
SPECIFIC PLAN AMENDMENT No. 3

AMENDING SPECIFIC PLAN 209, THE MORENO VALLEY AUTO MALL SPECIFIC PLAN

Submitted To:
**City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805**

Submitted by:
**Auto Mall Resolution LLC
c/o Majestic Realty Co.
13191 Crossroads Parkway North, 6th Floor
City of Industry, California 91746-3497**

October 2001
(Modified 12/2001)

EXHIBIT A2

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PROJECT APPLICANT:

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Section One

EXECUTIVE SUMMARY

1.1 BACKGROUND

Auto Mall Resolution LLC (hereinafter referred to as "AMR"), Project Applicant and Master Developer, proposes this Third 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) and August 1990 (the Second Amendment), provides for the development of automobile sales uses, auto related uses, and limited commercial uses on approximately 151.89 acres located south of the 60 Freeway at the Moreno Beach Drive off-ramp. The location of the Specific Plan is illustrated in Exhibit 1, "Location Map".

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 as illustrated on Exhibit 2, "Specific Plan Boundary". The 1988 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 permits 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 Exhibit 2, "Specific Plan Boundary".

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 changed text and exhibits related to landscaping, bike lane classifications, and signs. The Second Amendment did not change any provisions of the overall Specific Plan.

This proposed Third Amendment to the Specific Plan (hereinafter referred to as SPA No. 3) proposes to amend provisions of the Specific Plan pertaining to Phases I and II. The area affected by proposed SPA No. 3, hereinafter referred to as the Project Area, is illustrated in

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Exhibit 3, "Project Area". The Project Area consists of approximately 73.76 acres. Approximately 23.40 acres are currently developed with auto dealerships. Approximately 35.06 acres remain undeveloped. Approximately 15.3 acres are developed as public areas and roadways.

The Specific Plan is also located within a Community Redevelopment Agency Project Area. In April 1989 the Community Redevelopment Agency of the City of Moreno Valley and the Moreno Valley Auto Mall entered into the "Moreno Valley Auto Mall Participation Agreement" (Participation Agreement) to finance certain public improvements and infrastructure for the Specific Plan through the issuance of tax bonds via the City of Moreno Valley Community Facilities District Number 2 (CFD # 2) adopted June 13, 1989. Pursuant to the Participation Agreement, bonds were sold and the proceeds used to finance the construction of infrastructure including roads, sewer, and water lines to serve Phase I and II of the Specific Plan.

Subsequent to its adoption, CFD #2 experienced significant delinquencies in payment of the taxes. As a result, an "Amended and Restated Agreement to Provide for the Refinancing and Restructuring of Community Facilities District No. 2 (Moreno Valley Auto Mall) of the City of Moreno Valley" (Settlement Agreement) dated March 7, 2000 was approved. Provisions of the Settlement Agreement included the ability for certain parcels in Phase I and Phase II of the Specific Plan to be developed for non-auto related uses subject to approval of a specific plan amendment.

SPA No. 3 proposes to amend the Specific Plan in the following manner:

- Expand the list of permitted uses for the Project Area to include commercial and office uses, other auto related and auto service uses, and residential uses.
- 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 approved in the City of Moreno Valley Development Code and Design Guidelines (City Code), except as provided for herein.
- Supercede previously approved conditions of approval adopted with the Specific Plan as applicable to the Project Area. These conditions have either been met prior to the initial development in Phase I, have been incorporated by reference pursuant to the provisions of the City Code, or have been incorporated as development requirements into SPA No.3.

SPA No. 3 does not amend or supercede any portion of the Specific Plan or the conditions of approval applicable to Phase III.

1.2 SECTIONS OF SPA NO. 3

SPA No. 3 is comprised of the following sections in addition to Section One, "Executive Summary".

- **SECTION 2 OVERVIEW**

This section contains a summary of SPA No. 3, the existing conditions within the Project Area, the purpose and objectives of SPA No. 3, the relationship of SPA No. 3 to the City of Moreno Valley General Plan and the City of Moreno Valley Development Code and Design Guidelines, a summary of the associated entitlements necessary for project implementation, and an explanation of the documentation prepared for SPA No. 3 pursuant to the California Environmental Quality Act (CEQA).

- **SECTION 3 PLAN ELEMENTS**

This section describes the key elements of SPA No. 3 including the following:

- Land Use
- Circulation and Access
- Signage

- **SECTION 4 DEVELOPMENT REGULATIONS AND DESIGN GUIDELINES**

The development regulations specify the uses permitted within the Project Area and standards regulating development of permitted uses. This section also discusses the design guidelines for the Project Area addressing the site planning, architectural design, and landscape design criteria of development.

- **SECTION 5 IMPLEMENTATION**

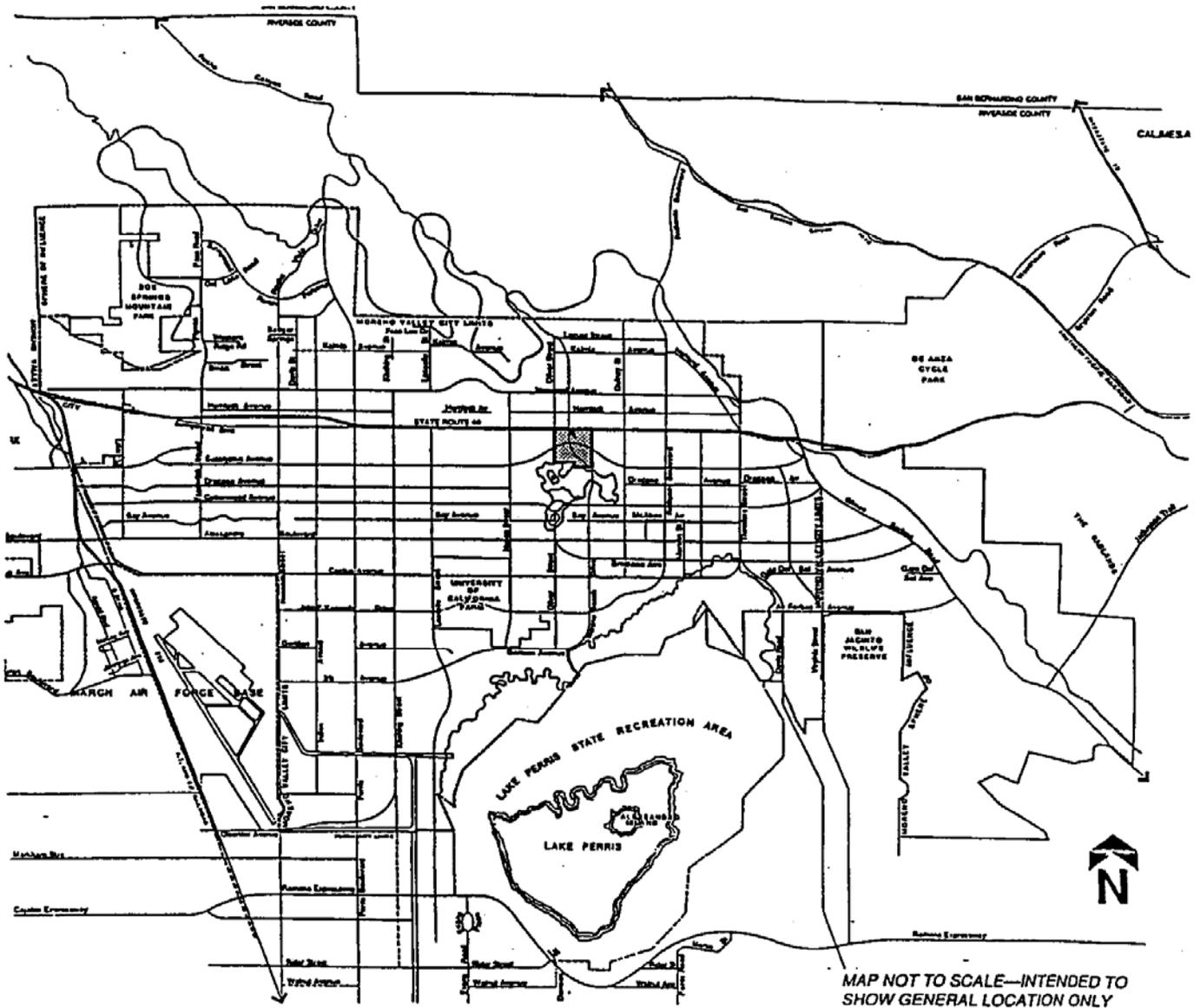
This section addresses the policies and procedures for the City's review and approval of development proposals within the Project Area and stipulates the methods and procedures for interpretations related to SPA No 3.

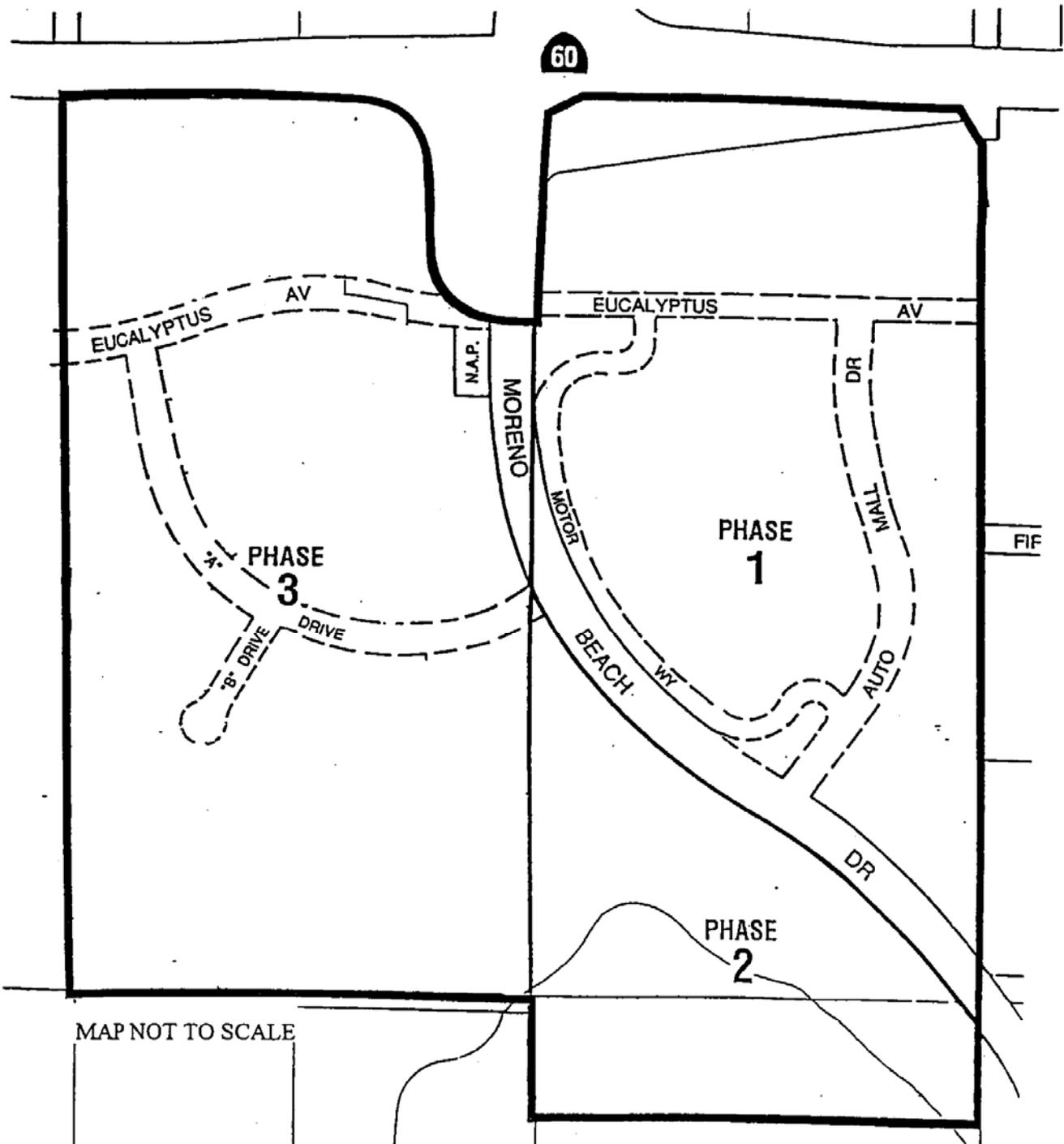
1.3 ADOPTION PROCESS FOR SPA NO. 3

The authority to prepare, adopt, and implement SPA No. 3 is granted to the City of Moreno Valley by the California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457). The City of Moreno Valley Planning Commission is required to review and make recommendations to the City Council on SPA No. 3. The City of Moreno Valley City Council will adopt SPA No. 3 by ordinance thereby establishing the zoning for the Project Area.

1.4 RELATED ENTITLEMENTS

SPA No. 3, when adopted, will serve to implement the City of Moreno Valley General Plan and will serve as the zoning for the Project Area. Approval of a development review application is required for each development within the Project Area pursuant to the provisions of the City's Development Code and Design Guidelines and the requirements of SPA No. 3.

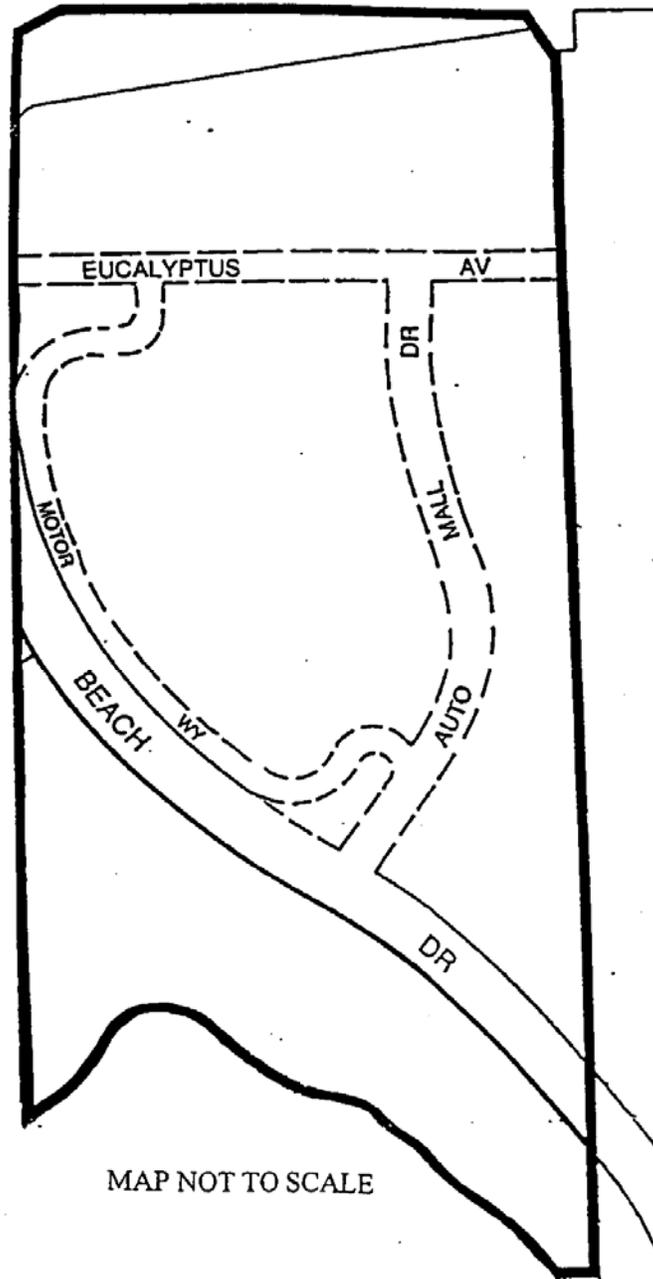




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Exhibit 2
SPECIFIC PLAN BOUNDARY

60



MAP NOT TO SCALE

Section Two

OVERVIEW

2.1 APPLICABILITY

SPA No. 3, 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 Project Area. SPA No. 3 establishes the development requirements and design guidelines to be applied to all development within the Project Area.

2.2 PROJECT PROPOSAL

SPA No. 3 is a proposal to amend the Specific Plan as it pertains to the Project Area located at the Moreno Beach Drive off-ramp of the 60 Freeway in the City of Moreno Valley. The Project Area is approximately 73.76 acres in size and is generally bounded by the 60 Freeway on the north, Moreno Beach Drive on the west, and open space on the south. SPA No. 3 will serve to provide for the following:

- Expand the list of permitted uses within the Project Area as described in detail in Section 4.
- Revise the development regulations and design guidelines to those consistent with the City Code except where SPA No. 3 differs from the City Code as described in Table 1, Development Regulations in Section 4.
- Supersede the conditions of approval adopted with the approval of the Specific Plan and any previous amendments.

2.3 EXISTING CONDITIONS

The Project Area is comprised of approximately 73.76 acres of which approximately 23.40 acres are developed with automobile dealerships, approximately 35.06 acres are vacant, future development areas, and approximately 15.3 acres are improved with public areas and roadways. The Project Area is accessed from the 60 Freeway via the Moreno Beach Drive off-ramp.

SPA No. 3

Moreno Beach Drive, which runs generally from north to south and north to southeast, is a General Plan designated Divided Major Arterial with a 134 foot right of way providing primary access to the Project Area. Interior streets consist of Eucalyptus Avenue, a General Plan designated Arterial with a 100 foot right of way intersecting with Moreno Beach Drive in an east/west direction and Auto Mall Drive a General Plan designated Industrial Local Collector with a 78 foot right of way intersecting with both Eucalyptus Avenue and Moreno Beach Drive. Motor Way, a 48 foot wide frontage road adjacent to Moreno Beach Drive provides access and circulation to parcels fronting Moreno Beach Drive.

An existing freeway pylon sign serving the existing auto mall is located near the eastbound on-ramp to the 60 Freeway and three existing monument signs are located adjacent to Moreno Beach Drive. Exhibit 4, "Existing Conditions" illustrates the existing street improvements, developed sites, future development areas, and approximate locations of existing freeway and monument signage within the Project Area. 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, Eucalyptus Avenue, and Auto Mall Drive.

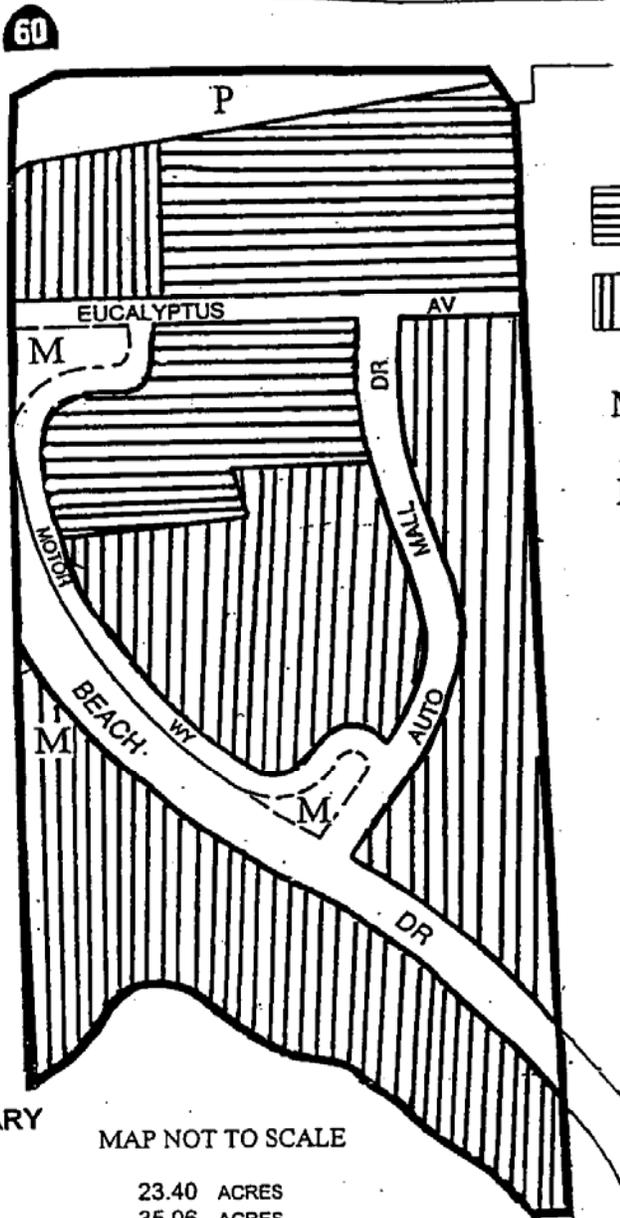
2.4 AUTHORITY AND REQUIREMENTS

2.4.1 STATE OF CALIFORNIA GOVERNMENT CODE

The State of California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65450-54 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 CODE

Chapters 9.13.080 and 9.13.090 of the City 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.



LEGEND:

-  EXISTING DEALERSHI
-  FUTURE DEVELOPME AREAS
- M EXISTING MONUMEN SIGNS
- P EXISTING DEALERSHD PYLON SIGN

STATISTICAL SUMMARY

MAP NOT TO SCALE

EXISTING DEVELOPED AREA	23.40 ACRES
FUTURE DEVELOPMENT AREA	<u>35.06 ACRES</u>
SUBTOTAL	58.46 ACRES
PUBLIC RIGHT OF WAY	15.30 ACRES
TOTAL	73.76 ACRES

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Exhibit 4
EXISTING CONDITIONS

2.5 SPECIFIC PLAN AMENDMENT PURPOSE AND OBJECTIVES

The purpose of SPA No. 3 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. 3 will accomplish the following objectives:

- Implement the March 7, 2000 Settlement Agreement by and between The City of Moreno Valley, Community Facilities District No.2 (Moreno Valley Auto Mall) of the City of Moreno Valley, Community Facilities District No.3 of the City of Moreno Valley (Auto Mall Refinancing), the Community Redevelopment Agency of the City of Moreno Valley, Diamond Chevrolet, Inc., Moreno Valley Motors, Inc., and Auto Mall Resolution, LLC for the Project Area by providing for an expanded list of permitted land uses.
- Provide for the orderly and master planned development of land uses to insure that an economically viable project or projects can be developed.
- Allow the potential for development of high quality residential development within an area adequately served by commercial services.
- Ensure that the development of the Project Area adequately addresses the City of Moreno Valley General Plan requirements.

2.6 RELATIONSHIP TO GENERAL PLAN

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) 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 in regulations, guidelines, and programs with the goals and policies set forth 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. 3 establishes the development requirements and planning guidelines to be applied to the Project Area consistent with the goals and policies set forth in the General Plan. SPA No. 3, 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 RELATIONSHIP TO CITY CODE

The adoption by the City of Moreno Valley of the Specific Plan by ordinance established the Specific Plan as the zoning for the Project Area. SPA No. 3 when adopted by ordinance will amend the established Specific Plan zoning and establish new zoning requirements for the

Project Area. Except as provided for herein, SPA No. 3 establishes the development regulations within the City Code for development of the permitted uses. Where development regulations in SPA No. 3 differ from those established in the City Code, the provisions of SPA No. 3 shall prevail. Where SPA No. 3 is silent on a development regulation, the City Code shall prevail.

2.8 CEQA COMPLIANCE

A Negative Declaration has been prepared by the City of Moreno Valley for SPA No. 3 in accordance with the California Environmental Quality Act (CEQA) and City requirements. The Negative Declaration addresses the potential impacts associated with the proposed permitted uses for the Project Area.

Section Three

PLAN ELEMENTS

3.1 LAND USE

The Project Area is an approximately 73.76 acre site located at the Moreno Beach Drive off-ramp of the 60 Freeway. The Project Area contains four planning areas as depicted on Exhibit 5, "Land Use Plan". A general description of uses permitted within each planning area is provided below. The specific list of permitted uses for each planning area is included in Section 4 "Development Regulations and Design Guidelines".

Land Use Summary

PLANNING AREA	PERMITTED USES
A	Auto, Other Vehicular Related, & Public Facilities Uses Assessor Parcel Numbers: 477-130-016, 477-130-017, 477-130-018, 477-130-019, 477-130-025, 477-130-032, 477-130-033, 477-130-034
B	Auto & Other Vehicular Related, Public Facilities, Office, Manufacturing, Commercial Recreation, & Commercial Uses Assessor Parcel Numbers: 477-130-024, 477-130-035
C	Auto & Other Vehicular Related, Public Facilities, Office, Manufacturing, Commercial Recreation, & Commercial Uses Assessor Parcel Numbers: 477-130-020, 477-130-036, 477-130-037, 477-130-040
D	Auto & Other Vehicular Related, Public Facilities, Office, Manufacturing, Commercial Uses, Commercial Recreational, and Residential Uses Assessor Parcel Numbers: 477-130-042, 477-130-045

3.2 CIRCULATION AND ACCESS

3.2.1 ROADWAYS/ACCESS

Vehicular circulation and access is provided to the Project Area by the Moreno Beach Drive off-ramp of the 60 Freeway and by Moreno Beach Drive. Eucalyptus Avenue, Auto Mall Drive, and Motor Way provide internal circulation within the Project Area. The Project Area access standards for vehicular circulation in Planning Areas A, B, C, and D as illustrated on Exhibit 5, "Land Use Plan," shall be as follows:

- For Planning Areas A, B, and C, 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 approved by the City Engineer.
- For Planning Area D, access roads and/or driveways for the commercial developments shall be located a minimum of 200 feet apart and a minimum of 200 feet from the nearest intersection, or as approved by the City Engineer.
- For Planning Areas A, B, C, and D, driveways to retail commercial sites shall be of the curb-return type with a minimum of a 35 foot radius, or as approved by the City Engineer.
- For Planning Areas A, B, C, and D, driveways shall be a minimum of 28 feet wide, or as approved by the City Engineer.

3.2.2 BICYCLE TRAILS

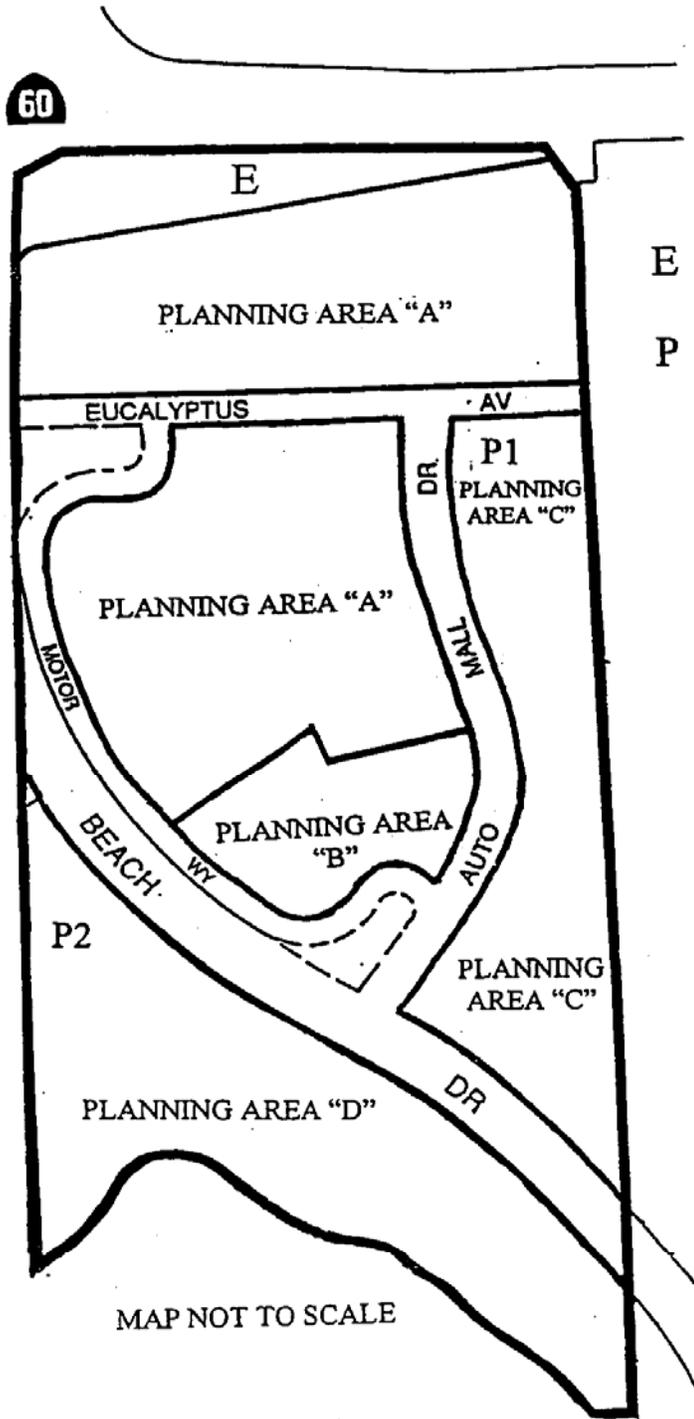
The City's General Plan designates both sides of Moreno Beach Drive for development of either Class I or Class II bicycle trail. The development of the Project Area adjacent to Moreno Beach Drive will include the necessary improvements for either a Class I or Class II bicycle trail to extend through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

3.3 SIGNAGE

Two new pylon signs are proposed in the general locations depicted on Exhibit 5. The first pylon sign, identified on Exhibit 5 as "P1," will be a double-faced sign with a maximum sign area of 720 square feet per sign face (excluding support structures) and a maximum height of 75 feet. The second pylon sign, identified on Exhibit 5 as "P2," will be a double-faced sign with a maximum sign area of 360 square feet per sign face (excluding support structures) and a maximum height of 45 feet. All other proposed new signs within SPA No. 3 will be addressed through the provisions contained within the City Code and as provided for herein.

The following general sign standards shall apply to all sign types within the Project Area:

- Illuminated signs shall be internally lighted by fluorescent or neon tubes. No luminous or reflective background or script may be attached or applied.
- Except for sign regulations contained within this section as well as Section 4.4 herein, all remaining regulations contained within the City of Moreno Valley Sign Ordinance are valid and applicable.



LEGEND:

- E EXISTING DEALERSH PYLON SIGN
- P PROPOSED LOCATION OF NEW PYLON SIGNS

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Exhibit 5
LAND USE PLAN

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 4.3 describes the list of permitted uses by planning area. Application of the regulations contained in Table 1, "Development Standards", is intended to encourage the most appropriate development of the land, create a harmonious relationship between land uses, ensure the highest quality of development, and protect the health, safety, and general welfare of the community. The applicable regulations of the City 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 Code the provisions of SPA No. 3 shall apply.

4.2 DEFINITION OF TERMS

The meaning and construction of words, phrases, titles and terms used in SPA No. 3 shall be the same as provided in the City Code, Section 9.15, "Definitions", except as otherwise specifically provided herein.

4.3 PERMITTED USES

The permitted uses for each planning area within the Project Area are listed below. Permitted uses may be developed within the applicable planning area described in Exhibit 5, "Land Use Plan", subject to the development standards and design guidelines specified in Section 4.4 and 4.5 herein. If ambiguity arises concerning the appropriate classification or approval of a particular use that isn't explicitly listed below but falls within the range and nature of the permitted uses listed below for the Project Area, it shall be the duty of the Community and

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Economic Development Director to ascertain all pertinent facts and issue an interpretation as to its status.

4.3.1 The following uses are permitted within Planning Area A:

- 1) Automobile, Motorcycle, Truck Recreational Vehicle, and Boat Sales, and Incidental Minor Repairs and Accessory Installations.
- 2) Public Facilities

4.3.2 The following uses are permitted within Planning Area B:

- 1) Automobile, Motorcycle, Truck Recreational Vehicle, and Boat Sales, and Incidental Minor Repairs and Accessory Installations.
- 2) General Office (Administrative and Professional)
- 3) Automobile Fleet Storage
- 4) Auto Service Stations: Minor/Major Repair to include: Auto/Boat/Motorcycle/RV
- 5) Automotive, Boat, Motorcycle and RV Repair – Minor – includes Brake, Muffler and tire Installation and Repair
- 6) Automotive Paint and Body Repair – Major Engine Overhaul
- 7) Auto Rentals
- 8) Auto Supply Stores (with installation)
- 9) Auto Supply Stores (without installation)
- 10) Bank and Financial Institutions
- 11) Boat Sales New and Used (including Repairs and Accessory) Installation
- 12) Doctors, Dentists and medical Clinics/Medical Care
- 13) Rental Service - within an Enclosed Structure (Furniture, Office Equipment, Party Supplies)
- 14) Rental Service - with Outdoor Storage and Display (Vehicles, Equipment, etc.)
- 15) Swimming Pool and Spa Sales and Service - Including Outdoor Display\
- 16) Car Wash
- 17) Auto Service Stations: Accessory Uses Include: Convenience Store, Car Wash
- 18) General Retail

4.3.3 The following uses are permitted within Planning Area C:

- 1) General Office (Administrative and Professional)
- 2) General Retail
- 3) Automobile Fleet Storage
- 4) Automobile, Motorcycle, Truck Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- 5) Automotive, Boat, Motorcycle and RV Repair – Minor – includes Brake, Muffler and tire Installation and Repair
- 6) Automotive Paint and Body Repair – Major Engine Overhaul
- 7) Auto Rentals

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- 8) Banks and Financial Institutions
- 9) Boat Sales New and Used (including Repairs and Accessory) Installation
- 10) Car Wash
- 11) Contractor Supply Stores – no outdoor storage
- 12) Convalescent Homes
- 13) Day Care Centers
- 14) Doctors, Dentists and medical Clinics/Medical Care
- 15) Health Club, Spa
- 16) Hotels/Motels
- 17) Manufacturing and Assembly (a) Custom and Light Manufacturing Indoor Uses Only with Light Truck Traffic, On-Site and Wholesaling of Goods Produced
- 18) Nursery (Plant) - Retail Only
- 19) Photo Engraving and Blueprint Shop including Sales of Related Materials
- 20) Public Facilities
- 21) Rental Service - within an Enclosed Structure (Furniture, Office Equipment, Party Supplies)
- 22) Rental Service - with Outdoor Storage and Display (Vehicles, Equipment, etc.)
- 23) Restaurants (eating and drinking establishments) - with Alcoholic Beverage Sales) - with Outdoor Seating
- 24) Swimming Pool and Spa Sales and Service - Including Outdoor Display
- 25) Vehicle Storage Yards –Indoor/Outdoor Storage Lots
- 26) Heavy Equipment Sales & Rentals
- 27) Storage Lots and Mini-Warehouses
- 28) Warehouse and Distribution, Wholesales – Within a Completely Enclosed Building and Storage Involving Finished Products; Unfinished, Raw or Semi-Refined Products or Outdoor Storage
- 29) Auto Service Stations: Accessory Uses Include: Convenience Store, Car Wash
- 30) Convenience Stores, with or without drive-through
- 31) Restaurants - with Drive-through

4.3.4 The following uses are permitted within Planning Area D:

- 1) General Office (Administrative and Professional)
- 2) General Retail
- 3) Arcades, Video Machines
- 4) Automobile Fleet Storage
- 5) Automobile, Motorcycle, Truck, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- 6) Auto Service Stations: Accessory Uses Include: Convenience Store, Car Wash
- 7) Auto Service Stations: Minor Repair to include: Auto/Boat/Motorcycle/RV (Excludes major repair, paint, body work)
- 8) Automotive, Boat, Motorcycle and RV Repair – Minor – includes Brake, Muffler and tire Installation and Repair
- 9) Automotive Paint and Body Repair – Major Engine Overhaul
- 10) Auto Rentals

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- 11) Banks and Financial Institutions
- 12) Barber and Beauty Colleges
- 13) Boat Sales New and Used (including Repairs and Accessory) Installation
- 14) Bowling Alley
- 15) Business Schools
- 16) Car Wash
- 17) Churches
- 18) Clubs
- 19) Commercial Radio or Televisions Station (without On-Site Antenna)
- 20) Communication Facilities and Antennas
- 21) Contractor Supply Stores – no outdoor storage
- 22) Convalescent Homes
- 23) Convenience Stores, with or without drive-through
- 24) Convenience Stores with Alcohol Sales
- 25) Dancing, Art, Music and Similar Schools
- 26) Day Care Centers
- 27) Doctors, Dentists and medical Clinics/Medical Care/Medical Office
- 28) Driving School
- 29) Gasoline Dispensing - Non-Retail Accessory to an Auto Related Use
- 30) Grocery Stores
- 31) Handicapped Housing
- 32) Health Club, Spa
- 33) Hospitals
- 34) Hotels/Motels
- 35) Impound Yards (Indoor)
- 36) Kennel and Catteries
- 37) Liquor Stores
- 38) Lodge Halls and Similar Facilities
- 39) Manufacturing and Assembly (a) Custom and Light Manufacturing Indoor Uses Only with Light Truck Traffic, On-Site and Wholesaling of Goods Produced
- 40) Miniature Golf Courses
- 41) Nursery (Plant)
- 42) Parcel Delivery Terminals
- 43) Personal Services (e.g. nail salons and tattoo parlors)
- 44) Pool Hall
- 45) Public Facilities
- 46) Public Utility Stations, Wells and Similar Facilities
- 47) Recreational Facilities (Private) such as Tennis Club, with Limited Associated incidental Uses
- 48) Rental Service - within an Enclosed Structure
- 49) Rental Service - with Outdoor Storage and Display
- 50) Residential Multifamily (R20 standards of the Municipal Code would apply)
- 51) Single Family Residential (RS10)
- 52) Restaurants (eating and drinking establishments) - with Entertainment

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- 53) Restaurants (eating and drinking establishments) - without Entertainment –
- 54) Restaurants (eating and drinking establishments) - with Alcoholic Beverage Sales
- 55) Restaurants (eating and drinking establishments) - with Outdoor Seating
- 56) Restaurants - with Drive-through
- 57) Schools, Private
- 58) Senior Housing
- 59) Skating Rinks
- 60) Swimming Pool and Spa Sales and Service - Including Outdoor Display
- 61) Theaters
- 62) Trade and Vocational Schools
- 63) Transfer, Moving and Storage Facilities
- 64) Veterinarian (Including Animal Hospital) - All Activities within an Enclosed Structure
- 65) Veterinarian (Including Animal Hospital) - With Outdoor Activities
- 66) Warehouse and Distribution, Wholesales – Within a Completely Enclosed Building and Storage Involving Finished Products; Unfinished, Raw or Semi-Refined Products or Outdoor Storage

4.4 DEVELOPMENT REGULATIONS

Table 1 Development Standards

Development within the Project Area shall comply with the applicable provisions of the City Code except as expressly provided for below.

DEVELOPMENT STANDARDS	SPA No. 3
1. Off-Street Parking Requirements a. Automobile Dealerships	An automobile dealership shall provide a minimum of six on-site parking spaces reserved exclusively for customer's use. Sufficient employee parking must be provided on-site and out of public view except for employee-driven demonstrator automobiles.
2. On-Site Lighting Standards a. Automobile Dealerships	Lighting plans shall be submitted showing the design layout and exact fixture/pole locations and wattages proposed by each auto dealer. A point-by-point footcandle analysis shall also be required for each dealership lighting proposal. The standards are as follows: <ul style="list-style-type: none">• Front Line and Primary Display Area: Automotive display areas shall be lighted by sharp "cut-off" luminaires. The luminaire must be a one-piece die cast housing with radiused corners on all edges of the fixture. Luminaires shall be factory finished in an organic thermal setting polyester/polyurethane resin based coating. Alternate luminaires providing equal performance, construction specifications and aesthetic qualities are acceptable <p>"Front Row" lighting standards adjacent to the auto center interior roads shall not exceed twenty (20) feet in height above adjacent grade and shall be a minimum of forty (40) feet on center. The interior of the display area shall be illuminated by fixtures no closer than sixty (60) feet to the front line of display lights. These fixtures shall be on poles not to exceed twenty (20) feet in height above adjacent grade and shall be spaced no closer than sixty (60) feet on center.</p> <p>Average wattage for the entire primary display area shall not exceed 1.5 watts per square foot.</p>

Table 1 Development Standards Continued

<p>2. On-Site Lighting Standards</p> <p style="padding-left: 20px;">a. Automobile Dealerships (Cont.)</p>	<ul style="list-style-type: none"> • Poles: All lighting poles shall be square 4 inch or 5 inch steel tubing factory finished in an organic thermal setting polyester/polyurethane resin based powder coating. Luminaires and poles shall be the same finish and color. The size and gauge of the poles used shall be determined based on the manufacturer's published Effective Projected Area (EPA) data. • Service and Outside Storage Areas: Service and storage parking areas shall be lighted by luminaires mounted on standards not to exceed twenty-four (24) feet in height above adjacent grade. Average wattage for the entire storage area shall not exceed .2 watts per square foot. • Optional Security Lighting: For late-night security lighting, Low Pressure Sodium (LPS) luminaires may be utilized. The LPS luminaires must be of design that is matching or complimentary to the metal halide luminaires, and shall be capable of being mounted on the same poles as the metal halide fixtures. • Other Requirements: All luminaires shall be cut-offs as defined by published Illuminating Engineering Society (IES) standards. Luminaire manufacturer should provide option for the addition of a "house side shield" to reduce spill light behind the poles onto adjacent property, if needed. <p>Strings of incandescent fixtures shall not be allowed in any area.</p> <p>Spot fixtures shall not be directed toward public streets or adjacent properties.</p>
<p>3. Signs</p> <p style="padding-left: 20px;">a. Pylon signs</p>	<p>A total of two pylon signs may be located within the Project Area as generally shown on Exhibit 5. The first pylon sign, identified on Exhibit 5 as "P1," will be a double-faced sign with a maximum sign area of (30) feet in length and twenty-four (24) feet in height for a total sign area of seven hundred twenty (720) s.f. (excluding support structures) and a maximum height of 75 feet. The second pylon sign, identified on Exhibit 5 as "P2," will be a double-faced sign with a maximum sign area of twenty-eight (28) feet in length and twenty (20) feet in height for a total sign area of 360 square feet per sign face (excluding support structures) and a maximum height of 45 feet. Pole structure shall not be illuminated.</p>

Table 1 Development Standards Continued

b. Modified Monument Sign Requirements

For Planning Area D, one sign is allowed per driveway not to exceed a total per street frontage of two and one-half (2.5) square feet of copy area and three (3) square feet of sign area respectively for each one thousand (1,000) square feet of gross floor area within the development. With respect to a single building of less than ten thousand (10,000) square feet in gross floor area located on a single parcel with street frontage, such sign need not be less than twenty-four (24) square feet in sign copy area and forty-two (42) square feet in sign area per street frontage.

The support structure or base for the sign up to a maximum height of two (2) feet from the adjacent grade shall be excluded from the calculation of sign area.

Modified Monument Signs for Dealerships:

A. Number and Copy – Two street front signs shall be permitted per dealership. Street signs may contain the following:

- Brand(s) of vehicles sold
- Manufacturer's logo
- Dealer's name
- Identification of used cars or trucks
- Secondary manufacturer's lines or similar identification

B. Size – Each Sign must fit within a rectangle 8 feet high by 18 feet wide. Each sign may be double sided.

C. Location – Signs shall be located no closer than 75 feet from a common lot line between dealerships.

Signs shall be set back from the front property line a minimum of 5 feet and shall be contained within a planting area which may consist of turf or selective ground covers.

(continued on next page)

Table 1 Development Standards Continued

b. Modified Monument Sign Requirements (continued)	D. Construction – Signs shall be monument signs only. Sign bases and frames shall be constructed of solid masonry or metal panels. Signs shall be trimmed out with a material which is used in the main showroom building in order to promote an architecturally coordinated look for each site. Factory-provided signs both as to size and material are permitted and shall be mounted onto or within the standard base and frame. Letters and logos only may be lighted and they shall be lighted and internally. No external lighting shall be allowed.
4. Building Location / Orientation Standards	<p>For Planning Areas A, B, C, and D, all buildings must be located within the envelope defined by the following setback standards:</p> <ul style="list-style-type: none">• Front Street and Side Street Setback: A fifteen (15) foot minimum is required.• Interior Side Setback: No setback is required from the interior side setback.• Rear Setback: No setback is required from the rear property line.
5. Height Standards	<p>For Planning Areas A, B, C, and D a maximum height of fifty (50) feet from adjacent grade is permitted, measuring to the top of parapet or ridge shall be allowed. The maximum building height permitted shall be thirty-five (35) feet at the required front yard setback. For each additional one (1) foot exceeding the thirty-five (35) foot height limit, the setback from all property lines shall be increased by two (2) feet.</p>

Table 1 Development Standards

Continued

- | | |
|---|---|
| 6. Permitted uses for street side building setback areas. | The building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, or off-street parking. When off-street parking is located within street setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area five (5) feet in depth required between the parking area and the building. As an alternative to the 5 foot area between the parking area and the building, the equivalent landscaped area in square footage shall be provided for elsewhere on the property. |
| 7. Screening of storage areas within commercial and industrial use areas of the Project Area. | Where permitted, all outdoor storage of materials, wares, crates, bottles, or similar items necessary to, or part of, a permitted use within the Project Area shall be screened from view on at least three sides by an opaque, impact-resistant screen of block or metal material not less than six feet in height, and on the fourth side by an opaque, impact-resistant gate not less than five feet in height. Alternate materials or designs may be approved by the Community and Economic Development Director. |
| 8. Auto dealerships – minimum lot size. | The minimum lot size shall be one acre for lots containing dealerships. |
| 10. Service station landscaping | The minimum amount of landscaping shall be based on the required building setback and parking lot landscaping standards defined herein. No percentage requirement as defined in the City Code shall apply. |

4.5 DESIGN GUIDELINES

Development within the Project Area shall comply with the design guidelines contained within the adopted City Code. The design guidelines in the City Code shall apply to all improvements within Project Area including new construction, remodels, additions, landscaping, paving, signage, amenities, community facilities, and related facilities. They are provided to guide developers, builders, architects, engineers, landscape architects, and others involved in the preparation of future development proposals to ensure a consistent level of quality throughout the Project Area. The design guidelines will assist the City of Moreno Valley staff and decision-making authorities with criteria to evaluate future development proposals.

Section Five

IMPLEMENTATION

The City of Moreno Valley City Council will adopt SPA No. 3 by ordinance. Following approval by the City, SPA No. 3 will serve as the implementation tool for the General Plan as well as the zoning development regulations for the Project Area.

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 Code, the provisions of SPA No. 3 shall take precedence.

5.1.2 INTERPRETATION

Unless otherwise provided, any ambiguity concerning the content or application of SPA No. 3 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. 3 by the City includes adoption of the design guidelines contained in the City Code which 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 as specified in Section 9.02.030 of the City Code is required for all development proposals within the Project Area. Development review shall be conducted where applicable by the City of Moreno Valley Community and Economic Development Director and Planning Commission as specified in Section 9.02.030 and shall be reviewed for consistency with SPA No. 3. Submittal of a Development Review Permit application shall be of a form and content consistent with the City of Moreno Valley requirements. Where specified in Section 9.02.030 (B), the Planning Commission shall approve the application. The decision of the Planning Commission shall be final, subject to appeal to the City Council according to the procedures established in the City Code.

After City approval of a Development Plan, changes to the size, location, and design of any uses or structures may be approved by the Community and Economic Development Director. If the Community and Economic Development Director determines that the proposed revision is in substantial conformance with the provisions of SPA No. 3, the revised Development Plan shall be approved by the Community and Economic Development Director.

5.2.2 SUBDIVISION MAPS

All tentative parcel maps and tentative tract maps shall be reviewed and approved pursuant to the applicable provisions of the City of Moreno Valley Subdivision Ordinance and consistent with the applicable provisions of SPA No. 3.

5.3 FEE REQUIREMENTS

Fees have been established for the Project Area as part of the Settlement Agreement dated March 7, 2000.

5.4 SCHOOL FEE REQUIREMENTS

The developers of the Project Area will pay school fees, pursuant to Government Code Section 65995, et seq., as amended, to address the school needs of the Project Area.

ORDINANCE NO. 596

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVAL OF A SPECIFIC PLAN AMENDMENT (SP209A3) AMENDING THE OFFICIAL ZONING ATLAS FROM SP209 (DEALERSHIPS AND COMMERCIAL TO COMMERCIAL AND COMMERCIAL/RESIDENTIAL) ON ACRES LOCATED IN THE VICINITY OF STATE HIGHWAY 60 AND MORENO BEACH DRIVE.

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

SECTION 1 FINDINGS

1.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on January 8, 2002, 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 Specific Plan Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed Specific Plan Amendment from SP209 (Dealerships and Commercial) to SP209 (Commercial A, B, C, and D) is consistent with and does not conflict with the goals, objectives, policies or programs of the General Plan. The Specific Plan Amendment allows for a broader range of commercial uses than would otherwise be allowed for a large portion of the Specific Plan area.

2. **Health, Safety and Welfare** – The proposed Specific Plan Amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Specific Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the Change of Zone has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Subsequent Negative Declaration has been considered and prepared, as there is no evidence that the proposed zone change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. **Conformance with Zoning Regulations – The Specific Plan Amendment is consistent with purposes and intent of applicable zoning and other regulations as contained within The Municipal Code, Title 9, Planning and Zoning.**

FACT: The Specific Plan Amendment identifies the uses allowed in the Permitted Uses list in the document. These uses are a reasonable expansion of the uses that are currently allowed for in the Specific Plan.

SECTION 2 **Adoption of Specific Plan 203, Amendment 3:**

2.1 The City Council hereby approves the recommendation of the Planning Commission relating to the adoption of Specific Plan 209, Amendment 3, and adopts said Amendment, including proposed amendments to the Specific Plan text, the Specific Plan exhibits, and the land use plan, and as may have been amended by the City Council during its hearing on this matter and as described in Exhibit A2 attached hereto.

SECTION 3 **Implementation and Amendment of Specific Plan 209 and SP Zone on the Property:**

3.1 Title 9 of the City of Moreno Valley, and the City of Moreno Valley Official Zoning Atlas, Page Nos. 43 and 53 for Specific Plan 209 are further amended by placing in effect the amendments to the zones shown on the map, as attached here to in Exhibit A1, amending in part, certain land use designations.

SECTION 4 EFFECT OF ENACTMENT:

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

SECTION 5 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 22nd day of January, 2002.



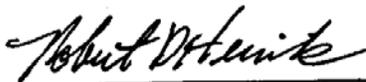
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

ORDINANCE JURAT

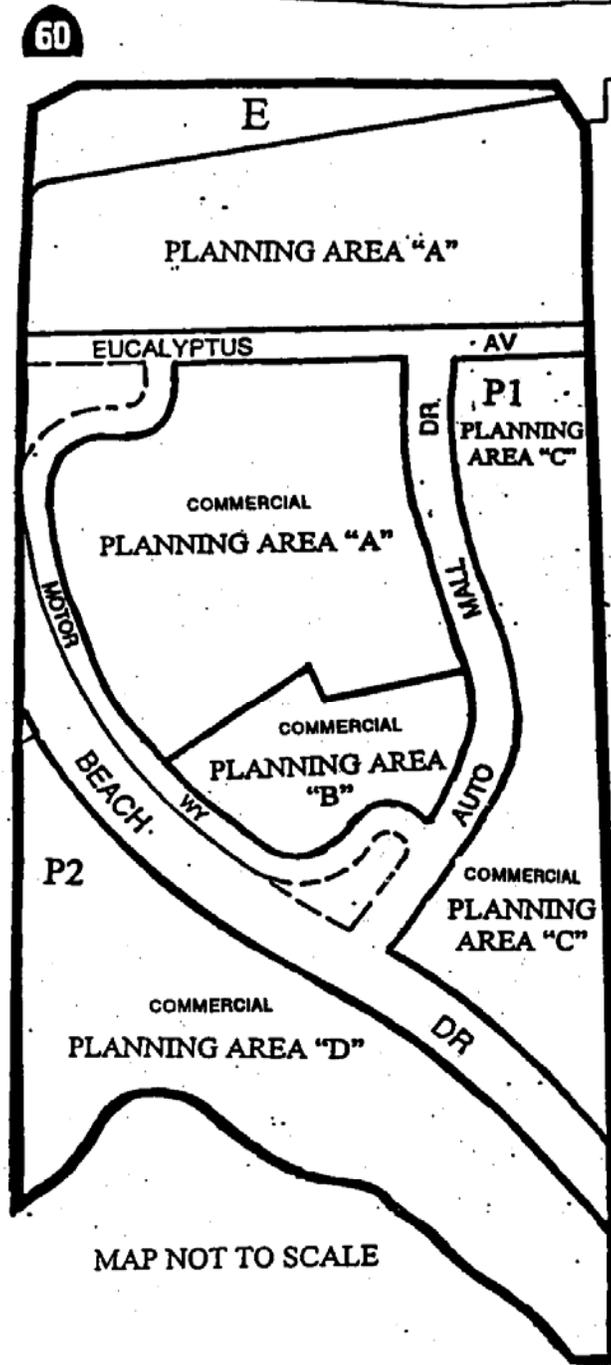
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 596 had its first reading on January 8, 2002 and had its second reading on January 22, 2002 and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of January, 2002 by the following vote:

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

Alice Reed
CITY CLERK

(SEAL)

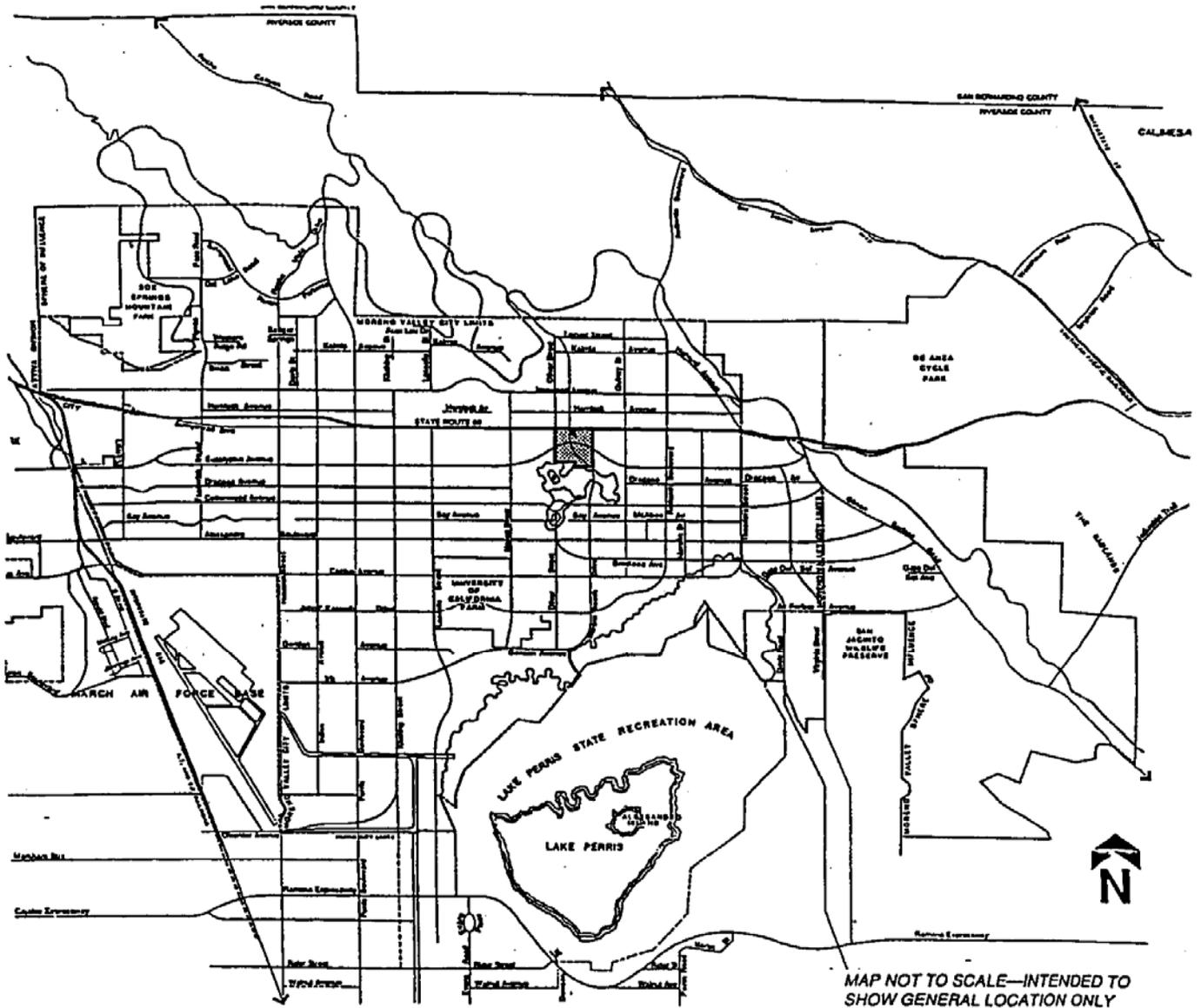


LEGEND:

- E** EXISTING DEALERSH PYLON SIGN
- P** PROPOSED LOCATION OF NEW PYLON SIGNS

EXHIBITS

EXHIBIT		PAGE NUMBER
1.	Location Map	1-5
2.	Specific Plan Boundary	1-6
3.	Project Area	1-7
4.	Existing Conditions	2-3
5.	Land Use Plan	3-3

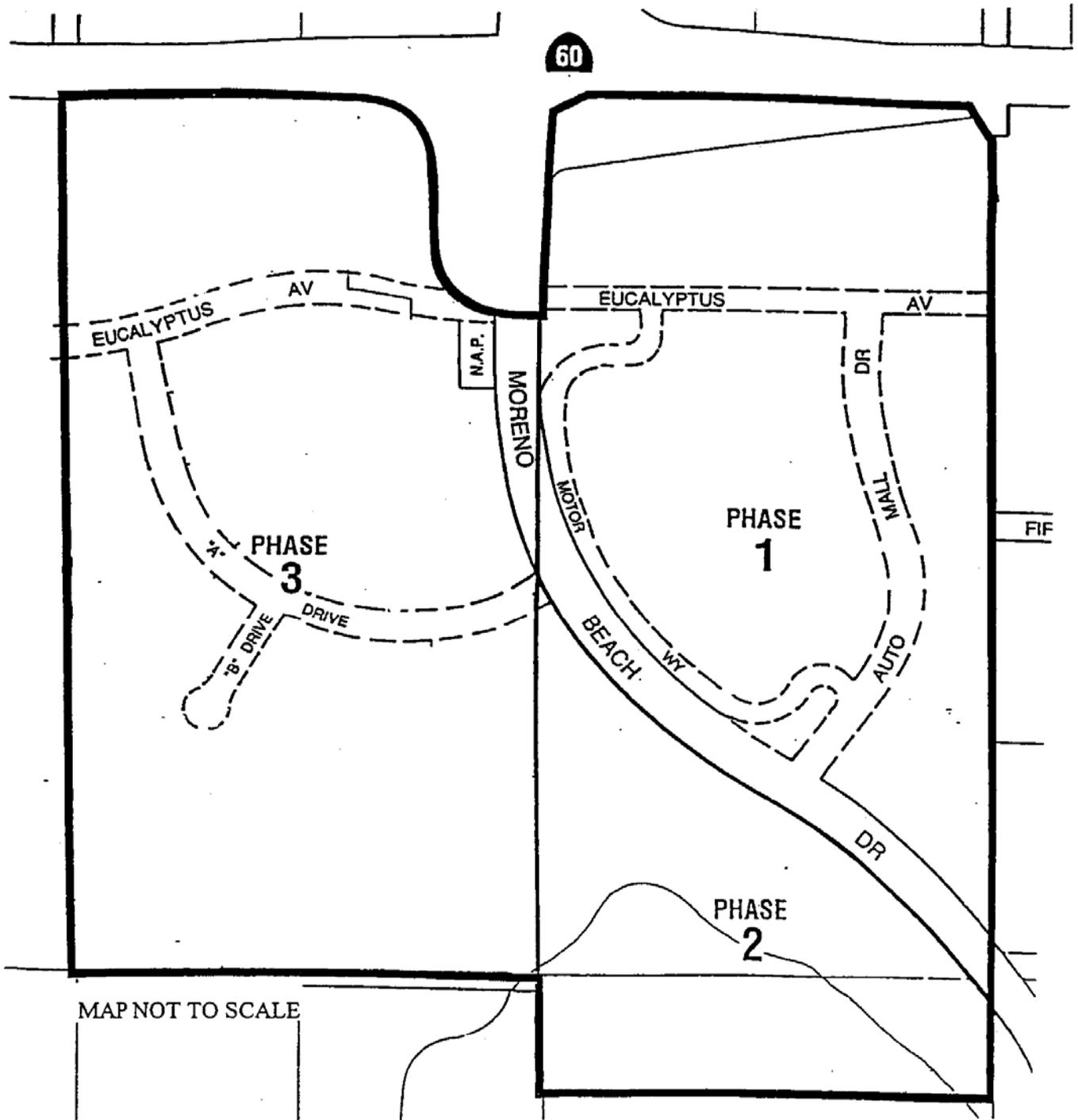


MAP NOT TO SCALE—INTENDED TO SHOW GENERAL LOCATION ONLY

SPA NO. 3

Final
October 2001

Exhibit 1
LOCATION MAP

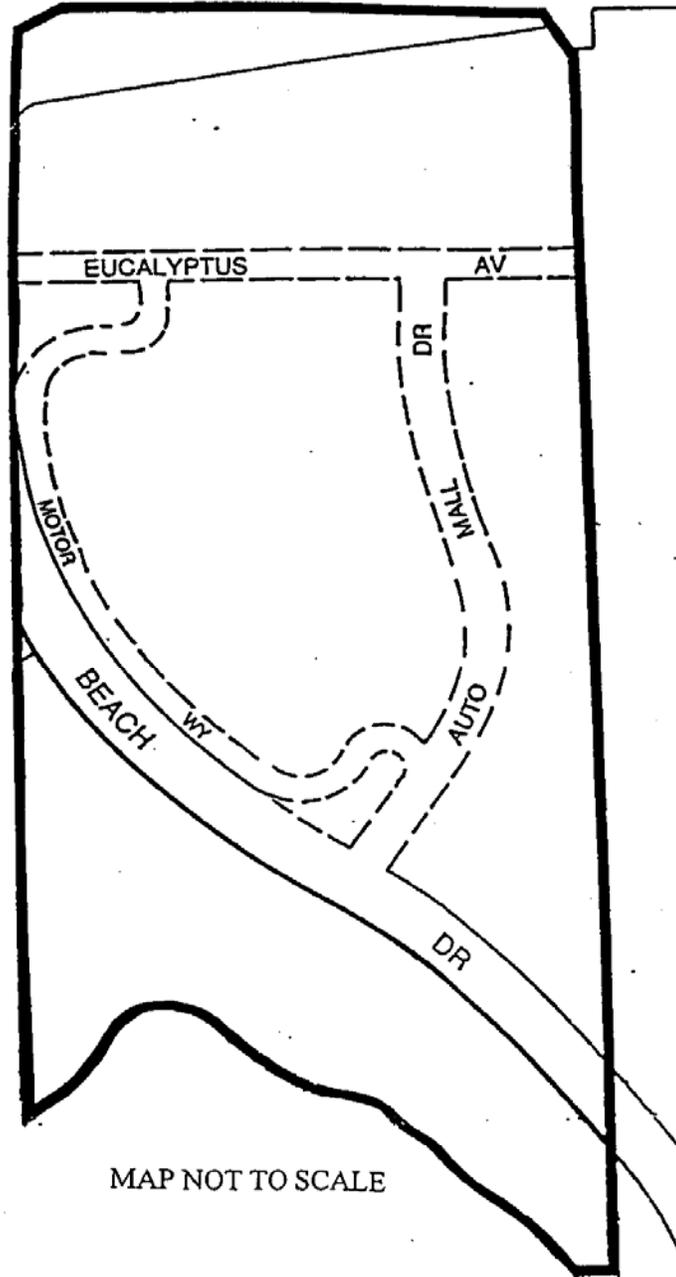


SPA No. 3

Final
October 2001

Exhibit 2
SPECIFIC PLAN BOUNDARY

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MAP NOT TO SCALE

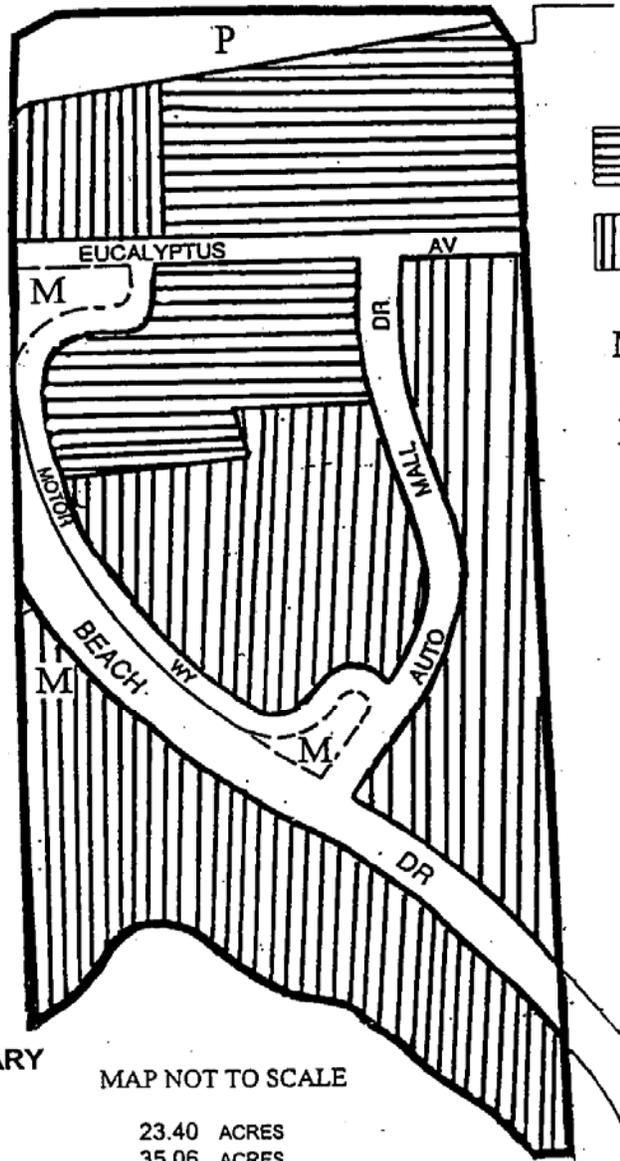
SPA NO. 3

Final
October 2001

Exhibit 3
PROJECT AREA

1-7

60



LEGEND:

-  EXISTING DEALERSHI
-  FUTURE DEVELOPME AREAS
- M EXISTING MONUMEN SIGNS
- P EXISTING DEALERSHI PYLON SIGN

STATISTICAL SUMMARY

MAP NOT TO SCALE

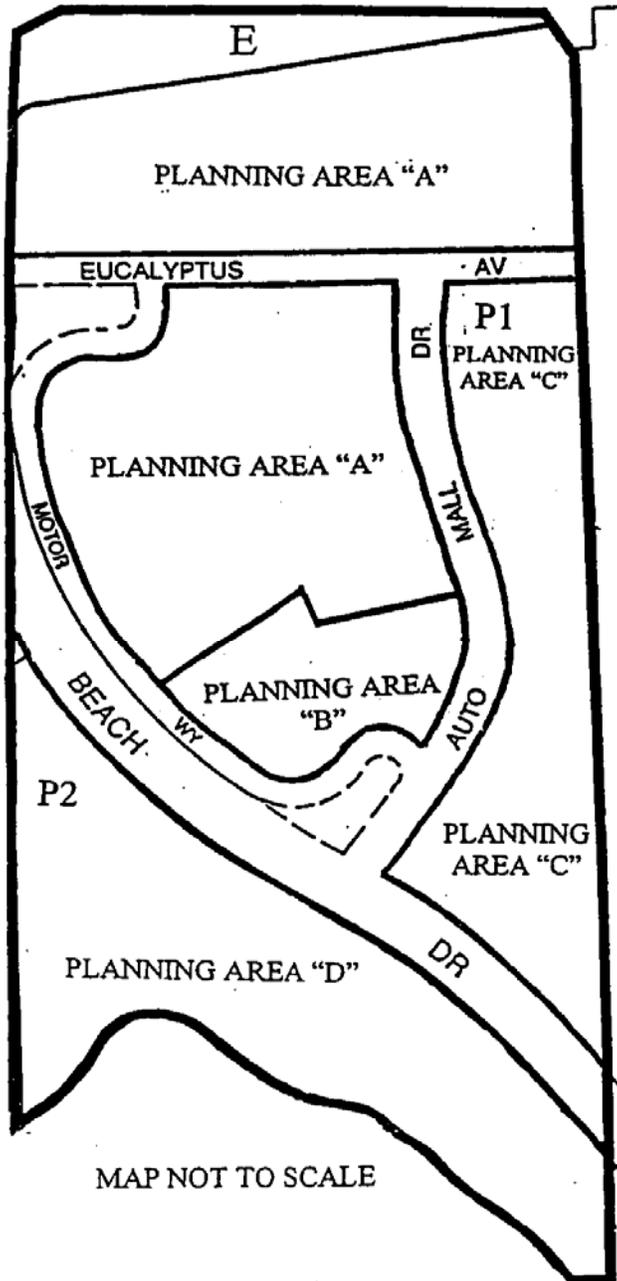
EXISTING DEVELOPED AREA	23.40 ACRES
FUTURE DEVELOPMENT AREA	<u>35.06 ACRES</u>
SUBTOTAL	58.46 ACRES
PUBLIC RIGHT OF WAY	15.30 ACRES
TOTAL	73.76 ACRES

SPA No. 3

Final
October 2001

Exhibit 4
EXISTING CONDITIONS

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LEGEND:

- E EXISTING DEALERSH PYLON SIGN
- P PROPOSED LOCATION OF NEW PYLON SIGNS

SPA No. 3

Final
October 2001

Exhibit 5
LAND USE PLAN