 APPLICABILITY

SPA No. 4, when adopted, will serve to implement the General Plan land use designation of Specific Plan for the project area, and will serve as the zoning for the subject site. SPA No. 4 establishes the development requirements and design guidelines applicable to all development within the project area.

2.2 PROJECT PROPOSAL

SPA No. 4 is a proposal to amend the Specific Plan as it pertains to the project area. Located at the Moreno Beach Drive off-ramp of SR-60 in the City of Moreno Valley, the project area is approximately 72 gross acres in size, and is generally bounded by SR-60 on the north, Moreno Beach Drive on the east, and open space on the south and west. SPA No. 4 will:

- Focus the list of permitted uses within the project area, as described in Section 4.0 of this document.
- Revise development regulations and design guidelines applicable to the project area consistent with the City Municipal Code, except where SPA No. 4 differs from the City Municipal Code as described in this document. Specifically, with the exception of proposed freeway-oriented signs, and modifications to parking lot landscaping requirements, the project will be implemented consistent with provisions of the City Municipal Code. Please refer also to Section 4.5, "Development Regulations."
- Within the project area, supercede the conditions of approval adopted with the Specific Plan and any previous amendments.

2.3 EXISTING CONDITIONS

The project area comprises approximately 72 gross acres of vacant, undeveloped land, and is provided primary access from SR-60 via the Moreno Beach Drive off-ramp. Moreno Beach Drive, which lies in a generally north-to-south/southeasterly alignment, is a General Plan designated Divided Major Arterial, with a 134-foot right-of-way. In the project vicinity, Eucalyptus Avenue, a General Plan designated arterial with a 100-foot right-of-way, exists easterly of Moreno Beach Drive in an east-west alignment. Infrastructure and utilities including sewer, water, storm drainage, telephone, gas, and electrical service adequate to serve the project area are available within Moreno Beach Drive.

2.4 AUTHORITY AND REQUIREMENTS

2.4.1 State of California Government Code

State of California Government Code, (Title 7, Division 1, Chapter 3, Article 8, Sections 65450-57) grants authority to cities to adopt and amend specific plans for purposes of implementing the goals and policies of their General Plans. The Government Code states that specific plans may be adopted and/or amended either by resolution or by ordinance, and that the specific plan and/or specific plan amendment is required to be consistent with the General Plan.

2.4.2 City Municipal Code

Chapters 9.13.080 and 9.13.090 of the City Municipal Code provide for the amendment of a specific plan by the City Council, provided the amendment is consistent with the General Plan or any general plan amendment approved concurrently with the specific plan.

SPA No. 4, when adopted by ordinance, will amend the established Specific Plan zoning and establish new zoning requirements for the project area. Except as otherwise provided for herein, (i.e., proposed freeway-oriented sign standards), SPA No. 4 will adopt and enforce regulations and guidelines of the City Municipal Code for development of permitted uses within the project area. Where development regulations in SPA No. 4 differ from those established by the City Municipal Code, the provisions of SPA No. 4 shall prevail. Where SPA No. 4 is silent on a development regulation, the City Municipal Code shall prevail.

2.5 SPECIFIC PLAN AMENDMENT PURPOSE AND OBJECTIVES

The purpose of SPA No. 4 is to define the range of permitted uses, development regulations, requirements, and design guidelines for the development of the project area. Implementation of SPA No. 4 will accomplish the following objectives:

- Provide for the orderly and master planned development of land uses within the project area, ensuring development of an economically viable project, or projects.
- Allow the potential for development of high quality residential uses within an area adequately served by commercial services.
- Ensure development of the project area consistent with General Plan policies, objectives, and implementation programs.

2.6 RELATIONSHIP TO GENERAL PLAN

As noted previously, California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450-57) permits the adoption and administration of specific plans and specific plan amendments as an implementation tool for elements contained in the local general plan. Specific plan amendments must demonstrate consistency of regulations, guidelines, and programs with the goals, policies and programs established in the general plan. The City of Moreno Valley General Plan designates the project area as "Specific Plan" on the General Plan Land Use Map. SPA No. 4 establishes the development requirements and planning guidelines applicable to the project area consistent with the goals and policies of the General Plan. SPA No. 4, when adopted, will serve as the legal document to implement the General Plan Land Use designation of "Specific Plan" for the project area.

2.7 CEQA COMPLIANCE

An Environmental Impact Report (EIR) will be prepared by the City of Moreno Valley for proposed SPA No. 4 in accordance with the California Environmental Quality Act (CEQA) and City requirements. The EIR will address the potential impacts associated with proposed SPA No. 4 and development that may be implemented pursuant to its adoption.

Section Three

PLAN
ELEMENTS

Section Three

PLAN ELEMENTS

3.1 LAND USE

The project area comprises approximately 72 gross acres, located at the Moreno Beach Drive off-ramp of SR-60. For descriptive and planning purposes, the project area is divided into four (4) Planning Areas, as depicted on Figure 3.1-1, "Land Use Plan." A summary of land uses proposed within the project area is presented in Table 3.1-1. Please refer also to the detailed list of permitted uses presented in Section 4.0, "Development Regulations and Design Guidelines," Table 4.4-1, "SPA No. 4 Permitted Uses."

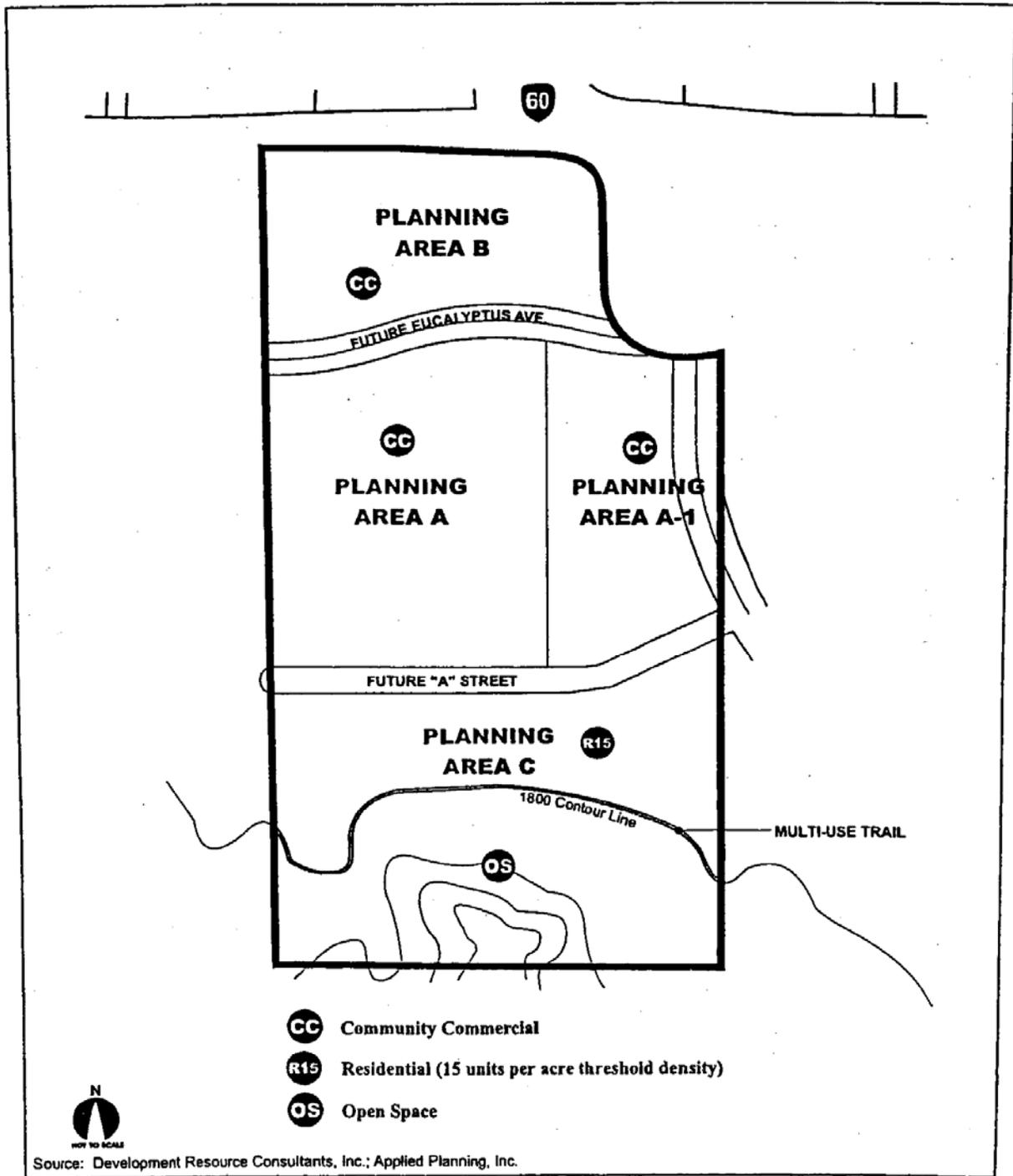
Table 3.1-1¹
Land Use Summary

Planning Area/ Land Use	Approx. Acreage	Approx. Sq. Ft./ Dwelling Units (DU)	Approx. Floor-to-Area Ratio (FAR)
A/Commercial	21.87 (Net)	227,194 Sq. Ft.	24 Percent (Net)
A-1/Commercial	6.75 (Net)	38,065 Sq. Ft.	13 Percent (Net)
B/Commercial	10.25 (Net)	86,400 Sq. Ft.	20 Percent (Net)
Subtotal Commercial Uses	38.87 (Net) 42.63 (Gross)	351,659 Sq. Ft.	21 Percent Aggregate (Net) 19 Percent Aggregate (Gross)
C/Multi-family Residential	20.00 (Net)	300 DU	15 DU/Acre (Net)
Subtotal Residential Uses	20.00 (Net) 29.23 (Gross)	300 DU	15 DU/Acre (Net) (Approx. 9.23 Acres Open Space)
TOTALS	58.87 (Net) 71.86 (Gross)	351,659 Sq. Ft.; 300 DU	—

Sources: SPA No. 4 Site Plan Concept, Development Resource Consultants, Inc. January 2003; Applied Planning, Inc.

¹ Quantified information presented in Table 3.1-1 table is illustrative, and is consistent with the proposed Site Plan Concept presented herein. The intensity within each individual planning area and within the overall project could be modified as long as the intensity of the project is within substantial conformance of the trip budget analyzed within the accompanying environmental documents.

SPA No. 4



Ordinance No. 644 Exhibit B
 Adopted: December 9, 2003
 Figure 1.1-3
 Project Area

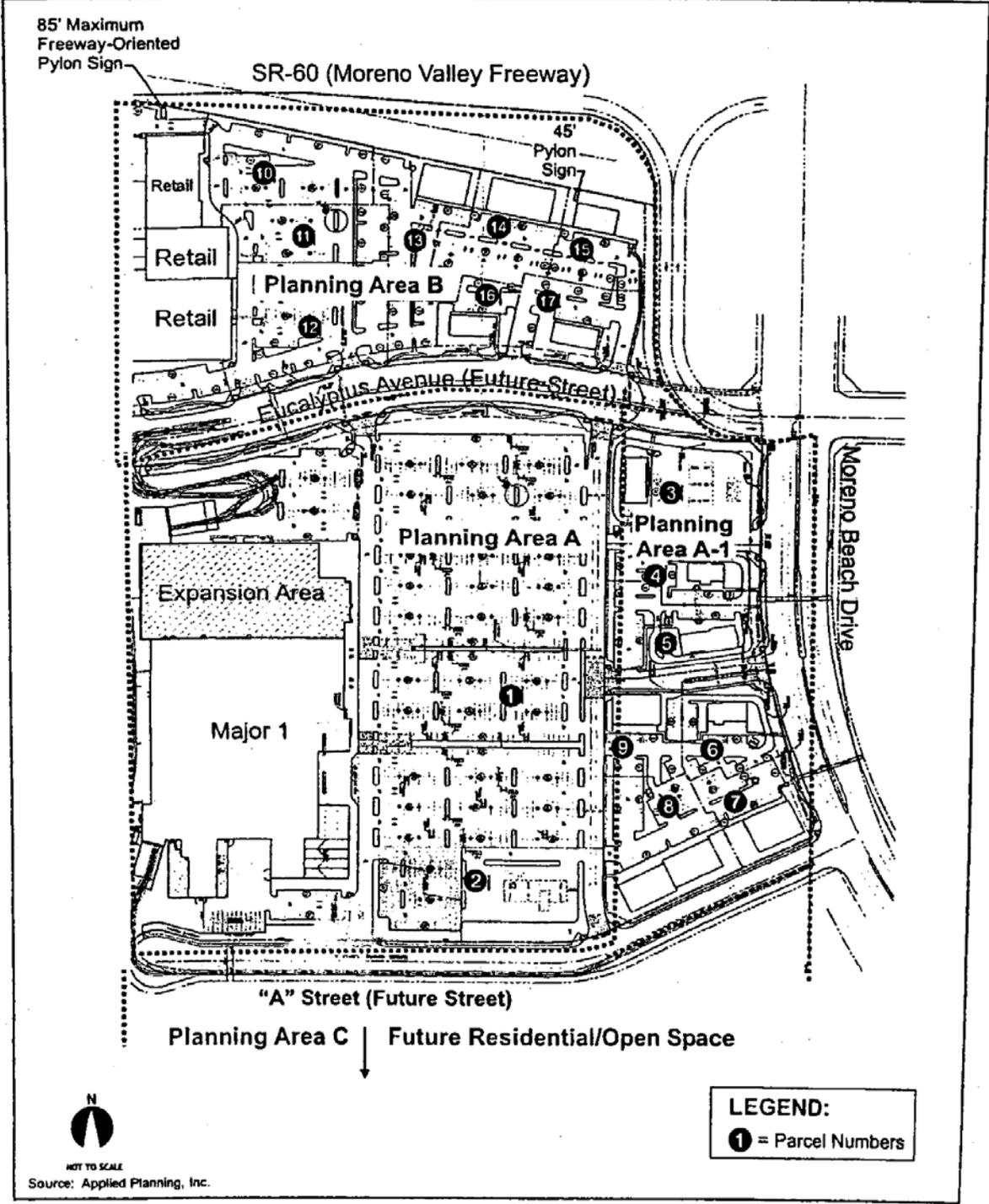
Unless otherwise specified, development of land uses will be realized consistent with provisions and requirements of the City of Moreno Valley Municipal Code (City Municipal Code). The Site Plan Concept providing for development of permitted uses within the project area is presented in Figure 3.1-2.

3.2 CIRCULATION AND ACCESS

3.2.1 Roadways/Access

Regional and vicinity vehicular access to the project area is provided via the Moreno Beach Drive off-ramp of SR-60, and by Moreno Beach Drive. Future Eucalyptus Avenue and proposed "A" Street provide internal circulation within the project area. Within the project area, a defined roadway/drive aisle paralleling the easterly boundary of Planning Area "A" provides a north-south connection between Planning Areas A/A-1 and B. The project access standards for vehicular circulation in Planning Areas A through C, as illustrated on Figure 3.1-2, shall be as follows:

- For Planning Areas A, A-1, and B, access roads and/or driveways for the commercial developments shall be located a minimum of 150 feet apart and a minimum of 150 feet from the nearest intersection, or as otherwise approved by the City Engineer.
- For Planning Areas A, A-1, and B, driveways to retail commercial sites shall be of the curb-return type with a minimum of a 35 foot radius, or as otherwise approved by the City Engineer.
- For Planning Area C, driveways shall be a minimum of 24 feet wide, or as otherwise approved by the City Engineer.
- Within the project site, traffic calming devices will be provided to the satisfaction of the City Traffic Engineer.



Ordinance No. 644
 Exhibit B
 Adopted: December 9, 2003 **Figure 3.1-2**
Site Plan Concept

3.2.2 Pedestrian Access

As indicated in the project Site Plan Concept, the proposal provides for interior pedestrian connections between proposed commercial uses, and in areas adjacent to proposed commercial buildings. A central landscaped pedestrian walkway will link outlying commercial areas along Moreno Beach Drive (Planning Area A-1) with the proposed Major commercial tenant in Planning Area A. Additionally, meandering pedestrian walkways will be provided along both sides of proposed Eucalyptus Avenue.

3.2.3 Bicycle Trails

The City's General Plan designates both sides of Moreno Beach Drive for development of either a Class I, or Class II bicycle trail. Development of the project area adjacent to Moreno Beach Drive will include the necessary improvements for either a Class I or Class II bicycle trail to extend through the project area.

3.2.4 Multi-Use Trail

Within the southerly Planned Residential land use area (Planning Area C) SPA No. 4 provides for implementation of a multi-use trail, generally following the southerly limits of the proposed developed residential area, paralleling the 1,800 foot contour line. The approximate location and alignment of this trail is indicated in the previous Figure 3.1-1.

3.3 ARCHITECTURE

As presented within SPA No. 4, Section Four, "Development Regulations and Design Guidelines," the project will comply with applicable architectural standards and concepts expressed in the City Municipal Code. In this regard, it is specifically recognized that design of all proposed structures shall be "four-sided" in character, and shall be internally compatible in color and materials with other uses proposed by the project. To provide visual interest and relief, design features, such as decorative tiles, lighting, building offsets, trellises or similar elements will be provided along elevations of the proposed Major tenant. Elevations of the proposed Major tenant evidencing these design elements will be provided concurrent with application for building permits, or as otherwise directed by the City.

3.4 SIGNAGE

As presented in detail in the Project Sign Program, (*Moreno Beach Plaza Sign Program*, submitted under separate cover), SPA No. 4 provides for two (2) pylon signs, one (1) freeway-oriented sign of up to a maximum of 85 feet in height and 690 square feet in area, to be located at the northwesterly limits of the project, and an additional pylon sign up to approximately 45 feet in height and 150 square feet in area at the northeasterly limits of the proposal. The proposed maximum 85-foot high/690 square foot freeway-oriented sign would exceed City Municipal Code height and area limitations. A concept illustration of the project's proposed 85-foot pylon sign is presented in Figure 3.4-1.

Construction materials and colors proposed for all project signs will be compatible with architectural elements of SPA No. 4, as well as signs existing or proposed for other SP 209 entitlements. Project sign elevations shall also be comparable to Auto Mall sign elevations approved under existing entitlements for the project site. Proposed signs within SPA No. 4 are addressed through the provisions of the City Municipal Code, and/or the Project Sign Program. Signs proposed by the project shall be subject to review and approval by the City through the Project Sign Program application. Please refer also to the discussions of proposed Specific Plan Development Regulations and Design Guidelines presented in Section Four of this document.

3.5 LANDSCAPING AND SCREENING

3.5.1 Introduction

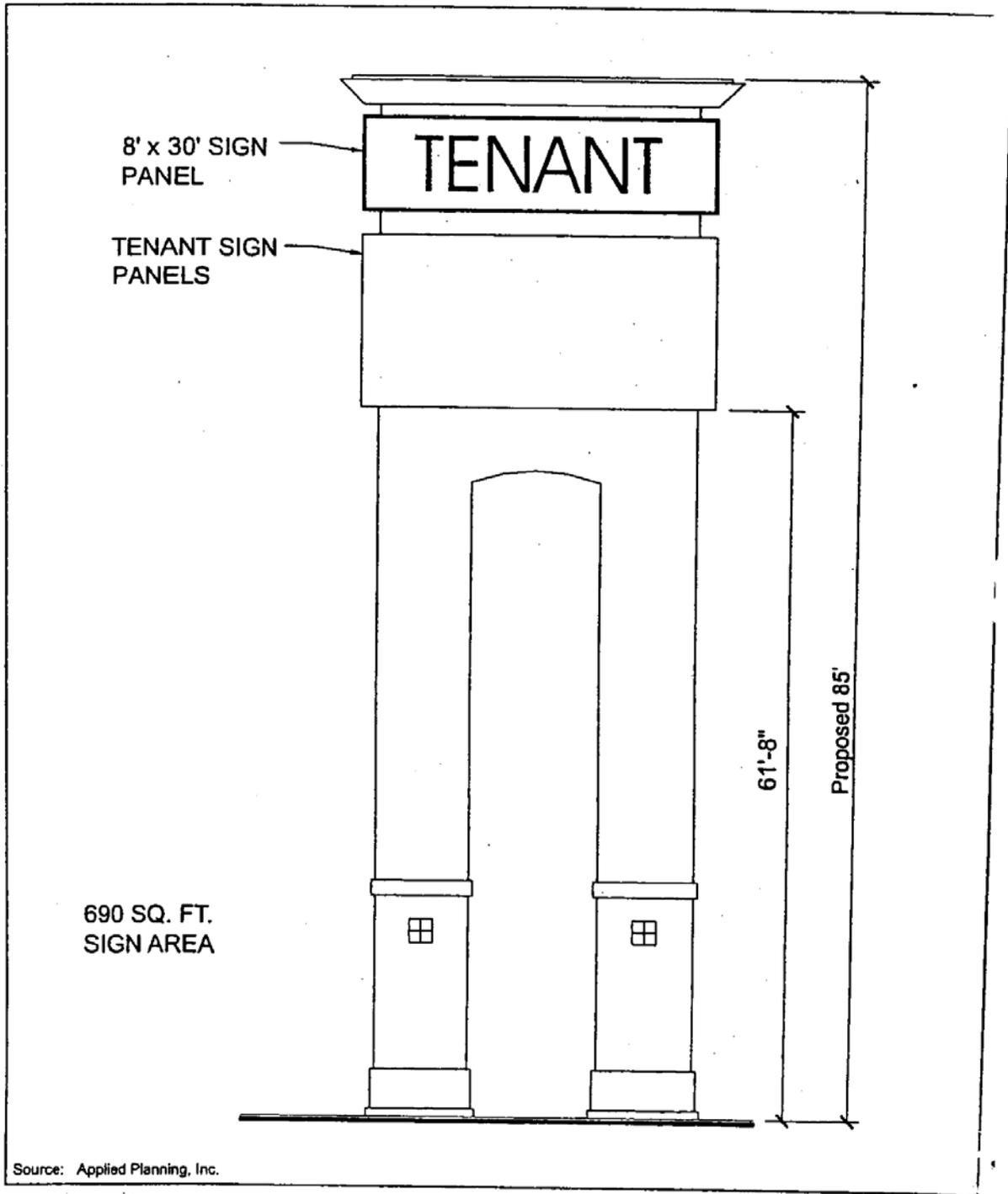
Unless otherwise identified herein, landscaping and screening of the project site and its component elements will be implemented consistent with provisions of the City Municipal Code. In these regards, landscaping/screening requirements and guidelines applicable to the project are articulated within City Municipal Code, Title 9, "Planning and Zoning," Chapters: 9.03, "Residential Districts"; 9.04, "Commercial Districts"; 9.08, "General Development Standards"; 9.10, "Performance Standards"; 9.11, "Parking and Loading Requirements"; and 9.16, "Design Guidelines."

The following discussions illustrate typical applications of City Municipal Code landscaping/screening guidelines and requirements within the project area. This section also addresses project-specific landscaping and screening considerations, including but not limited to: edge treatments along the project's perimeter freeway frontage and internal roadways; relationship of project landscaping to existing and anticipated vicinity landscaping treatments; internal screening and buffering between the project's residential and commercial components; and screening and enhancement of the project site as perceived from off-site vantages.

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Figure 3.4-1
 Freeway-Oriented Pylon Sign Concept

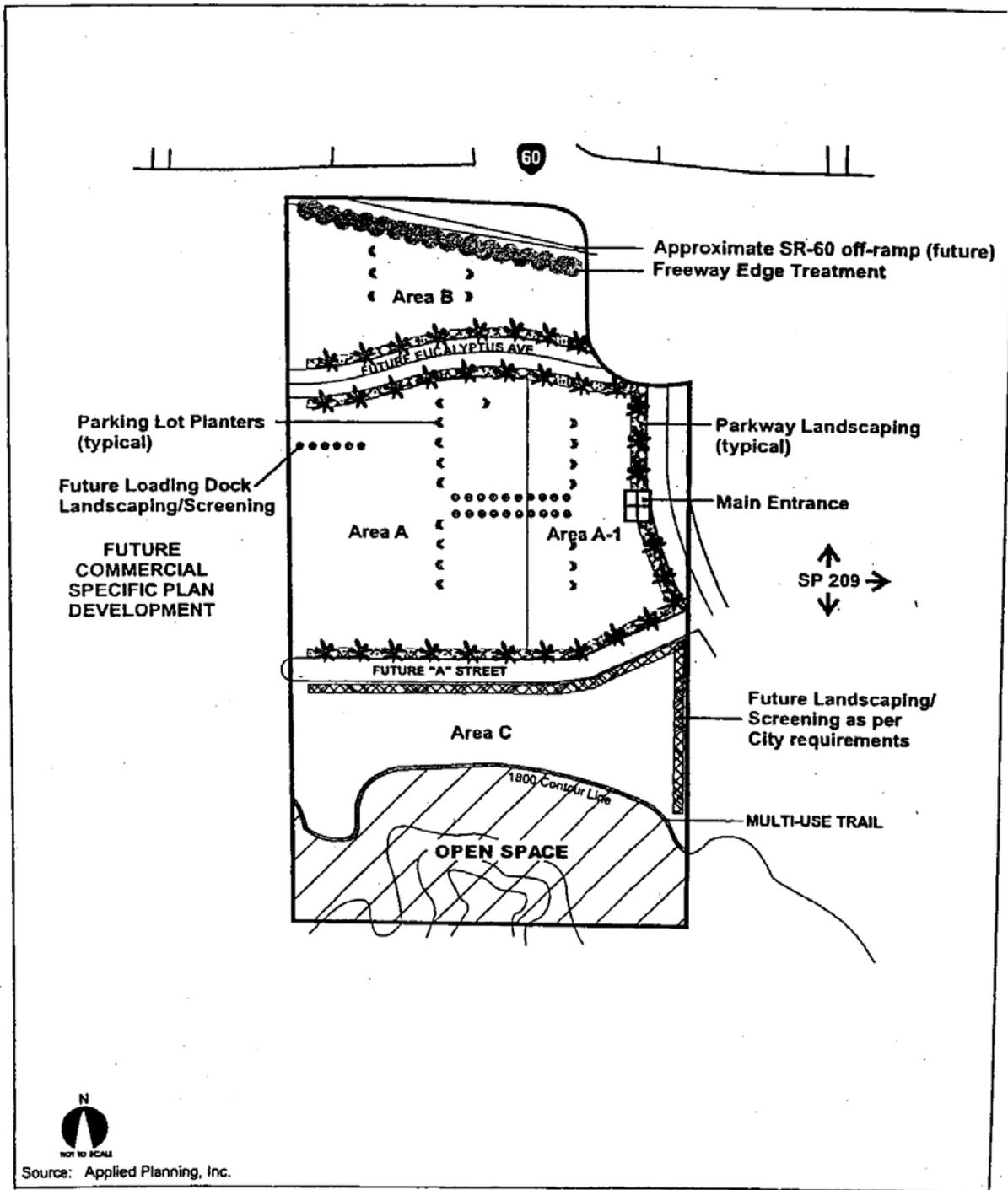
3.5.2 Landscape/Hardscape and Screening Elements

The project Master Landscaping Concept is presented in Figure 3.5-1. As indicated in Figure 3.5-1, within the project site and along its boundaries, landscape and screening elements will act to define and accent architectural components, provide shading within parking lot areas, and screen and/or enhance views of the project site as seen from vicinity streets and adjacent land uses. Landscaping will typically be provided adjacent to structures, within parking lot planters, and in areas adjacent to roadways. With the exception of certain parking lot landscape features discussed subsequently in this section, all project landscaping will be realized consistent with City Municipal Code design and construction standards.

For retail/commercial uses such as those proposed by the project, the City Municipal Code requires that all front setbacks be landscaped, and that parking areas be screened from streets through a combination of mounded minimum 3-foot high landscaping, low profile walls, and/or grade separations. Concept locations and configurations of these peripheral landscape/screening treatments, to be incorporated along Eucalyptus Avenue and the northerly edge of Future "A" Street, are indicated in Figure 3.5-1. A minimum 20-foot landscape setback will be provided along Eucalyptus Avenue. Similar to internal streetscapes within adjacent SP 209, the project proposes formal spacing of mature palms, with understory planting of drought-tolerant shrubs and turf or other groundcover on low berms (minimum 3-feet in height). Decorative pavers will be incorporated within the westerly project entrances off of proposed Eucalyptus Avenue and Future "A" Street.

Landscaping along the project's Moreno Beach Drive frontage will continue treatment of this parkway established by, and implemented under SP 209 to the south. The project's Moreno Beach Drive landscaping will establish formal planting of mature palm trees, with understory planting of drought-tolerant shrubs and turf or other groundcover on low berms. The project's Moreno Beach Drive landscape area will also continue bikeways/pedestrian paths established to the south. Decorative pavers will be incorporated in the project's main entrance off of Moreno Beach Drive.

Within the project site, individual retail/commercial tenants typically provide landscaping features adjacent to structures as site enhancing elements. It is anticipated that project tenants will employ both informal and formal arrangements of drought-tolerant, low maintenance plant varieties.



Ordinance No. 644
Exhibit B
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Figure 3.5-1
Master Landscape Concept

Consistent with City requirements, parking stalls shall be double striped, and shall be a minimum of nine feet in width by eighteen feet in depth. The project will implement a 3-foot minimum berm or wall along perimeter parking areas, screening parking lots from public views from adjacent rights-of-ways.

To the extent feasible, the project will provide landscaping within parking lot areas consistent with Municipal Code requirements, to include diamond landscape planters for every three (3) parking stalls, and landscape fingers at one (1) per twelve (12) parking stalls. However, implementation in this manner may not be feasible or desirable throughout the project area based on the final project design. Where the project does not provide landscaping in strict conformance with Municipal Code requirements, additional parking lot landscaping, equivalent to City Landscape Guideline requirements (canopy coverage equivalent), will be provided in quantities, types, and locations to the satisfaction of the Community and Economic Development Director. Such landscaping may differ from Municipal Code requirements in the number or frequency of diamond planters, and/or configuration of landscaping along the project's central spine walkways. All proposed supplemental or augmented parking lot landscaping plans shall be designed and implemented to the satisfaction of the Community and Economic Development Director. As indicated in the project site plan and landscaping concepts, a portion of this landscape requirement may be realized through landscaping along the pedestrian walkway traversing the central project area. In no instance shall the amount of trees or canopy be reduced from existing Municipal Code Standards for landscape. Please refer also to the Development Standards presented in Section Four of this document.

It is anticipated that plant palettes and hardscape elements proposed within internal areas of the project site will reflect and employ materials and design themes established in adjacent SP 209. Please refer also to SPA No. 4, Section Four.

The City Municipal Code also generally identifies screening/buffering appropriate between the project's commercial and residential components, along proposed "A" Street, and along the easterly boundary of the project's residential area where this land use abuts dealership/commercial uses to be implemented in adjacent areas of SP 209. Landscaping/screening between adjacent commercial and residential areas will be provided to the satisfaction of the City.

Along the project's westerly boundary, existing and anticipated grade differentials between the project site and abutting land uses act to screen and diminish views of the project site as seen from westerly adjacent areas.

SPA No. 4

June 2003

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Adopted: December 9, 2003

Recognizing the project's visibility from adjacent SR-60, the Master Landscape Concept also provides for landscaping of the proposal's northerly freeway edge, also indicated in Figure 3.5-1. Typically this will include low berms, with plantings of mature trees and accent shrubs.

Screening of individual project features, e.g., loading docks, trash enclosures, storage areas, etc. will be accomplished consistent with City Municipal Code requirements and/or as required by environmental analysis prepared under the EIR required for the project. Enhanced landscaping will be provided along the northerly edge of the loading dock area associated with the proposed future expansion of the project's Major 1 use. Please refer also to SPA No. 4 Section 2.8, "CEQA Compliance."

Section Four

**DEVELOPMENT
REGULATIONS AND
DESIGN GUIDELINES**

Section Four

DEVELOPMENT REGULATIONS AND DESIGN GUIDELINES

4.1 PURPOSE AND APPLICABILITY

These provisions are intended to regulate land use, development, and design within the project area. The development regulations and design guidelines contained herein provide specific standards for new development within the project area. Section 4.4, Table 4.4-1, identifies the list of permitted uses for each project Planning Area. The applicable regulations of the City Municipal Code shall apply to the project area unless stated herein to the contrary. Whenever the provisions and development standards contained herein conflict with those contained in the City Municipal Code the provisions of SPA No. 4 shall apply.

4.2 DEFINITION OF TERMS

The meaning and construction of words, phrases, titles and terms used in SPA No. 4 shall be the same as provided in the City Municipal Code, Section 9.15, "Definitions," except as otherwise specifically provided herein.

4.3 GENERAL NOTES

- Any details or issues not specifically covered by these Development Regulations and Design Guidelines shall be subject to the regulations of the City Municipal Code.
- If any regulation, condition, program or portion of the Specific Plan is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and the invalidity of such provision shall not affect the validity of the remaining provisions.

- Provisions of this Plan are not intended to interfere with or abrogate any easements, covenants, or other existing agreements which are more restrictive than the provisions of this Plan.
- These Development Regulations are adopted pursuant to Planning and Zoning Law, Title 7, California Government Code. It is specifically intended by such adoption that the standards herein shall regulate all development within the project area. In a case of any conflict between the regulations established herein and those of the City Municipal Code, the Project Development Regulations shall prevail.
- Construction permitted under SPA No. 4 shall comply with applicable provisions of the Uniform Building Code, including City of Moreno Valley amendments, and other various Mechanical, Electrical, Plumbing and Fire Codes related thereto.

4.4 PERMITTED USES

Permitted land uses within the City are comprehensively identified in the City Municipal Code, Section 9.02.020, Table 9.02.020-1. Proposed permitted uses for each planning area within the project area are listed within Table 4.4-1. Providing for flexibility of occupation, proposed uses will be permitted 24 hour per day, seven days per week operating hours unless otherwise conditioned. Potentially adverse environmental effects that may result from proposed 24 hour per day, seven days per week operations have been addressed, and will be mitigated below significance thresholds consistent with analysis and findings of the *Moreno Valley Auto Mall Specific Plan Amendment No.4 Draft Environmental Impact Report* (Specific Plan EIR). As supported by the Specific Plan EIR Noise Impact Study, potentially adverse noise impacts resulting from, or affecting the project can be adequately and appropriately mitigated through noise-attenuating structural designs and facilities locations/orientations implemented pursuant to site and project-specific acoustical analyses. Requisite acoustical analyses shall be reviewed and approved by the City prior to the issuance of building permits, and all development within the Specific Plan area shall be implemented consistent with findings, recommendations, and requirements of the approved acoustical analyses.

Permitted uses identified herein may be developed within the project boundaries, subject to the development standards and design guidelines specified in Section 4.5 of this document. If ambiguity or conflict arises concerning the appropriate classification or approval of a particular use that is not explicitly listed in Table 4.4.-1, but if such use falls within the range and nature of the listed permitted uses, it shall be the duty of the Community and Economic Development Director to
SPA No. 4

ascertain all pertinent facts and issue an interpretation as to its status. Please also refer to City Municipal Code § 9.01.060, "Clarification of Ambiguities."

For each Planning Area, uses permitted within SPA No. 4 are identified below. *Uses identified on the Master Plot Plan (Site Plan Concept), and listed herein, are expressly identified as permitted, not subject to Conditional Use Permit review and approval processes. The City may however, apply certain conditions of approval to development projects to be implemented within SPA No. 4.*

Table 4.4-1
SPA No. 4 Permitted Uses

Permitted Uses	Comments
Planning Area A <i>Planning Area A will permit all general retail uses found in other shopping centers. Other uses specifically identified as permitted within Planning Area A include, but are not limited to:</i>	
Auto Service Stations and Accessory Uses, Including Car Washes, Convenience Stores and Minor Repairs	---
Major-1 Retail "Big Box" Store to include, but is not limited to sales and services as follow: general merchandise, pharmacy, groceries and food, packaged liquor for off-site consumption, firearms and ammunition, vision care, "tire and lube" facilities, outdoor sales, garden sales, truck docks and loading outside container storage, rooftop and proprietary satellite communication, restaurant(s), bank, arcade, and parking to include overnight RV parking.	---
Planning Area A-1 <i>Planning Area A-1 will permit all general retail uses found in other shopping centers. Other uses specifically identified as permitted within Planning Area A-1 include, but are not limited to:</i>	
Banks-Financial Institution, to Include Drive-Through Facilities and Freestanding ATM	---
Convenience Stores, With or Without Drive-Through, With Alcohol Sales	---
Gasoline Dispensing	---
Liquor Store-Off Sales Only	---
Fast-food Restaurants w/Drive-Through	

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Planning Area B	
<i>All Uses Permitted In Planning Area A-1. Other uses specifically identified as permitted within Planning Area B include, but are not limited to:</i>	---
Auto/Boat/Recreational Vehicle Dealerships and Supporting Uses	---
Hotels/Motels	---
Planning Area C	
Multi-Family Residential Uses	R15 Development Standards, Max. Density = 15 DU/Acre
Public Utility Stations, Excluding Offices	Will Require CUP
Recreational Facilities, Private	Will Require CUP

All development projects proposed pursuant to the adopted SPA No. 4 and the approved Master Plot Plan shall be reviewed and approved through the City's administrative plot plan processes. Any significant changes to the approved Master Plot Plan will require Planning Commission approval. Additionally, unless implemented consistent with the adopted SPA No. 4 and the approved Master Plot Plan, or otherwise exempt under the City Municipal Code, individual development projects exceeding 50,000 square feet will require Planning Commission approval. Please refer also to Section 5.0, "Implementation."

4.5 DEVELOPMENT REGULATIONS

4.5.1 General Considerations

City Municipal Code Title 9, Planning and Zoning, Section 9.04.040, Commercial Site Development Standards, Paragraphs A, "General Requirements," and B, "Special Requirements," identify commercial site development standards generally applicable to the project, including but not limited to: minimum site dimensions and areas, minimum structure setbacks, maximum lot coverage, and maximum structure heights. Within the category of commercial uses, the City Municipal Code also identifies specific requirements applicable to fast food and service station uses proposed by the project, as identified in Chapter 9.09, Specific Use Development Standards.

Similarly, Title 9, Section 9.03.040, Paragraph D, General Residential Requirements (R-15 Standards) establishes site development standards applicable to multiple family residential uses proposed by the project, including but not limited to: density thresholds, minimum lot areas, minimum setbacks, maximum building height and maximum lot coverage.

SPA No. 4

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Adopted: December 9, 2003

4.5.2 SPA No. 4 Development Standards

Development within SPA No. 4 shall comply with the applicable provisions of the City Municipal Code except as expressly provided for below. Where the project will apply standards or regulations differing from those established by the City Municipal Code, the following Table 4.5-1 compares standards of the City Municipal Code to those proposed by SPA No. 4. As presented in Table 4.5-1, with the exception of proposed parking lot landscaping standards and freeway-oriented signage, facilities and uses proposed by the project will be implemented consistent with development standards identified in the City Municipal Code.

It is also noted, that while the project site development concept, preliminary parcel map design(s), and initial architectural designs are considered to be consistent with City Municipal Code design and development standards, final design of all aspects and elements of the project are subject to review and approval by the City, thereby assuring consistency of proposed uses with applicable City Municipal Code site development and architectural standards.

Development standards within the project area (SPA No.4) shall comply with all applicable provisions of the Municipal Code, except as expressly provided within the following Table 4.5-1.

Table 4.5-1 SPA No. 4 Development Standards/Guidelines		
CITY MUNICIPAL CODE STANDARDS/GUIDELINES	SPA No. 4 STANDARDS/GUIDELINES	COMMENTS
<p>Parking Lot Landscape Standards</p> <p>Within commercial parking lots, City Landscape Design Guidelines require diamond landscape planters for every three (3) parking stalls, landscape fingers at one per twelve (12) parking stalls, and a minimum three-foot high berm or wall to screen parking from public views.</p>	<p>Consistent with City requirements, parking stalls shall be double striped, and shall be a minimum of nine feet in width by eighteen feet in depth. The project will implement a 3-foot minimum berm or wall along perimeter parking areas, screening parking lots from public views from adjacent rights-of-ways. The project will implement a 3-foot minimum berm or wall along perimeter parking areas, screening parking lots from public views from adjacent rights-of-ways. To the extent feasible, the project will provide landscaping within parking lot areas consistent with Municipal Code requirements, to include diamond landscape planters for every three (3) parking stalls, and landscape fingers at one (1) per twelve (12) parking stalls. However, implementation in this manner may not be feasible or desirable throughout the project area based on the final project design. Where the project does not provide landscaping in strict conformance with Municipal Code requirements, additional parking lot landscaping, equivalent to City Landscape Guideline requirements (canopy coverage equivalent), will be provided in quantities, types, and locations to the satisfaction of the Community and Economic Development Director. Such landscaping may differ from Municipal Code requirements in the number or frequency of diamond planters, and/or configuration of landscaping along the project's central spine walkways. All proposed supplemental or augmented parking lot landscaping plans shall be designed and implemented to the satisfaction of the Community and Economic Development Director. As indicated in the project site plan and landscaping concepts, a portion of this landscape requirement may be realized through landscaping along the pedestrian walkway traversing the central project area. In no instance shall the amount of trees or canopy be reduced from existing Municipal Code Standards for landscape.</p>	<p>In order to achieve landscaping/shading standards required under the City Municipal Code, to the satisfaction of the Community and Economic Development Director, the project will provide additional landscaping, equivalent in scope and intensity to City Municipal Code requirements. Such landscaping may be implemented in locations and configurations other than specifically identified under the City Landscape Design Guidelines. Berming/creasing of parking lots will be provided consistent with City Municipal Code requirements.</p>

Section Four

Development Regulations And Design Guidelines

Table 4.5-1
SPA No. 4 Development Standards/Guidelines

CITY MUNICIPAL CODE STANDARDS/GUIDELINES	SPA No. 4 STANDARDS/GUIDELINES	COMMENTS
<p>Signs</p> <p>Chapter 9.12. Sign Regulations, Section 9.12.070, Sign Program, provides that an integrated sign program may be requested by the property owner for all nonresidential projects greater than fifteen (15) gross acres in area. The sign program shall be subject to review by the community and economic development director. A sign program may deviate from any of the standards provided in this [City Municipal Code] section.</p> <p style="text-align: center;">4</p>	<p>The City Municipal Code permits one (1) freeway-oriented pylon sign, and other additional pylons signs within the project area. Proposed pylon signs are not to exceed 45 feet in height or 150 feet in area. To provide adequate identification of the site and tenants, the project will provide two (2) pylon signs. As identified on the project site plan concept, one freeway-oriented sign, up to a maximum of 85 feet in height and 690 feet in area, will be provided adjacent to SR-60 at the northwesterly limits of the Specific Plan. A second freeway-oriented sign, up to approximately 45 feet in height and not to exceed 150 feet in area. City, will be provided adjacent to SR-60 at the northeasterly corner of the project. Proposed pylon signs will be implemented as components of the project sign program, to be submitted under separate cover. With the exception of proposed freeway-oriented signs, the project sign program will be implemented consistent with sign standards and requirements of the City Municipal Code.</p>	<p>The project sign standards augment, and differ from the City Municipal Code in order to provide adequate identification of the project site and tenants. At the northwesterly limits of the project site, the proposed maximum 85-foot high freeway-oriented pylon sign will provide identification of the project site at a distance sufficient to allow east-bound motorists time to decelerate and maneuver to an exiting position. At the northeasterly corner of the project site, identification and location of the project site is reinforced by a second pylon sign of approximately 45 feet in height. Height and locations of these signs as described are considered approximate, with the necessary height and precise locations to be determined through "balloon-height testing" or other protocols satisfactory to the City. Design and location of project signs will be realized consistent with provisions of SPA No. 4, the project Sign Program, and the City Municipal Code, as verified through site plan and building permit, and Certificate of Occupancy review processes.</p>

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June 2003

Ordinance No. 644

Exhibit B

Adopted: December 9, 2003 4-7

Section Five

IMPLEMENTATION

Section Five

IMPLEMENTATION

5.1 METHODS AND INTERPRETATION

Development within the project area shall be implemented through the City of Moreno Valley Development Review process as set forth in Section 9.02.030 of the City Code. The implementation process described below provides for the mechanisms for review and approval of development projects within the project area.

5.1.1 Applicability

All development proposals within the project area shall be subject to the implementation procedures established herein. Whenever the provisions and development standards contained herein conflict with those contained in the City Municipal Code, the provisions of SPA No. 4 shall take precedence.

5.1.2 Interpretation

Unless otherwise provided, any ambiguity concerning the content or application of SPA No. 4 shall be resolved by the City of Moreno Valley Community and Economic Development Director in a manner consistent with the goals, policies, purpose and intent established herein.

5.1.3 Implementation of Design Guidelines

Adoption of SPA No. 4 by the City includes adoption of the design guidelines contained in the City Municipal Code which, except for specific provisions addressing proposed freeway-oriented signs as described herein and in the project Sign Program, shall be the sole design criteria by which development projects within the project area will be reviewed during the Development Review process.

5.2 DEVELOPMENT REVIEW PROCESS

5.2.1 Development Review

Development Review is required for the adoption of the project Master Plot Plan. Submittal of a Development Review Permit application shall be a form of consent consistent with the City of Moreno Valley requirements. The decision of the City Council shall be final.

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After City approval of a Master Plot Plan, all future projects for designated commercial/retail pads within the Master Plot Plan shall be reviewed and approved administratively (plot plan with notice and no hearing) subject to the approval of the Community and Economic Development Director. Any change of use or major modification of the Master Plot Plan will require approval of a revised Master Plot Plan by the Planning Commission. The proposed future residential project will be reviewed discretionarily by the Planning Commission.

ORDINANCE NO. 644

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA (P02-074), APPROVING SPECIFIC PLAN AMENDMENT NO. 4 TO THE MORENO VALLEY AUTO MALL SPECIFIC PLAN (NO. 209) TO MODIFY PHASE 3 IN FULL, REVERT TO REGULATIONS OF THE MUNICIPAL CODE AND CHANGE THE LAND USE DESIGNATION ON A MAJOR PORTION OF THE SITE FROM D (DEALERSHIP), C (COMMERCIAL) AND PD (PLANNED DEVELOPMENT) TO CC (COMMUNITY COMMERCIAL), WHICH INCLUDES 38.87 NET ACRES (42.63 GROSS ACRES) AND R-15 (RESIDENTIAL-15 UNITS PER ACRE) WHICH INCLUDES 20.00 NET ACRES (25.68 GROSS ACRES) AND AMEND THE OFFICIAL ZONING ATLAS FOR A 71.86 ACRE PARCEL OF LAND. THE AMENDMENT ALSO PROPOSES HEIGHT MODIFICATIONS FOR SIGNS AND ALLOWS FOR AN ADJUSTMENT OF INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS. THE SITE IS LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 60 AND MORENO BEACH DRIVE AT THE MORENO BEACH DRIVE OFF RAMP.

The City Council of the City of Moreno Valley, California, does ordain as follows:

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on November 25, 2003, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed amendment is consistent with the General Plan, and with its goals, objectives, policies and programs and the applicable specific plan.

FACT: The proposed amendments to Phase 3 of the Moreno Valley Auto Mall Specific Plan (SP No. 209) is consistent with the goals, objectives, and policies of the City of Moreno Valley General Plan. The proposed project will allow for the development of new and additional commercial and residential uses upon the 71.86 acre Phase 3 of SP No. 209. The proposed project is consistent with the current land use designation of the project site, which is "Specific Plan".

The amendment is consistent with the intent of the General Plan, which is to provide a diversity of land use opportunities, including, but not limited to commercial, housing and recreational amenities. The addition of high quality commercial/retail uses will provide for increased economic benefits to the City and additional employment opportunities to City residents. The project is further consistent with the policies and goals of the General Plan because the proposed project represents a pattern of land uses which organizes future growth, minimizes conflicts between land uses and promotes positive utilization of underdeveloped parcels. The proposed land use district change from D (Dealerships) to R-15 (Residential-15) within the southern portion of the site is consistent with the principle goals of the General Plan Housing Element which is to facilitate access to decent, safe, sanitary and affordable housing for residents, regardless of income. The residential portion of the proposed project will provide housing opportunities for all economic segments of the community and contributes to the desired land use diversity.

Justification for the change of land use from commercial to multiple-family residential includes the fact that properties within the Moreno Valley Auto Mall have not developed as automobile dealerships and auto related uses as provided for in SP No. 209. The addition of a variety of retail uses would allow for a diversity of commercial land uses and the opportunity for the proposed commercial and retail uses to support existing auto related uses and visa versa. The future residential portion of the specific plan amendment will allow future tenants to take advantage of the view potential and the recreation use of the multi-use trail. The proposed R-15 land use is consistent with the proposed Citywide General Plan Amendment scheduled for review in early 2004.

2. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The amendment will revert to regulations and land uses within the Municipal Code under the CC (Community Commercial) and R-15 (Residential-15) land use districts, and thus is considered consistent with the purposes and intent of the zoning regulations outlined in Title 9 of the Municipal Code, including the purpose and intent to "attain the physical, social and economic advantages resulting from comprehensive and orderly land use and resource planning." The project provides a well-defined pattern of land uses based on physical, social and economic criteria and a program for orderly development.

The project is consistent with the purposes of the Moreno Valley Auto Mall Specific Plan, which allow for a variety of commercial opportunities. Density of the proposed future residential development is consistent with the Specific Plan and Municipal Code requirements under the R-15 land use district.

Except for the sign standards and specific provisions of the interior parking lot landscape requirements, the Specific Plan Amendment will adopt and enforce regulations and guidelines of the City Municipal Code for development of permitted uses within the project area. The applicant also seeks approval of a sign program, which is part of the proposed project, that provides for a freeway-oriented sign that will be larger than currently permitted by the City Municipal Code. The Specific Plan Amendment will provide two freeway-oriented signs; one approximately 85 feet in height and 690 square feet in area to be located in the northwesterly portion of the project site, and an additional sign approximately 45 feet in height, not to exceed 150 square feet in area, at the northeasterly limits of the project site. The proposed height, design and location of these signs is predicated on providing necessary visibility and notification of the proposed commercial/retail center for motorists traveling along adjacent State Route 60, which is somewhat blocked at the project site due to the Moreno Beach Drive overcrossing. The sign program provides the taller, larger sign in lieu of individual freeway signs for each parcel. Therefore, the Project Sign Program will not conflict with City zoning regulations. Although intervals for parking lot landscape area (i.e. required diamond and finger planters) are proposed to decrease within commercial parking lot areas, additional landscape areas along pedestrian walkways and a comparable amount of tree shade canopies will allow proper landscape areas and shade of vehicles within the established parking lots. All other requirements including,

but not limited to commercial and residential uses, setbacks, etc. will be consistent with current Municipal Code requirements.

3. **Health, Safety and Welfare** – The proposed amendment will not be detrimental to the public health, safety or welfare.

FACT: A final Environmental Impact Report (EIR) is required to be certified as a part of the proposed project. The EIR has indicated that impacts of the project associated from air quality, traffic and noise will be considered as unavoidable significant adverse impacts. Pursuant to Section 21081 of the California Environmental Quality Act (CEQA) Guidelines, a statement of overriding considerations is included for consideration of certifying the document and approving the project. Based on the mitigation measures provided for each of the items addressed within the final EIR and attached statement of overriding consideration, impacts from air quality, traffic and noise will be significantly reduced, but not to less than significant levels. Further environmental information, including the statement of overriding conditions and mitigation monitoring program is available within the Final EIR document. The site is surrounded by Highway 60 to the north, vacant commercial and recreational land to the west, and an existing auto mall to the east of the subject site. Any direct impacts to health, safety and welfare of these surrounding land uses from the proposed retail and residential project would be considered minimal.

4. **Redevelopment Plan** – The project conforms with any applicable provisions of the city's redevelopment plan.

FACT: The proposed project would not conflict with the city's redevelopment plan, including the objective contained within Section 421 to create an attractive and pleasant environment for the project area. The proposed retail commercial portion of the project will be compatible with the existing retail character provided within the auto mall to the east. The proposed future residential land use within the southern portion of the plan will provide a mixture of uses that will benefit from the other and allow pedestrian use of the multi-purpose trail adjacent to the designated open space area. Furthermore, if the proposed specific plan amendment were approved, the project would be consistent with the redevelopment plan, since the plan defers to the city's Municipal Code with respect to land use restrictions and development standards.

SECTION 3

- 3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, 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 as shown on the attached map (marked "Exhibit A" and included herein by reference), Change of Official Zoning, City of Moreno Valley, referenced as Specific Plan Amendment Case No. P02-074.

SECTION 4

- 4.1 Amendment No. 4 of the Moreno Valley Auto Mall Specific Plan (No. 209), attached as Exhibit B, amends Phase III of the specific plan in full, including the elimination of original design manual and specific plan text for Phase III, an associated amendment of the Official Zoning Atlas from D (Dealerships), C (Commercial) and PD (Planned Development) to CC (Community Commercial) for 42.63 acres of the plan and R-15 (Residential-15) on approximately 20 acres of the plan (An additional 9.23 acres will remain as open space area), and minor modifications to sign height and interior parking lot landscape standards established within the Municipal Code, based on the findings included in this Ordinance.

SECTION 5 EFFECT OF ENACTMENT:

- 5.1 Except as expressly amended herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6 NOTICE OF ADOPTION

- 6.1 Within 15 days after the adoption of this ordinance, the City Clerk shall certify to the adoption hereof and cause it to be posted in three (3) public places within the City.

SECTION 7 EFFECTIVE DATE:

- 7.1 This ordinance shall become effective thirty (30) days after the date of its adoption.

ORDINANCE JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

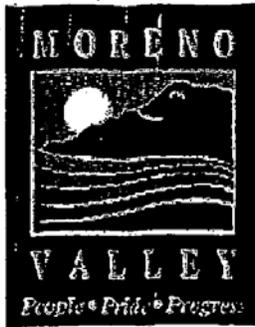
I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 644 had its first reading on November 25, 2003 and had its second reading on December 9, 2003 and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 9th day of December, 2003 by the following vote:

AYES: Councilmembers Flickinger, Stewart, West, White and Mayor Batey
NOES: None
ABSENT: None
ABSTAIN: None

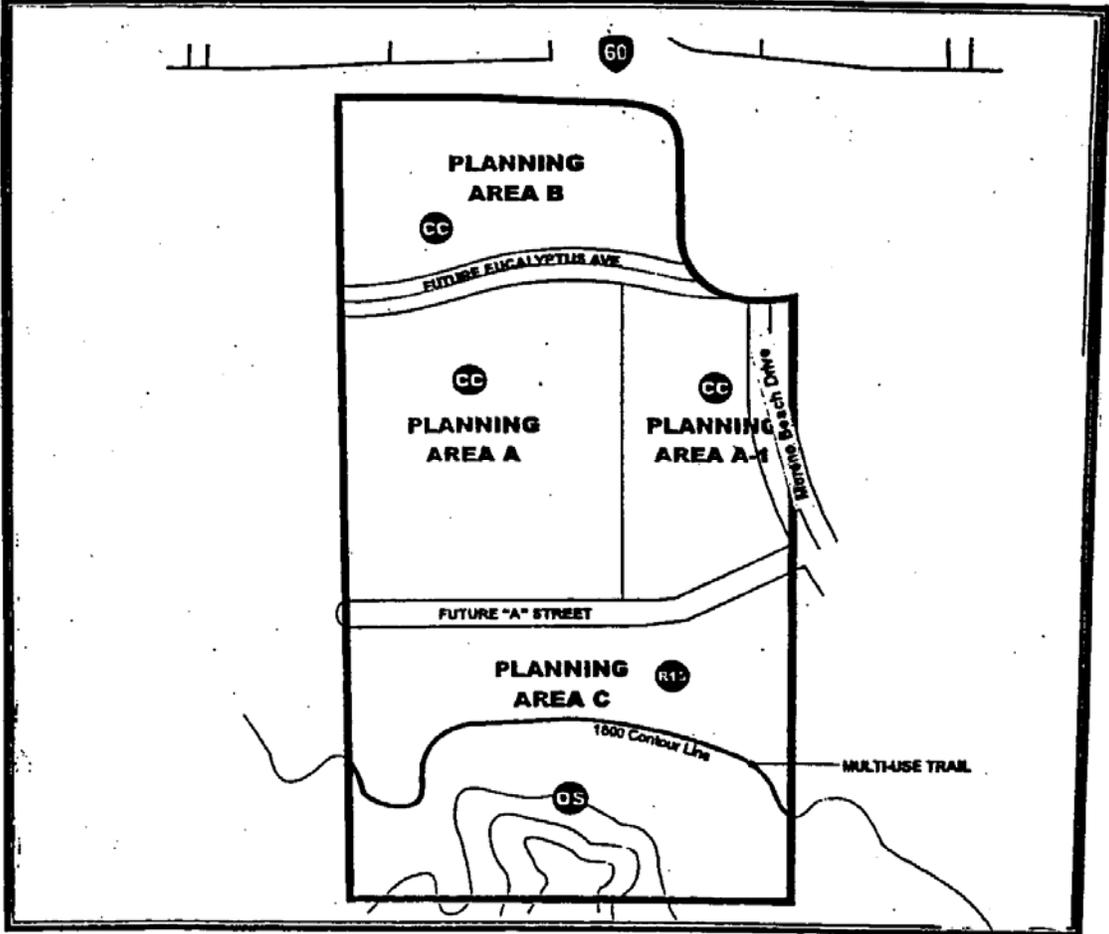
Cindy A. Miller, Deputy
CITY CLERK

(SEAL)

Adopted December 9, 2003



SPECIFIC PLAN AMENDMENT
Application No. P02-074



LEGEND

CC	Community Commercial
R15	Residential (15 units per acre threshold density)
OS	Open Space

Ordinance No. 644
Exhibit A
Date Adopted: December 9, 2003

FIGURES

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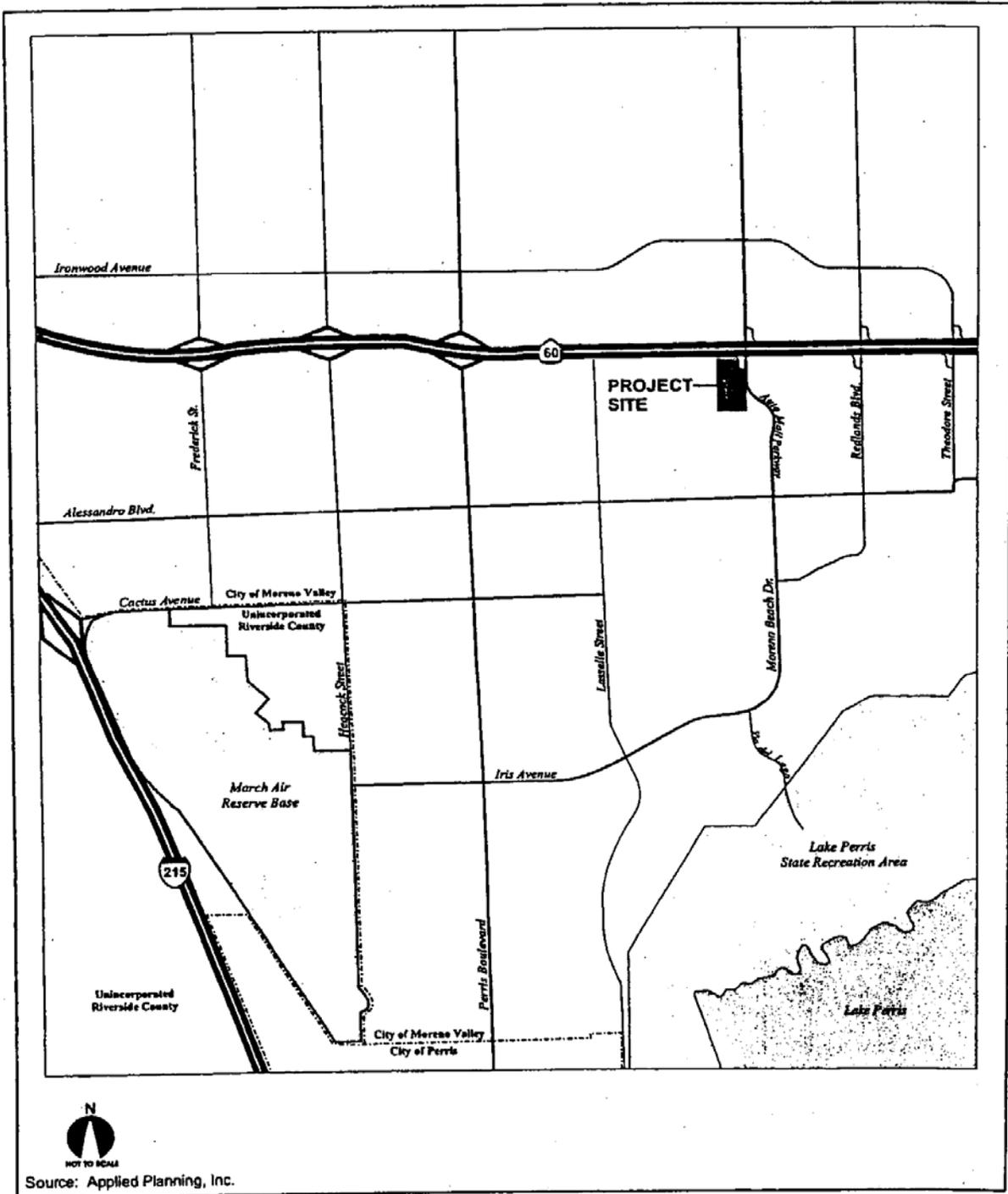
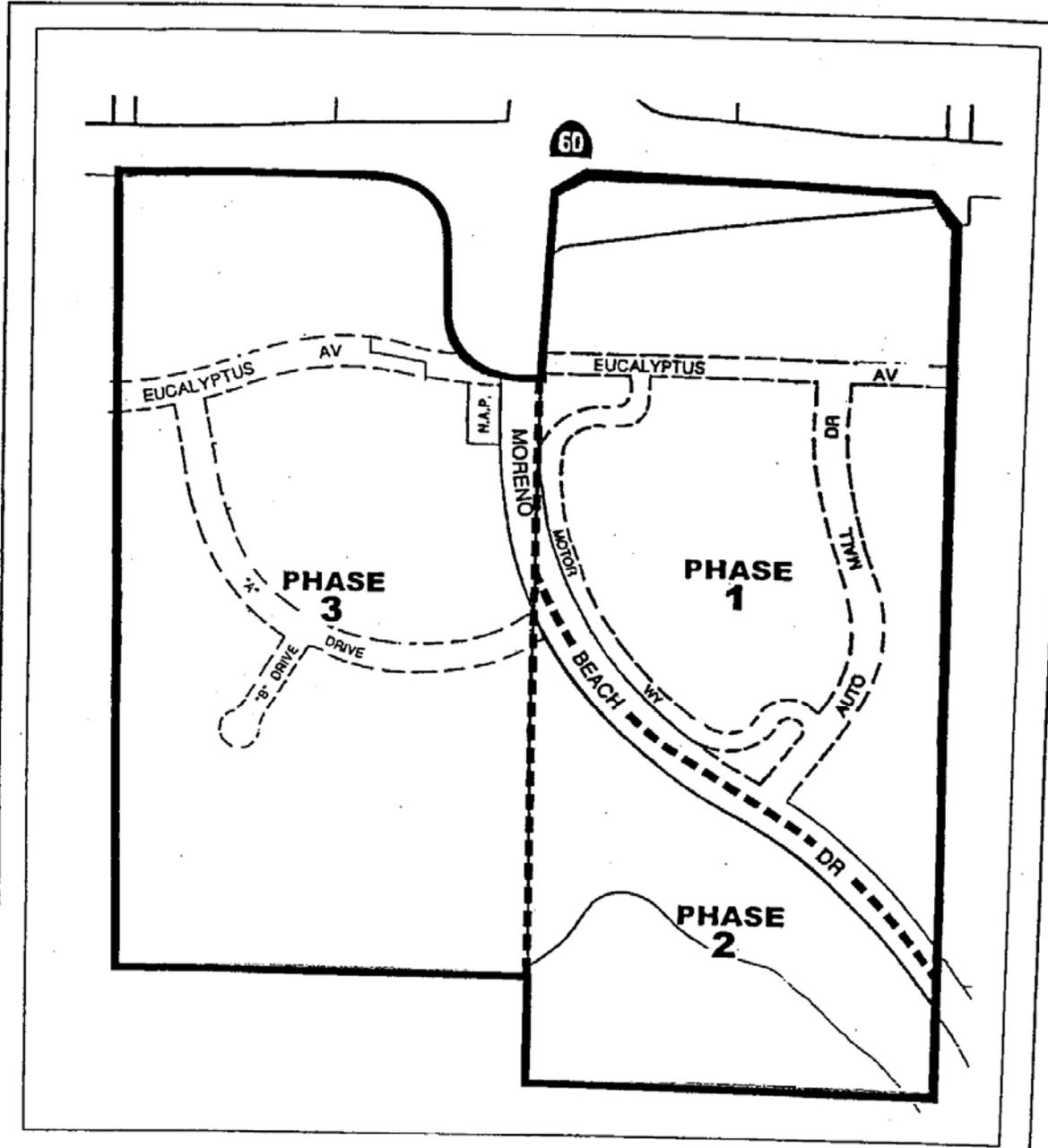


Figure 1.1-1
 Project Vicinity
 Ordinance No. 644
 Exhibit B
 Adopted: December 9, 2003

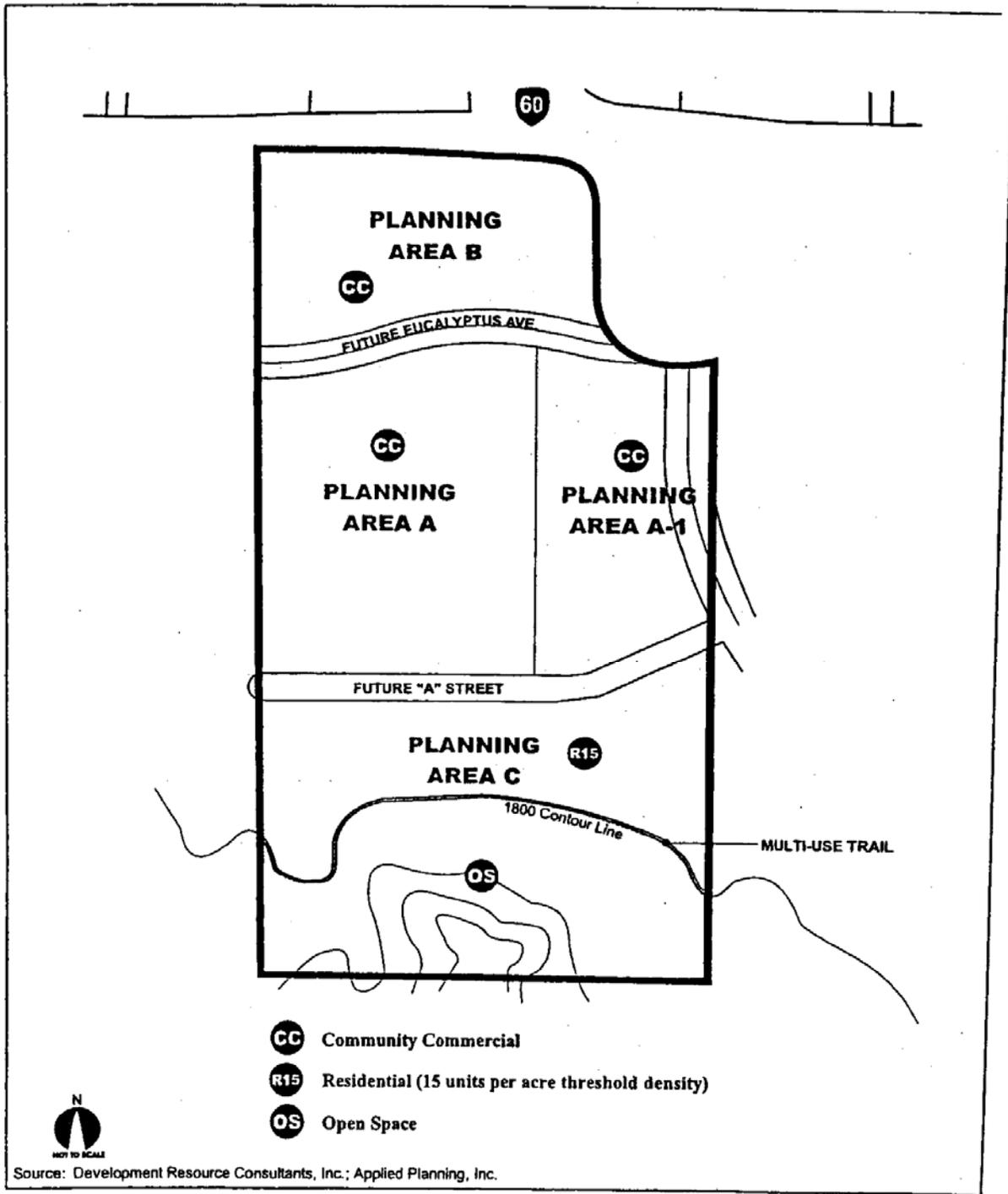


Source: Auto Mall Specific Plan Amendment No. 3, October 2001; Applied Planning, Inc.



Ordinance No. 644
Exhibit B
Adopted: December 9, 2003

Figure 1.1-2
Auto Mall Specific Plan Boundaries



Ordinance No. 644 **Figure 1.1-3**
 Exhibit B
 Adopted: December 9, 2003 **Project Area**

Section Three

**PLAN
ELEMENTS**

3.1 LAND USE

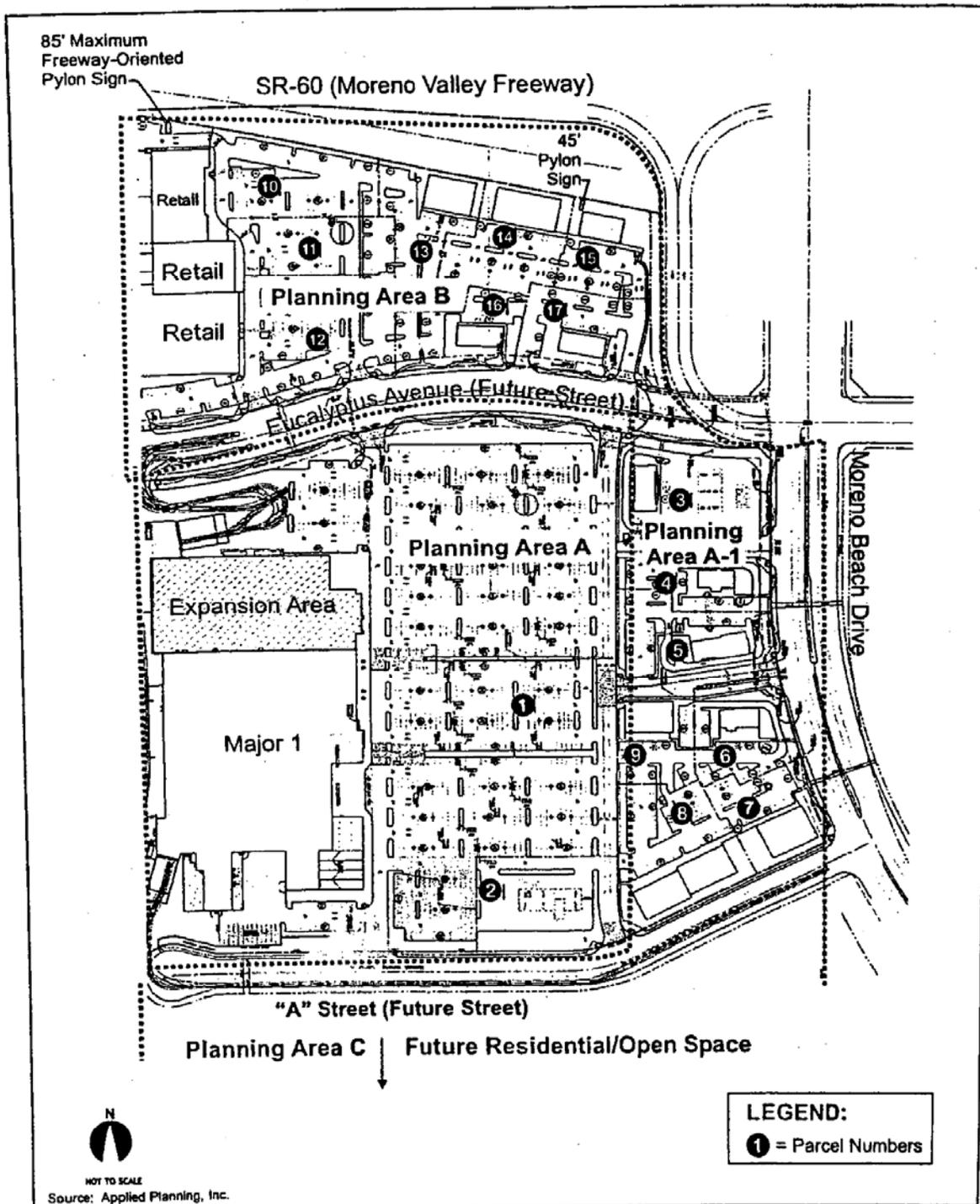
The project area comprises approximately 72 gross acres, located at the Moreno Beach Drive off-ramp of SR-60. For descriptive and planning purposes, the project area is divided into four (4) Planning Areas, as depicted on Figure 3.1-1, "Land Use Plan." A summary of land uses proposed within the project area is presented in Table 3.1-1. Please refer also to the detailed list of permitted uses presented in Section 4.0, "Development Regulations and Design Guidelines," Table 4.4-1, "SPA No. 4 Permitted Uses."

**Table 3.1-1¹
Land Use Summary**

Planning Area/ Land Use	Approx. Acreage	Approx. Sq. Ft./Dwelling Units (DU)	Approx. Floor-to-Area Ratio (FAR)
A./Commercial	21.87 (Net)	227,194 Sq. Ft.	24 Percent (Net)
A-1/Commercial	6.75 (Net)	38,065 Sq. Ft.	13 Percent (Net)
B/Commercial	10.25 (Net)	86,400 Sq. Ft.	20 Percent (Net)
Subtotal Commercial Uses	38.87 (Net) 42.63 (Gross)	351,659 Sq. Ft.	21 Percent Aggregate (Net) 19 Percent Aggregate (Gross)
C/Multi-family Residential	20.00 (Net)	300 DU	15 DU/Acre (Net)
Subtotal Residential Uses	20.00 (Net) 29.23 (Gross)	300 DU	15 DU/Acre (Net) (Approx. 9.23 Acres Open Space)
TOTALS	58.87 (Net) 71.86 (Gross)	351,659 Sq. Ft.; 300 DU	—

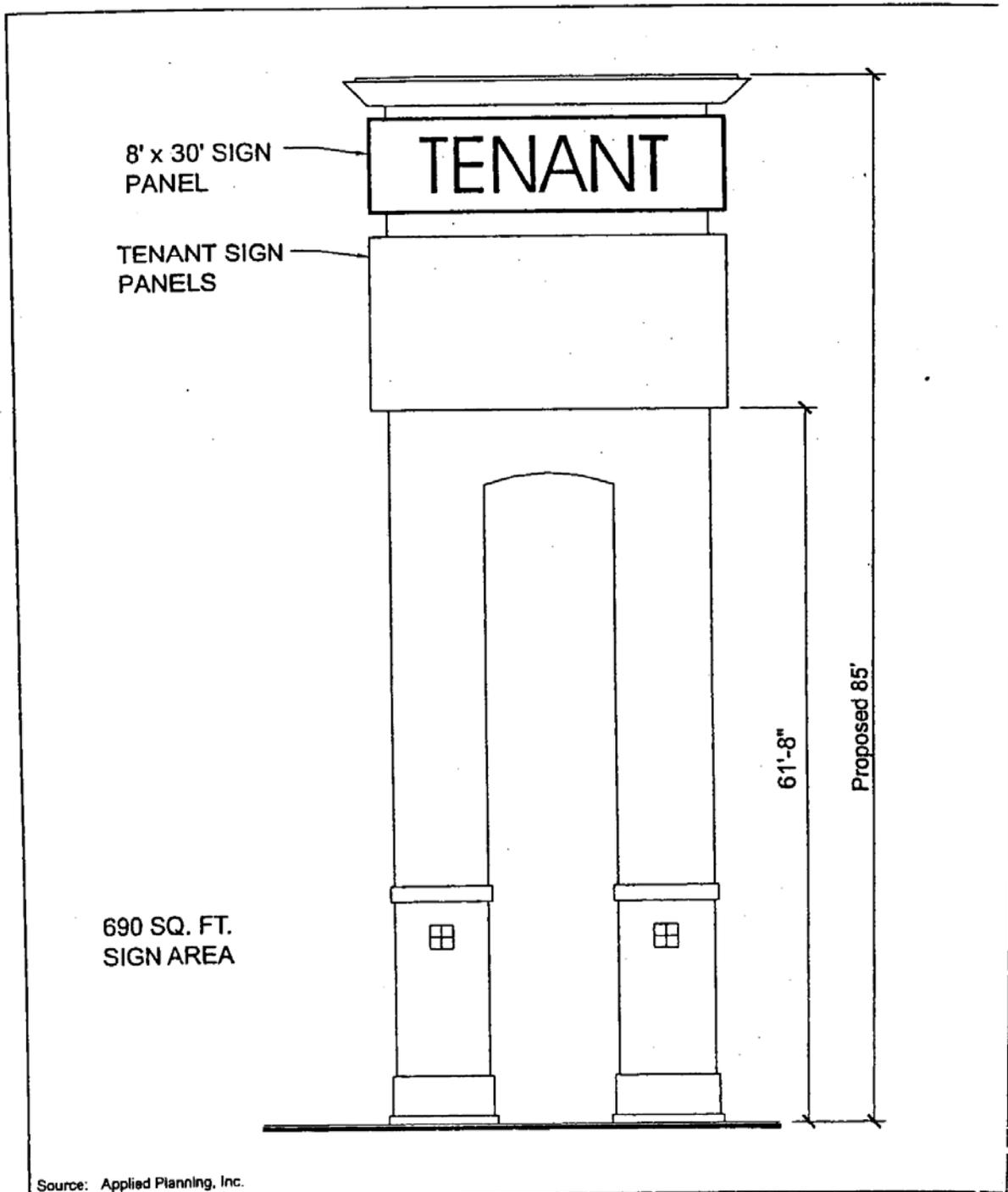
Sources: SPA No. 4 Site Plan Concept, Development Resource Consultants, Inc. January 2003; Applied Planning, Inc.

¹ Quantified information presented in Table 3.1-1 table is illustrative, and is consistent with the proposed Site Plan Concept presented herein. The intensity within each individual planning area and within the overall project could be modified as long as the intensity of the project is within substantial conformance of the trip budget analyzed within the accompanying environmental documents.



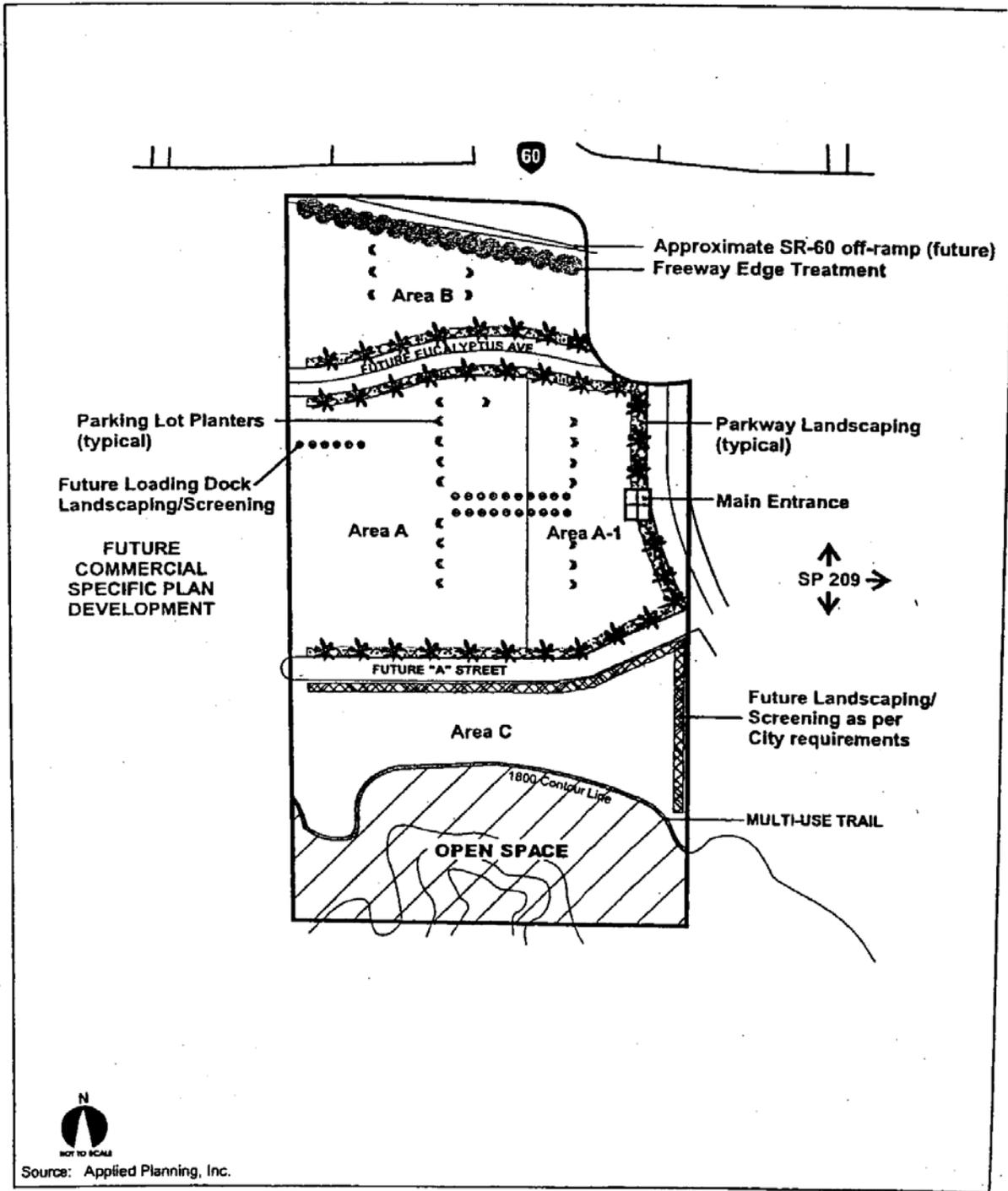
Ordinance No. 644
 Exhibit B
 Adopted: December 9, 2003

Figure 3.1-2
 Site Plan Concept



Ordinance No. 644
 Exhibit B
 Adopted: December 9, 2003

Figure 3.4-1
 Freeway-Oriented Pylon Sign Concept



Ordinance No. 644
 Exhibit B
 Adopted: December 9, 2003

Figure 3.5-1
 Master Landscape Concept

TABLES

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Section Three

**PLAN
ELEMENTS**

3.1 LAND USE

The project area comprises approximately 72 gross acres, located at the Moreno Beach Drive off-ramp of SR-60. For descriptive and planning purposes, the project area is divided into four (4) Planning Areas, as depicted on Figure 3.1-1, "Land Use Plan." A summary of land uses proposed within the project area is presented in Table 3.1-1. Please refer also to the detailed list of permitted uses presented in Section 4.0, "Development Regulations and Design Guidelines," Table 4.4-1, "SPA No. 4 Permitted Uses."

**Table 3.1-1'
Land Use Summary**

Planning Area/ Land Use	Approx. Acreage	Approx. Sq. Ft./Dwelling Units (DU)	Approx. Floor-to-Area Ratio (FAR)
A./Commercial	21.87 (Net)	227,194 Sq. Ft.	24 Percent (Net)
A-1/Commercial	6.75 (Net)	38,065 Sq. Ft.	13 Percent (Net)
B/Commercial	10.25 (Net)	86,400 Sq. Ft.	20 Percent (Net)
Subtotal Commercial Uses	38.87 (Net) 42.63 (Gross)	351,659 Sq. Ft.	21 Percent Aggregate (Net) 19 Percent Aggregate (Gross)
C/Multi-family Residential	20.00 (Net)	300 DU	15 DU/Acre (Net)
Subtotal Residential Uses	20.00 (Net) 29.23 (Gross)	300 DU	15 DU/Acre (Net) (Approx. 9.23 Acres Open Space)
TOTALS	58.87 (Net) 71.86 (Gross)	351,659 Sq. Ft.; 300 DU	—

Sources: SPA No. 4 Site Plan Concept, Development Resource Consultants, Inc. January 2003; Applied Planning, Inc.

1 Quantified information presented in Table 3.1-1 table is illustrative, and is consistent with the proposed Site Plan Concept presented herein. The intensity within each individual planning area and within the overall project could be modified as long as the intensity of the project is within substantial conformance of the trip budget analyzed within the accompanying environmental documents.

SPA No. 4

ascertain all pertinent facts and issue an interpretation as to its status. Please also refer to City Municipal Code § 9.01.060, "Clarification of Ambiguities."

For each Planning Area, uses permitted within SPA No. 4 are identified below. *Uses identified on the Master Plot Plan (Site Plan Concept), and listed herein, are expressly identified as permitted, not subject to Conditional Use Permit review and approval processes. The City may however, apply certain conditions of approval to development projects to be implemented within SPA No. 4.*

Table 4.4-1
SPA No. 4 Permitted Uses

Permitted Uses	Comments
Planning Area A <i>Planning Area A will permit all general retail uses found in other shopping centers. Other uses specifically identified as permitted within Planning Area A include, but are not limited to:</i>	
Auto Service Stations and Accessory Uses, Including Car Washes, Convenience Stores and Minor Repairs	---
Major-1 Retail "Big Box" Store to include, but is not limited to sales and services as follow: general merchandise, pharmacy, groceries and food, packaged liquor for off-site consumption, firearms and ammunition, vision care, "tire and lube" facilities, outdoor sales, garden sales, truck docks and loading outside container storage, rooftop and proprietary satellite communication, restaurant(s), bank, arcade, and parking to include overnight RV parking.	---
Planning Area A-1 <i>Planning Area A-1 will permit all general retail uses found in other shopping centers. Other uses specifically identified as permitted within Planning Area A-1 include, but are not limited to:</i>	
Banks-Financial Institution, to Include Drive-Through Facilities and Freestanding ATM	---
Convenience Stores, With or Without Drive-Through, With Alcohol Sales	---
Gasoline Dispensing	---
Liquor Store-Off Sales Only	---
Fast-food Restaurants w/Drive-Through	

Planning Area B	
<i>All Uses Permitted In Planning Area A-1. Other uses specifically identified as permitted within Planning Area B include, but are not limited to:</i>	---
Auto/Boat/Recreational Vehicle Dealerships and Supporting Uses	---
Hotels/Motels	---
Planning Area C	
Multi-Family Residential Uses	R15 Development Standards, Max. Density = 15 DU/Acre
Public Utility Stations, Excluding Offices	Will Require CUP
Recreational Facilities, Private	Will Require CUP

All development projects proposed pursuant to the adopted SPA No. 4 and the approved Master Plot Plan shall be reviewed and approved through the City's administrative plot plan processes. Any significant changes to the approved Master Plot Plan will require Planning Commission approval. Additionally, unless implemented consistent with the adopted SPA No. 4 and the approved Master Plot Plan, or otherwise exempt under the City Municipal Code, individual development projects exceeding 50,000 square feet will require Planning Commission approval. Please refer also to Section 5.0, "Implementation."

4.5 DEVELOPMENT REGULATIONS

4.5.1 General Considerations

City Municipal Code Title 9, Planning and Zoning, Section 9.04.040, Commercial Site Development Standards, Paragraphs A, "General Requirements," and B, "Special Requirements," identify commercial site development standards generally applicable to the project, including but not limited to: minimum site dimensions and areas, minimum structure setbacks, maximum lot coverage, and maximum structure heights. Within the category of commercial uses, the City Municipal Code also identifies specific requirements applicable to fast food and service station uses proposed by the project, as identified in Chapter 9.09, Specific Use Development Standards.

Similarly, Title 9, Section 9.03.040, Paragraph D, General Residential Requirements (R-15 Standards) establishes site development standards applicable to multiple family residential uses proposed by the project, including but not limited to: density thresholds, minimum lot areas, minimum setbacks, maximum building height and maximum lot coverage.

SPA No. 4

December 2003

Ordinance No. 644
Exhibit B 4-4
Adopted: December 9, 2003

Table 4.5-1 SPA No. 4 Development Standards/Guidelines		
CITY MUNICIPAL CODE STANDARDS/GUIDELINES	SPA No. 4 STANDARDS/GUIDELINES	COMMENTS
<p>Parking Lot Landscape Standards</p> <p>Within commercial parking lots, City Landscape Design Guidelines require diamond landscape planters for every three (3) parking stalls, landscape fingers at one per twelve (12) parking stalls, and a minimum three-foot high berm or wall to screen parking from public views.</p>	<p>Consistent with City requirements, parking stalls shall be double striped, and shall be a minimum of nine feet in width by eighteen feet in depth. The project will implement a 3-foot minimum berm or wall along perimeter parking areas, screening parking lots from public views from adjacent rights-of-ways. The project will implement a 3-foot minimum berm or wall along perimeter parking areas, screening parking lots from public views from adjacent rights-of-ways. To the extent feasible, the project will provide landscaping within parking lot areas consistent with Municipal Code requirements, to include diamond landscape planters for every three (3) parking stalls, and landscape fingers at one (1) per twelve (12) parking stalls. However, implementation in this manner may not be feasible or desirable throughout the project area based on the final project design. Where the project does not provide landscaping in strict conformance with Municipal Code requirements, additional parking lot landscaping, equivalent to City Landscape Guideline requirements (canopy coverage equivalent), will be provided in quantities, types, and locations to the satisfaction of the Community and Economic Development Director. Such landscaping may differ from Municipal Code requirements in the number or frequency of diamond planters, and/or configuration of landscaping along the project's central spine walkways. All proposed supplemental or augmented parking lot landscaping plans shall be designed and implemented to the satisfaction of the Community and Economic Development Director. As indicated in the project site plan and landscaping concepts, a portion of this landscape requirement may be realized through landscaping along the pedestrian walkway traversing the central project area. In no instance shall the amount of trees or canopy be reduced from existing Municipal Code Standards for landscape.</p>	<p>In order to achieve landscaping/shading standards required under the City Municipal Code, to the satisfaction of the Community and Economic Development Director, the project will provide additional landscaping, equivalent in scope and intensity to City Municipal Code requirements. Such landscaping may be implemented in locations and configurations other than specifically identified under the City Landscape Design Guidelines. Berming/screening of parking lots will be provided consistent with City Municipal Code requirements.</p>

Table 4.5-1
SPA No. 4 Development Standards/Guidelines

CITY MUNICIPAL CODE STANDARDS/GUIDELINES	SPA No. 4 STANDARDS/GUIDELINES	COMMENTS
<p>Signs</p> <p>Chapter 9.12, Sign Regulations, Section 9.12.070, Sign Program, provides that an integrated sign program may be requested by the property owner for all nonresidential projects greater than fifteen (15) gross acres in area. The sign program shall be subject to review by the community and economic development director. A sign program may deviate from any of the standards provided in this [City Municipal Code] section.</p>	<p>The City Municipal Code permits one (1) freeway-oriented pylon sign, and other additional pylons signs within the project area. Proposed pylon signs are not to exceed 45 feet in height or 150 feet in area. To provide adequate identification of the site and tenants, the project will provide two (2) pylon signs. As identified on the project site plan concept, one freeway-oriented sign, up to a maximum of 85 feet in height and 690 feet in area, will be provided adjacent to SR-60 at the northwesterly limits of the Specific Plan. A second freeway-oriented sign, up to approximately 45 feet in height and not to exceed 150 feet in area. City will be provided adjacent to SR-60 at the northeasterly corner of the project. Proposed pylon signs will be implemented as components of the project sign program, to be submitted under separate cover. With the exception of proposed freeway-oriented signs, the project sign program will be implemented consistent with sign standards and requirements of the City Municipal Code.</p>	<p>The project sign standards augment, and differ from the City Municipal Code in order to provide adequate identification of the project site and tenants. At the northwesterly limits of the project site, the proposed maximum 85-foot high freeway-oriented pylon sign will provide identification of the project site at a distance sufficient to allow east-bound motorists time to decelerate and maneuver to an exiting position. At the northeasterly corner of the project site, identification and location of the project site is reinforced by a second pylon sign of approximately 45 feet in height. Height and locations of these signs as described are considered approximate, with the necessary height and precise locations to be determined through "balloon-height testing" or other protocols satisfactory to the City. Design and location of project signs will be realized consistent with provisions of SPA No. 4, the project Sign Program, and the City Municipal Code, as verified through site plan and building permit, and Certificate of Occupancy review processes.</p>