

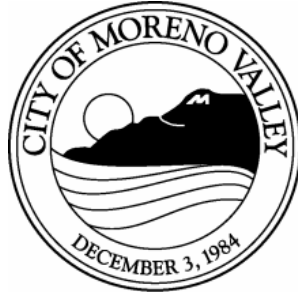
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**PLANNING COMMISSIONERS**

BRIAN LOWELL  
Chair

JEFFREY SIMS  
Vice-Chair

RAY L. BAKER  
Commissioner



JEFFREY BARNES  
Commissioner

CARLOS RAMIREZ  
Commissioner

PATRICIA KORZEC  
Commissioner

MELI VAN NATTA  
Commissioner

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# **PLANNING COMMISSION Regular Meeting**

## **Agenda**

**Thursday, June 11, 2015 at 7:00 PM  
Conference & Recreation Center, Grand Valley Ballroom  
14075 Frederick Street**

### **CALL TO ORDER**

### **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF AGENDA**

Approval of Agenda

### **CONSENT CALENDAR**

*All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless Members of the Planning Commission request specific items be removed from the Consent Calendar for separate action.*

Planning Commission Rules of Procedures (Report of: Community Development)

### **APPROVAL OF MINUTES**

None

### **PUBLIC COMMENTS PROCEDURE**

*Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, member of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall*

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*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mark Sambito, ADA Coordinator, at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

*time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.*

## **NON-PUBLIC HEARING ITEMS**

None

## **PUBLIC HEARING ITEMS**

1. Case: PA14-0061 – Conditional Use Permit  
Applicant: Les Schwab Tires  
Owner: SAS Development  
Representative: Evergreen Development (Andy Call)  
Location: Northeast corner of Perris Blvd and Fir Ave  
Case Planner: Claudia Manrique  
Council District: 1

## **STAFF RECOMMENDATION**

Recommend the Planning Commission **APPROVE** Resolution No. 2015-17.

1. **CERTIFY** that the proposed Conditional Use Permit is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 (In-Fill Development); and
  2. **APPROVE** Conditional Use Permit PA14-0061 based on the findings contained in Planning Commission Resolution 2015-17, subject to the conditions of approval included as Exhibit A of the Resolution.
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2. Case: PA12-0010 (General Plan Amendment)  
PA12-0011 (Development Agreement)  
PA12-0012 (Change of Zone)  
PA12-0013 (Specific Plan)  
PA12-0014 (Annexation)  
PA12-0015 (Tentative Parcel Map No. 36457)  
P12-016 (Environmental Impact Report)  
Applicant: Highland Fairview Inc.  
Owner: Highland Fairview and various private property owners

Representative: Iddo Benzeevi

Location: The project area is in the eastern portion of the city and is more specifically located east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of the San Jacinto Wildlife Area.

Proposal The proposed World Logistics Center (WLC) project involves approximately 3,818 acres of property and includes multiple applications. A General Plan Amendment changing the land use potential for the project area to Business Park/Light Industrial (BP) and Open Space (OS), includes associated modifications to the Community Development Element, Parks, Recreation and Open Space Element, Circulation Element, Safety Element, and Conservation Element. A Specific Plan for 2,610 acres of the project area is proposed to establish vision and development regulations for up to 40.6 million square feet of logistic development, and light logistics land uses, predominantly in the form of large high-cube industrial warehouse and distribution centers, and approximately 20,000 square feet of logistics support (e.g. fueling, associated retail). The proposed Change of Zone would result in changes to the zoning atlas to reflect the designated areas for Logistics Development (LD), Light Logistics (LL) and Open Space (OS) for the entire project area both within and outside the proposed Specific Plan boundary. Eighty-five (85) acres of land at the northwest corner of Alessandro Boulevard and Gilman Springs Road within the Specific Plan boundary would be pre-zoned for LD and is intended for a subsequent Annexation to the City. Tentative Parcel Map No. 36457 is proposed to divide property for finance and conveyance purposes only. A Development Agreement is proposed between the City and Highland Fairview for only that real estate within the Specific Plan boundary in which Highland Fairview has a legal or equitable interest (approximately 2,263 acres). Approval of the various project applications will result in a repeal of the current Moreno Highlands Specific Plan No. 212-1

Recommendation: Certification of the Final Program Environmental Impact Report for the project, and approval of the

proposed General Plan Amendment, Specific Plan, Change of Zone, Pre-zoning for subsequent Annexation, Tentative Parcel Map No. 36457, and Development Agreement by the City Council are all recommended.

Case Planner: Mark Gross

Council District: 3

Proposal: World Logistics Center project includes a General Plan Amendment, a Change of Zone, World Logistics Center Specific Plan, a Pre-Zoning/Annexation, Tentative Parcel Map No. 36457, and a Development Agreement for a 3,818 acre project area in the eastern portion of the City.

### **STAFF RECOMMENDATION**

That the Planning Commission:

**APPROVE** Resolution Nos. 2015-12, 2015-13, 2015-14, 2015-15 and 2015-16 thereby recommending that the City Council:

1. **CERTIFY** the Environmental Impact Report (P12-016), including approval of the Mitigation Monitoring Program and adoption of a Statement of Overriding Considerations (Exhibits A and B of Resolution 2015-12) for PA12-0010 (General Plan Amendment), PA12-0011 (Development Agreement) PA12-0012 (Change of Zone), PA12-0013 (Specific Plan), PA12-0014 (Pre-Zoning/Annexation), PA12-0015 (Tentative Parcel Map), pursuant to the California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVE** General Plan Amendment PA12-0010, to change the land use designations for the project area to Business Park/Light Industrial (BP) and Open Space (OS), and to amend General Plan goals and objectives text and map in the respective Community Development, Circulation, Parks, Recreation and Open Space, Safety, and Conservation Elements identified in Exhibits A through M of Resolution 2015-13.
3. **APPROVE** Change of Zone PA12-012 and Specific Plan PA12-0013 and Annexation PA12-0014, which would repeal the current Moreno Highlands Specific Plan No. 212-1, would establish the World Logistics Center Specific Plan including Change of Zone on the City's Zoning Atlas to Logistics Development (LD), Light Logistics (LL) and Open Space (OS) for areas within the proposed WLC Specific Plan boundary, would establish Pre-zoning/Annexation for an 85 acre site at the northwest corner of Gilman Springs and Alessandro Boulevard, and authorize Change of Zone on the City's Zoning Atlas to Open Space (OS) for those project areas outside and



southerly of the new WLC Specific Plan boundary, Exhibits A, B and C of Resolution 2015-14.

4. **APPROVE** Tentative Parcel Map No. 36457 PA12-0015 for a tentative parcel map that includes 26 parcels for financing and conveyance purposes, Exhibit A and B of Resolution 2015-15.
5. **APPROVE** Development Agreement PA12-0011 covering properties controlled by Highland Fairview, Exhibit A of Resolution 2015-16.

#### **OTHER COMMISSION BUSINESS**

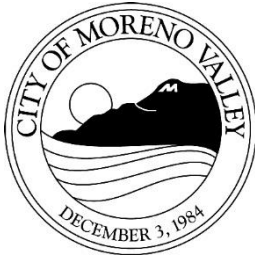
#### **STAFF COMMENTS**

#### **PLANNING COMMISSIONER COMMENTS**

#### **ADJOURNMENT**

#### **NEXT MEETING**

Planning Commission Regular Meeting, June 25, 2015 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.



## **PLANNING COMMISSION**

### **STAFF REPORT**

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Meeting Date: June 11, 2015

#### **PLANNING COMMISSION RULES OF PROCEDURES**

##### **SUMMARY**

The Planning Commission will confirm and approve prior Planning Commission recommended modifications to the Planning Commission Rules of Procedure regarding new specific procedures for use of Alternate Commissioners.

The Planning Commission consideration of this matter is in response to a newly adopted City Ordinance 890 adopted by the City Council establishing two Alternate Commissioner seats on the Commission.

The Planning Commission discussed this matter at their previous two meetings on May 14, 2015 and May 28, 2015. At their meeting of May 14<sup>th</sup> the Commission elected to create an Ad Hoc Committee made up of Chairman Lowell, Commissioner Barnes and Commissioner Van Natta to research this matter.

On March 28<sup>th</sup> the Commission received a report out from the Ad Hoc Committee, and conducted open discussion on recommended revisions to the Rules of Procedure proposed by the Committee, which were drafted by the deputy City Attorney and presented to the Commission in the Agenda packet for the meeting.

Upon considerate discussion on the matter by the full Commission, including new Alternate Commissioner Nickel, the Commission directed the deputy City Attorney to make additional modifications to the Rules of Procedure and to return to the Commission on June 11, 2015 for final review and adoption.

##### **RECOMMENDATION**

Planning Commission to review and adopt the modified Planning Commission Rules of Procedures, which include amendments directed by the Planning Commission at the meeting of May 28, 2015, presented with this staff report.

Prepared by:  
Richard J. Sandzimier  
Planning Official

Approved by:  
Allen Brock  
Community Development Director

### **ATTACHMENTS**

1. PC RULES OF PROCEDURE redline 060415 Rev 4
2. PC RULES OF PROCEDURE (clean 060415)

**CITY OF MORENO VALLEY**  
**PLANNING COMMISSION RULES OF PROCEDURE**

I. RULES OF ORDER, ORGANIZATION AND OFFICERS

A. RULES OF ORDER

Except as otherwise provided in these Rules of Procedure, "The Standard Code of Parliamentary Procedure 4<sup>th</sup> Edition," shall be used as a guide to the conduct of the meetings of the Planning Commission; except as may otherwise be provided by applicable law, no omission to conform to said rules of order shall in any instance be deemed to invalidate any action taken by the Commission.

B. ORGANIZATION

The Planning Commission shall consist of seven regular members and two alternate members and shall be organized and exercise such powers as prescribed by Ordinance of the City of Moreno Valley.

C. OFFICERS

1. SELECTION

- a. A Chairperson and Vice-Chairperson shall be elected annually from among the Commission's membership at the first meeting in April, to serve at the pleasure of the Commission. The term of office for Chairperson and Vice-Chairperson shall be one (1) year. No person shall serve more than two consecutive terms as either Chairperson or Vice-Chairperson, however a commissioner may serve for two consecutive terms as Vice-Chairperson followed by two consecutive terms as Chairperson, or vice versa.
- b. If the Chairperson vacates his or her office before the term of office is completed, a new Chairperson shall be elected at the next regular meeting. A new Vice-Chairperson shall also be elected if the former Vice-Chairperson is elected Chairperson.
- c. In the absence of the Chairperson and Vice-Chairperson, any other member may call the Commission to order, whereupon a Chairperson pro tem shall be elected from the members present to preside. Alternate members shall not be eligible to serve as Chairperson or Vice-Chairperson.

2. RESPONSIBILITIES

Effective April 1, 1990  
Amended January 2002

The responsibilities and powers of the officers and staff of the Planning Commission shall be as follows:

a. Chairperson

- 1) Preside at all meetings of the Commission.
- 2) Call special meetings of the Commission in accordance with legal requirements and these Rules of Procedure.
- 3) Sign documents of the Commission.
- 4) See that all actions of the Commission are properly taken.
- 5) Assist staff in determining agenda items.
- 6) The Chairperson shall be an ex-officio member of all committees of the Planning Commission with voice but not vote.

b. Vice-Chairperson

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

- c. The Planning Official with the assistance of his staff, shall be responsible for providing the Commission with proposed minutes of its meetings, with proposed forms of resolutions when appropriate, with staff reports and recommendations on matters of business which come before the Commission, and with proposed forms of recommendations and reports for the Commission.

D. POWERS AND DUTIES

The functions, powers and duties of the Planning Commission shall be all those functions, powers and duties of a Planning Commission and Board of Zoning Adjustment as provided in Chapters 3 and 4 of Title 7 commencing with Section 65100 of the Government Code of the State (the Planning and Zoning Law), as the same may be hereafter amended. The Planning Commission shall perform such other duties and functions as may be designated by the City Council.

E. ETHICAL PROCESS AND PROCEDURE

1. Whenever after appointment, a Commissioner possesses or is likely to possess a financial interest in a project which is pending or likely to be pending in the foreseeable future before the Commission, it is the duty of the Commissioner to disclose for the record the interest and abstain not only from discussion and

Effective April 1, 1990

- voting, but a higher duty to abstain from discussion with any other Commissioner or staff concerning any matters relevant to the project, wherein the Commissioner has a financial interest in the decision.
2. It is equally unethical and improper for such Commissioner to recommend to other individuals that they contact other Commissioners or staff with respect to any matter relevant to the project.
  3. Whenever a Commissioner discovers the existence of a possible conflict of interest and is unsure as to that situation, the Commissioner should consult with the City Attorney or the staff of the FPPC for clarification of his or her position; in the event a financial interest or likely financial interest exists in a project, the record should so disclose and be available for review.
  4. No Commissioner should continue to serve as a Commissioner if it appears likely that he or she will receive substantial financial gain (obtain a financial interest as defined in the FPPC) from a large number of Planning Commission decisions on projects in a broad area of interest.
  5. Nothing contained herein shall be construed to relieve a Commissioner of any duty imposed by State law or to change the law and regulations applicable to conflict and disclosure matters.
  6. With respect to membership by a Commissioner in any other organization which may be incompatible with membership on the Planning Commission, the Commissioner should consider, to the extent recognized by law, any or all of the following, as may be applicable:
    - a. Withdrawal of membership from either the Commission or the said organization.
    - b. Leave of absence from the conflicting organization.
    - c. Inactivity during Commission tenure.
    - d. Being a non-voting participant in the conflicting organization.
    - e. Being a non-office holder in the conflicting organization.
    - f. Being a non-policy making member in the conflicting organization.

- g. Making no public statements within or about the organization.

F. FITNESS TO SERVE; STATEMENT OF PRIOR CONVERSATIONS

1. Any Planning Commissioner who wishes to serve the City of Moreno Valley shall adhere to the goals, performance objectives, duties, responsibilities, ethical process and procedure, and public relations standards as herein listed.
2. Present Commissioners who wish to serve but cannot justifiably adhere to the contents of these Rules of Procedure must evaluate their fitness to serve.
3. Any Commissioner shall declare, prior to voting in the recorded minutes, whether or not they talked or otherwise communicated independently with the developer, with the proponents, or with the opponents or with a representative of the developer, proponents or opponents concerning a project under consideration. Commissioners shall further publicly disclose the substance of any such communication.

G. ABSENCES AND VACANCIES

1. Permanent or long term Commissioner vacancies shall be filled by alternate Commissioners in accordance with Ordinance 890 of the City of Moreno Valley.
2. Regular and alternate Commissioners should attempt to attend all meetings. In the event of an absence of a regular Commissioner for all, or any part of a meeting, an alternate Commissioner who is present shall be seated to serve as a full voting member of the Commission. If alternate Commissioners are not available to serve or are disqualified from serving for any reason, the Commission shall continue with the remaining regular Commissioners as long as a quorum is present. The minutes shall reflect the attendance, seating and voting record of all regular and alternate Commissioners.
3. Alternate Commissioners shall be called on a rotational basis if available. Each meeting will have a Primary and Secondary alternate Commissioner, which assignment shall rotate every meeting. If there is more than one absence or vacancy, the secondary alternate Commissioner may also be called to serve. The service or non-service of one or both alternate Commissioners at any meeting shall not affect the rotational order for any future meeting. For the first meeting after any appointment, the rotational order shall be established in alphabetical order by the last name of the Alternate Commissioner.

4. If a regular or alternate Commissioner is seated on the first day of any public hearing item, such Commissioner shall continue to be seated for that item until the completion of the vote on that item, without regard to the number of meeting dates the item is continued over. In the event of an absence on any subsequent hearing date, no new Commissioner shall be seated in the vacant seat. A regular or alternate Commissioner may fill a previously absent seat on a public hearing item only if he/she makes a statement on the record that he/she has attended all prior hearing dates, read all prior hearing transcripts, or listened to the recordings if all prior hearings on the item. If a Commissioner has not met the aforementioned requirements, they shall be declared ineligible to be seated on the Commission for that item. In no case shall two different Commissioners fill the same vacant seat on any single public hearing item.
5. Alternate members shall be deemed to be participating in a meeting if they are seated as a voting member for all, or any part, of a meeting.
- ~~4-6.~~ Commissioners may participate in the discussion and debate of an agenda item only if seated as a voting Commissioner.

## II. MEETINGS

### A. PUBLIC MEETINGS

All meetings shall be held in full compliance with state law, ordinances of the City, and these Rules of Procedure.

### B. REGULAR MEETINGS

1. Regular meetings shall be held on the second and fourth Thursdays of each month at 7:00 p.m in the Council Chambers at City Hall, 14177 Frederick Street, Moreno Valley, California, unless otherwise determined by the Commission.

2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting shall occur on the next business day, or cancelled by motion adopted by the Planning Commission.

### C. ADJOURNED MEETINGS

In the event it is determined by the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn, and the meeting so adjourned.

### D. SPECIAL MEETINGS



Special meetings of the Planning Commission may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the City Council following at least 48 hours notice to each member of the Commission and to the press, and to each person who has duly requested notice of such meetings. The time and place of the special meeting shall be determined by the convening authority, except that the meeting place shall be within the corporate limits of the City. Only those matters of business described in the call and notice for a special meeting shall be considered by the Commission.

E. STUDY SESSIONS/WORKSHOPS

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. All study sessions shall be open to the public.

F. AGENDA

1. An agenda for each meeting of the Commission shall be prepared by the Planning Official or his delegate with the cooperation and approval of the Chairperson or in the absence of the Chairperson, by the Vice-Chairperson.
  - a. The Commission cannot guarantee that applicants meeting filing deadlines will be placed on the agenda of the first meeting thereafter.
  - b. A copy of the agenda for each meeting of the Commission shall be posted at City Hall seventy-two (72) hours prior to each regular meeting and at least twenty-four (24) hours prior to each special meeting of the Commission.

G. ORDER OF MEETINGS

1. Unless the Chairperson in his or her discretion otherwise directs, the order of business shall be as follows:
  - a. The Chairperson shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.
  - b. Members present and absent shall be recorded, including any alternate members. Alternate members shall be seated on the Commission, if necessary. If all regular Commissioners are present and no conflicts of interest have been announced or appear to be likely, the alternate members may be excused and review the video or transcript of the meeting in lieu of attendance.

- c. Pledge of Allegiance shall be made.
- d. The agenda shall be approved as submitted or revised (to the extent permitted by law).
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The minutes of any preceding meeting shall be submitted for approval.
- g. Public comment shall be taken, during which any member of the audience may comment on any matter which is not listed on the agenda. A time limit of three minutes shall be imposed on each individual.
- h. The Commission shall then hear and act upon those proposals scheduled for consideration at public hearing, followed by such other matters of business and reports as the Commission or Planning Official finds to require Commission consideration, and as may be properly considered at that time.
- i. No action shall be taken by the Commission during any regular meeting on any item not appearing on the posted agenda unless any of the following conditions apply:
  - 1) A majority of the Commission determines that an "emergency situation" exists.
  - 2) The Commission determines by a two-thirds vote, or by a unanimous vote if less than two-thirds of the members are present, that the "need to take action" on the item arose subsequent to the posting of the agenda, or
  - 3) The item was included in a properly posted agenda for a prior meeting occurring not more than five days prior to the date of the meeting at which the action is taken and was continued to the meeting at which the action is taken.

j. At 11:00 p.m., or as soon thereafter as practicable, a Commissioner may make a motion to adjourn the meeting and continue any remaining items to a future date.

j-k. Adjournment.

2. PRESENTATION OR HEARING OF PROPOSALS

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The following shall be the order of procedure for public hearings or other proposals concerning planning and zoning matters, and for testimony, unless the Chairperson in his or her discretion shall otherwise direct.

- a. The Chairperson shall announce the subject of the public hearing or other proposals as advertised.
- b. If a request is made for continuance, a motion may be made, seconded and voted upon to continue the public hearing to a definite time, date and place. The Commission may elect to open the hearing and receive evidence prior to acting upon a request or motion to continue the matter.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions from the Commission.
- d. ORDER OF TESTIMONY
  - 1) Applicant's statement.
  - 2) Public comment.
  - 3) A rebuttal from the applicant.
  - 4) The Chairperson may allow further comments from opponents, proponents and applicant as deemed appropriate by the Chairperson.
  - 5) Public Hearing closed.
  - 6) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. RULES OF TESTIMONY
  - 1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
  - 2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group, if possible. The spokesman will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
  - 3) To avoid unnecessary cumulative evidence, the Chairperson may limit the number of

witnesses or the time of testimony on a particular issue.

- 4) Irrelevant and off-the-subject comments will be ruled out of order.
- 5) The Chairperson will not permit personal remarks regarding the staff or individual Commissioners during a Public Hearing. Complaints should be submitted in writing or presented verbally as a separate item on the agenda.
- 6) No person shall address the Commission without first securing the permission of the Chairperson to do so.
- 7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

#### H. MOTIONS

1. Action upon an order, resolution or other action of the Commission may be proposed by any commissioner by a motion. Before a motion can be considered it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second.
2. A motion to adjourn shall always be in order except during roll call.
3. The Chairperson of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission. However, since the Chairperson is primarily responsible for the conduct of the meeting, if he or she personally desires to engage in extended debate on questions before the Commission, he or she should consider turning the Chair over to another Commissioner.

#### I. VOTING

##### 1. VOTING REQUIREMENTS

- a. Four regular members shall constitute a quorum. Alternate members shall not be counted in determining if a quorum is present. and An affirmative vote of a majority of ~~these~~ Commissioners present and voting (but not less than three votes) shall be required to carry a motion, unless a

larger number of votes is required by applicable ordinance or other law.

- b. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, that member shall not be counted towards meeting any quorum requirement. Furthermore, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted with the majority.

## 2. RECORDING OF VOTES

The minutes of the Commissioner's proceedings shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

## 3. DISQUALIFICATION FROM VOTING

A member shall disqualify himself or herself from voting in accordance with the applicable Conflict of Interest Code. When a person disqualifies himself or herself, he or she shall disclose the disqualification prior to Commission consideration of the matter, and the disqualified member shall then leave the voting area.

## 4. RECONSIDERATION

A motion for reconsideration of a matter may be made by any commissioner who voted with the prevailing majority on the matter to be reconsidered. Any commissioner may second a motion for reconsideration. If the matter under reconsideration was first considered under a public hearing, the public hearing shall be reopened before any additional evidence is considered. A motion for reconsideration must be made at the same meeting as the meeting where the matter was voted upon.

- J. The Chairperson or such other person who may be presiding at meetings of the Commission is responsible for the maintenance of order and decorum at all times. No person should speak who has not first been recognized by the Chair. All questions and remarks should be addressed to the Chair.
- K. Any Commissioner may move to require the Chairperson or person presiding at the meeting to enforce the rules, and the affirmative vote of a majority of the Commissioners present shall require him or her to so act.
- L. Commissioners shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Commission, and shall refrain at all times from rude and derogatory remarks, negative reflections as to integrity, abusive comments, and statements as to motive and personality.

- M. All written materials to be delivered to the Planning Commission concerning its official business shall be delivered to Planning Division staff for distribution. Staff is advised to distribute written materials concerning any matter on the agenda to the Planning Commission at least seven days (Thursday of the week before each regular meeting) before the date of the meeting when the matter is to be considered by the Planning Commission. If it is not reasonably possible to distribute the material at least seven days before the meeting when the matter is to be considered, the material may be distributed at the earliest possible time with a copy also distributed at the meeting.
- N. During Planning Commission meetings, all written materials not already included in the materials which have been previously provided to the Planning Commission and which are offered for consideration by the Commission, shall be distributed to the Planning Commission. The Planning Commission shall consider such written materials as reasonably possible at the time of the meeting.
- O. Failure to comply with the strict provisions of these rules shall not necessarily invalidate any action taken by the Commission.

### III. REVIEW AND AMENDMENTS PROCEDURE

- A. These Rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending or not amending these rules.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership (four affirmative votes) of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than five days prior to said meeting.

## CITY OF MORENO VALLEY

### PLANNING COMMISSION RULES OF PROCEDURE

#### I. RULES OF ORDER, ORGANIZATION AND OFFICERS

##### A. RULES OF ORDER

Except as otherwise provided in these Rules of Procedure, "The Standard Code of Parliamentary Procedure 4<sup>th</sup> Edition," shall be used as a guide to the conduct of the meetings of the Planning Commission; except as may otherwise be provided by applicable law, no omission to conform to said rules of order shall in any instance be deemed to invalidate any action taken by the Commission.

##### B. ORGANIZATION

The Planning Commission shall consist of seven regular members and two alternate members and shall be organized and exercise such powers as prescribed by Ordinance of the City of Moreno Valley.

##### C. OFFICERS

###### 1. SELECTION

- a. A Chairperson and Vice-Chairperson shall be elected annually from among the Commission's membership at the first meeting in April, to serve at the pleasure of the Commission. The term of office for Chairperson and Vice-Chairperson shall be one (1) year. No person shall serve more than two consecutive terms as either Chairperson or Vice-Chairperson, however a commissioner may serve for two consecutive terms as Vice-Chairperson followed by two consecutive terms as Chairperson, or vice versa.
- b. If the Chairperson vacates his or her office before the term of office is completed, a new Chairperson shall be elected at the next regular meeting. A new Vice-Chairperson shall also be elected if the former Vice-Chairperson is elected Chairperson.
- c. In the absence of the Chairperson and Vice-Chairperson, any other member may call the Commission to order, whereupon a Chairperson pro tem shall be elected from the members present to preside. Alternate members shall not be eligible to serve as Chairperson or Vice-Chairperson.

## 2. RESPONSIBILITIES

The responsibilities and powers of the officers and staff of the Planning Commission shall be as follows:

### a. Chairperson

- 1) Preside at all meetings of the Commission.
- 2) Call special meetings of the Commission in accordance with legal requirements and these Rules of Procedure.
- 3) Sign documents of the Commission.
- 4) See that all actions of the Commission are properly taken.
- 5) Assist staff in determining agenda items.
- 6) The Chairperson shall be an ex-officio member of all committees of the Planning Commission with voice but not vote.

### b. Vice-Chairperson

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

- c. The Planning Official with the assistance of his staff, shall be responsible for providing the Commission with proposed minutes of its meetings, with proposed forms of resolutions when appropriate, with staff reports and recommendations on matters of business which come before the Commission, and with proposed forms of recommendations and reports for the Commission.

## D. POWERS AND DUTIES

The functions, powers and duties of the Planning Commission shall be all those functions, powers and duties of a Planning Commission and Board of Zoning Adjustment as provided in Chapters 3 and 4 of Title 7 commencing with Section 65100 of the Government Code of the State (the Planning and Zoning Law), as the same may be hereafter amended. The Planning Commission shall perform such other duties and functions as may be designated by the City Council.

## E. ETHICAL PROCESS AND PROCEDURE

1. Whenever after appointment, a Commissioner possesses or is likely to possess a financial interest in a project which is pending or likely to be pending in the foreseeable future before the Commission, it is the duty of the Commissioner to disclose for the



record the interest and abstain not only from discussion and voting, but a higher duty to abstain from discussion with any other Commissioner or staff concerning any matters relevant to the project, wherein the Commissioner has a financial interest in the decision.

2. It is equally unethical and improper for such Commissioner to recommend to other individuals that they contact other Commissioners or staff with respect to any matter relevant to the project.
3. Whenever a Commissioner discovers the existence of a possible conflict of interest and is unsure as to that situation, the Commissioner should consult with the City Attorney or the staff of the FPPC for clarification of his or her position; in the event a financial interest or likely financial interest exists in a project, the record should so disclose and be available for review.
4. No Commissioner should continue to serve as a Commissioner if it appears likely that he or she will receive substantial financial gain (obtain a financial interest as defined in the FPPC) from a large number of Planning Commission decisions on projects in a broad area of interest.
5. Nothing contained herein shall be construed to relieve a Commissioner of any duty imposed by State law or to change the law and regulations applicable to conflict and disclosure matters.
6. With respect to membership by a Commissioner in any other organization which may be incompatible with membership on the Planning Commission, the Commissioner should consider, to the extent recognized by law, any or all of the following, as may be applicable:
  - a. Withdrawal of membership from either the Commission or the said organization.
  - b. Leave of absence from the conflicting organization.
  - c. Inactivity during Commission tenure.
  - d. Being a non-voting participant in the conflicting organization.
  - e. Being a non-office holder in the conflicting organization.
  - f. Being a non-policy making member in the conflicting organization.

- g. Making no public statements within or about the organization.

F. FITNESS TO SERVE; STATEMENT OF PRIOR CONVERSATIONS

1. Any Planning Commissioner who wishes to serve the City of Moreno Valley shall adhere to the goals, performance objectives, duties, responsibilities, ethical process and procedure, and public relations standards as herein listed.
2. Present Commissioners who wish to serve but cannot justifiably adhere to the contents of these Rules of Procedure must evaluate their fitness to serve.
3. Any Commissioner shall declare, prior to voting in the recorded minutes, whether or not they talked or otherwise communicated independently with the developer, with the proponents, or with the opponents or with a representative of the developer, proponents or opponents concerning a project under consideration. Commissioners shall further publicly disclose the substance of any such communication.

G. ABSENCES AND VACANCIES

1. Permanent or long term Commissioner vacancies shall be filled by alternate Commissioners in accordance with Ordinance 890 of the City of Moreno Valley.
2. Regular and alternate Commissioners should attempt to attend all meetings. In the event of an absence of a regular Commissioner for all, or any part of a meeting, an alternate Commissioner who is present shall be seated to serve as a full voting member of the Commission. If alternate Commissioners are not available to serve or are disqualified from serving for any reason, the Commission shall continue with the remaining regular Commissioners as long as a quorum is present. The minutes shall reflect the attendance, seating and voting record of all regular and alternate Commissioners.
3. Alternate Commissioners shall be called on a rotational basis if available. Each meeting will have a Primary and Secondary alternate Commissioner, which assignment shall rotate every meeting. If there is more than one absence or vacancy, the secondary alternate Commissioner may also be called to serve. The service or non-service of one or both alternate Commissioners at any meeting shall not affect the rotational order for any future meeting. For the first meeting after any appointment, the rotational order shall be established in alphabetical order by the last name of the Alternate Commissioner.

4. If a regular or alternate Commissioner is seated on the first day of any public hearing item, such Commissioner shall continue to be seated for that item until the completion of the vote on that item, without regard to the number of meeting dates the item is continued over. In the event of an absence on any subsequent hearing date, no new Commissioner shall be seated in the vacant seat. A regular or alternate Commissioner may fill a previously absent seat on a public hearing item only if he/she makes a statement on the record that he/she has attended all prior hearing dates, read all prior hearing transcripts, or listened to the recordings if all prior hearings on the item. If a Commissioner has not met the aforementioned requirements, they shall be declared ineligible to be seated on the Commission for that item. In no case shall two different Commissioners fill the same vacant seat on any single public hearing item.
5. Alternate members shall be deemed to be participating in a meeting if they are seated as a voting member for all, or any part, of a meeting.
6. Commissioners may participate in the discussion and debate of an agenda item only if seated as a voting Commissioner.

## II. MEETINGS

### A. PUBLIC MEETINGS

All meetings shall be held in full compliance with state law, ordinances of the City, and these Rules of Procedure.

### B. REGULAR MEETINGS

1. Regular meetings shall be held on the second and fourth Thursdays of each month at 7:00 p.m in the Council Chambers at City Hall, 14177 Frederick Street, Moreno Valley, California, unless otherwise determined by the Commission.
2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting shall occur on the next business day, or cancelled by motion adopted by the Planning Commission.

### C. ADJOURNED MEETINGS

In the event it is determined by the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn, and the meeting so adjourned.

### D. SPECIAL MEETINGS

Special meetings of the Planning Commission may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the City Council following at least 48 hours' notice to each member of the Commission and to the press, and to each person who has duly requested notice of such meetings. The time and place of the special meeting shall be determined by the convening authority, except that the meeting place shall be within the corporate limits of the City. Only those matters of business described in the call and notice for a special meeting shall be considered by the Commission.

E. STUDY SESSIONS/WORKSHOPS

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. All study sessions shall be open to the public.

F. AGENDA

1. An agenda for each meeting of the Commission shall be prepared by the Planning Official or his delegate with the cooperation and approval of the Chairperson or in the absence of the Chairperson, by the Vice-Chairperson.
  - a. The Commission cannot guarantee that applicants meeting filing deadlines will be placed on the agenda of the first meeting thereafter.
  - b. A copy of the agenda for each meeting of the Commission shall be posted at City Hall seventy-two (72) hours prior to each regular meeting and at least twenty-four (24) hours prior to each special meeting of the Commission.

G. ORDER OF MEETINGS

1. Unless the Chairperson in his or her discretion otherwise directs, the order of business shall be as follows:
  - a. The Chairperson shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.
  - b. Members present and absent shall be recorded, including any alternate members. Alternate members shall be seated on the Commission, if necessary. If all regular Commissioners are present and no conflicts of interest have been announced or appear to be likely, the alternate members may be excused and review the video or transcript of the meeting in lieu of attendance.

- c. Pledge of Allegiance shall be made.
- d. The agenda shall be approved as submitted or revised (to the extent permitted by law).
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The minutes of any preceding meeting shall be submitted for approval.
- g. Public comment shall be taken, during which any member of the audience may comment on any matter which is not listed on the agenda. A time limit of three minutes shall be imposed on each individual.
- h. The Commission shall then hear and act upon those proposals scheduled for consideration at public hearing, followed by such other matters of business and reports as the Commission or Planning Official finds to require Commission consideration, and as may be properly considered at that time.
- i. No action shall be taken by the Commission during any regular meeting on any item not appearing on the posted agenda unless any of the following conditions apply:
  - 1) A majority of the Commission determines that an "emergency situation" exists.
  - 2) The Commission determines by a two-thirds vote, or by a unanimous vote if less than two-thirds of the members are present, that the "need to take action" on the item arose subsequent to the posting of the agenda, or
  - 3) The item was included in a properly posted agenda for a prior meeting occurring not more than five days prior to the date of the meeting at which the action is taken and was continued to the meeting at which the action is taken.
- j. At 11:00 p.m., or as soon thereafter as practicable, a Commissioner may make a motion to adjourn the meeting and continue any remaining items to a future date.
- k. Adjournment.

## 2. PRESENTATION OR HEARING OF PROPOSALS

The following shall be the order of procedure for public hearings or other proposals concerning planning and zoning matters, and

for testimony, unless the Chairperson in his or her discretion shall otherwise direct.

- a. The Chairperson shall announce the subject of the public hearing or other proposals as advertised.
- b. If a request is made for continuance, a motion may be made, seconded and voted upon to continue the public hearing to a definite time, date and place. The Commission may elect to open the hearing and receive evidence prior to acting upon a request or motion to continue the matter.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions from the Commission.
- d. ORDER OF TESTIMONY
  - 1) Applicant's statement.
  - 2) Public comment.
  - 3) A rebuttal from the applicant.
  - 4) The Chairperson may allow further comments from opponents, proponents and applicant as deemed appropriate by the Chairperson.
  - 5) Public Hearing closed.
  - 6) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. RULES OF TESTIMONY
  - 1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
  - 2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group, if possible. The spokesman will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
  - 3) To avoid unnecessary cumulative evidence, the Chairperson may limit the number of witnesses or the time of testimony on a particular issue.
  - 4) Irrelevant and off-the-subject comments will be ruled out of order.

- 5) The Chairperson will not permit personal remarks regarding the staff or individual Commissioners during a Public Hearing. Complaints should be submitted in writing or presented verbally as a separate item on the agenda.
- 6) No person shall address the Commission without first securing the permission of the Chairperson to do so.
- 7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

#### H. MOTIONS

1. Action upon an order, resolution or other action of the Commission may be proposed by any commissioner by a motion. Before a motion can be considered it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second.
2. A motion to adjourn shall always be in order except during roll call.
3. The Chairperson of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission. However, since the Chairperson is primarily responsible for the conduct of the meeting, if he or she personally desires to engage in extended debate on questions before the Commission, he or she should consider turning the Chair over to another Commissioner.

#### I. VOTING

##### 1. VOTING REQUIREMENTS

- a. Four regular members shall constitute a quorum. Alternate members shall not be counted in determining if a quorum is present. An affirmative vote of a majority of Commissioners present and voting (but not less than three votes) shall be required to carry a motion, unless a larger number of votes is required by applicable ordinance or other law.
- b. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, that member shall not be counted towards meeting any quorum requirement. Furthermore, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting



for any reason other than a potential conflict of interest, the abstention shall be counted with the majority.

2. RECORDING OF VOTES

The minutes of the Commissioner's proceedings shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

3. DISQUALIFICATION FROM VOTING

A member shall disqualify himself or herself from voting in accordance with the applicable Conflict of Interest Code. When a person disqualifies himself or herself, he or she shall disclose the disqualification prior to Commission consideration of the matter, and the disqualified member shall then leave the voting area.

4. RECONSIDERATION

A motion for reconsideration of a matter may be made by any commissioner who voted with the prevailing majority on the matter to be reconsidered. Any commissioner may second a motion for reconsideration. If the matter under reconsideration was first considered under a public hearing, the public hearing shall be reopened before any additional evidence is considered. A motion for reconsideration must be made at the same meeting as the meeting where the matter was voted upon.

- J. The Chairperson or such other person who may be presiding at meetings of the Commission is responsible for the maintenance of order and decorum at all times. No person should speak who has not first been recognized by the Chair. All questions and remarks should be addressed to the Chair.
- K. Any Commissioner may move to require the Chairperson or person presiding at the meeting to enforce the rules, and the affirmative vote of a majority of the Commissioners present shall require him or her to so act.
- L. Commissioners shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Commission, and shall refrain at all times from rude and derogatory remarks, negative reflections as to integrity, abusive comments, and statements as to motive and personality.
- M. All written materials to be delivered to the Planning Commission concerning its official business shall be delivered to Planning Division staff for distribution. Staff is advised to distribute written materials concerning any matter on the agenda to the Planning Commission at least seven days (Thursday of the week before each regular meeting) before the date of the meeting when the matter is to be considered by the Planning Commission. If it is not reasonably possible to distribute the material at least seven days before the meeting when the matter is to

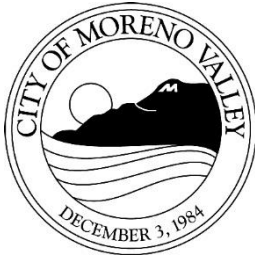


be considered, the material may be distributed at the earliest possible time with a copy also distributed at the meeting.

- N. During Planning Commission meetings, all written materials not already included in the materials which have been previously provided to the Planning Commission and which are offered for consideration by the Commission, shall be distributed to the Planning Commission. The Planning Commission shall consider such written materials as reasonably possible at the time of the meeting.
- O. Failure to comply with the strict provisions of these rules shall not necessarily invalidate any action taken by the Commission.

### III. REVIEW AND AMENDMENTS PROCEDURE

- A. These Rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending or not amending these rules.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership (four affirmative votes) of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than five days prior to said meeting.



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## PLANNING COMMISSION

### STAFF REPORT

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Meeting Date: June 11, 2015

PA14-0061 – CONDITIONAL USE PERMIT

Case: PA14-0061 – Conditional Use Permit  
Applicant: Les Schwab Tires  
Owner: SAS Development  
Representative: Evergreen Development (Andy Call)  
Location: Northeast corner of Perris Blvd and Fir Ave  
Case Planner: Claudia Manrique  
Council District: 1

#### **SUMMARY**

The applicant, Les Schwab Tires, has submitted a Conditional Use Permit (CUP) application for a proposed 11,878 square foot retail store on a 1.68 acres vacant parcel located on Perris Boulevard several hundred feet north of Fir Avenue (APN: 479-040-006). The proposed use, if approved, would be within 300 feet of residential zoning and pursuant to Moreno Valley Municipal Code Section 9.02.020 (Permitted Uses) a CUP is required because of this proximity. The proposed tire store site plan, architecture, and associated design elements comply with the applicable land use regulations within the Neighborhood Commercial (NC) zoning district; therefore, approval of the project by the Planning Commission is recommended.

## **PROJECT DESCRIPTION**

### **Project**

The applicant, Les Schwab Tires, has submitted a Conditional Use Permit (CUP) application for a proposed 11,878 square foot retail store on 1.68 acres. The proposed site is located on Perris Boulevard several hundred feet north of Fir Avenue (APN: 479-040-006) (Attachment 1). In addition to sales and service related to automobile tires, the proposed business use would perform minor automotive service and repair, including alignment, shocks, batteries and brake repair.

Pursuant to Moreno Valley Municipal Code Section 9.02.020 (Permitted Uses) a CUP is required for land use involving minor automobile repairs with tire sales within the Neighborhood Commercial (NC) zone when the proposed use is within 300 feet of residential. The conditional use permit has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses” and staff has confirmed that the proposed project does not conflict with goals, objectives, policies, or programs set forth in the General Plan.

### **Site/Surrounding Area**

The proposed project is located off Perris Boulevard, one parcel north of the northeast corner of Perris Boulevard and Fir Avenue (APN: 479-040-006). The parcel is currently vacant. The proposed site is zoned Neighborhood Commercial (NC). The parcels directly north and south of the project site are also zoned Neighborhood Commercial (NC). The property to the north is developed with a Verizon telephone facility. The properties to the south include a single-family home and a triplex multiple-family residence; both of which are legal non-conforming uses. To the east is the Barcelona Village Apartments complex, which is zoned Residential 15 (R15). Directly across Perris Boulevard from the project site is Sunnymead Park (Sunnymead Village Plan Specific Plan 204 - Park) (Attachment 2).

### **Access/Parking**

The project will be accessed from a driveway off Perris Boulevard (Attachment 3). The proposed project includes 35 parking spaces, which meets the minimum parking requirements for the proposed retail commercial building. The service bays of the proposed tire shop will provide space for eight vehicles to be worked on at a time.

### **Design/Landscaping**

The building design incorporates horizontal lines with a variety of finishes to provide interest and detail (Attachment 4). The roof is flat with an approximately 6-foot tall parapet. The building wall would have a ground face concrete masonry unit (CMU)

finish and the parapet would be constructed of a prefinished metal panel. The color scheme includes shades of tan/off-white, gray, and deep red. The west corner of the building incorporates glass storefront windows. Glass is also used to enclose the vestibule entrance which extends from the building wall, and is a nice feature that provides depth to the design. The service bay doors include glass panels, which work well to break up the expanse of the roll-up doors. All roof mounted equipment would be screened from view by the parapet as required by the municipal code (Section 9.08.030 - Accessory structures).

The conceptual grading plans show proposed retaining walls approximately 1 foot high along the northern boundary and half way down the eastern boundary. Any walls and fencing will be approved under a separate administrative application and will match design elements of the building.

Landscaping will be provided throughout the site with an assortment of approximately 35 trees, 20 different species of shrubs and 5 types of ground cover (Attachment 5). The turf currently shown on the conceptual landscaping plan will be replaced with a drought tolerant groundcover during the plan check process.

The site's Preliminary Water Quality Management Plan (PWQMP) design includes a bioretention planter and detention storage basin, which are located in the southwest corner of the site. Both areas will be landscaped with species that complement the rest of the site. The rest of the southern portion of the project site is reserved for future development. Conditions of approval are recommended with the project to ensure the area will be landscaped with a native seed mix of wildflowers and well maintained.

## **REVIEW PROCESS**

The project application was submitted on October 20, 2014. The project was reviewed by the Planning Division for consistency with the Municipal Code and a Pre-Project Review Staff Committee (Pre-PRSC) meeting with other interested Departments and Divisions was held on November 18, 2014. Revisions to the project were resubmitted in March 2015. Through subsequent plan review with City staff from various departments including, but not limited to, Land Development, Fire, and Traffic the applicant have addressed all issues and interests to the satisfaction of the City. Conditions of approval are recommended for the project to ensure these interests are met through construction and operation of the proposed use.

## **ENVIRONMENTAL**

The project has been reviewed in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and staff has determined the project will not result in any significant effect on the environment. The project qualifies for a Class 32 exemption, Section 15332 of the CEQA Guidelines as an In-Fill Development.

## **NOTIFICATION**

In accordance with Section 9.02.200 of the Municipal Code, public notification including a description of the proposed project and information on the required public hearing was sent to all property owners of record within 300' of the proposed project site on May 29, 2015. In addition, a public hearing notice for the project was posted on the project site on May 29, 2015, and published in the Press Enterprise newspaper on May 29, 2015 (Attachment 6).

## **STAFF RECOMMENDATION**

Recommend the Planning Commission **APPROVE** Resolution No. 2015-17.

1. **CERTIFY** that the proposed Conditional Use Permit is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 (In-Fill Development); and
2. **APPROVE** Conditional Use Permit PA14-0061 based on the findings contained in Planning Commission Resolution 2015-17, subject to the conditions of approval included as Exhibit A of the Resolution.

Prepared by:  
Claudia Manrique  
Associate Planner

Approved by:  
Allen Brock  
Community Development Director

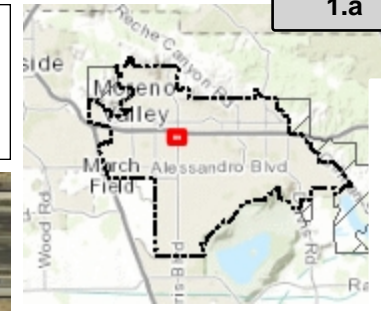
## **ATTACHMENTS**

1. Aerial Photograph
2. Zoning Map
3. Site Plan
4. Elevations
5. Landscape Plan
6. Public Notice
7. Resolution 2015-17
8. Exhibit A: Final Conditions of Approval



# Aerial Photograph PA14-0061

1.a



### Legend

Parcels

### Notes

Conditional Use Permit (CUP) for 11,604 square feet commercial retail tire store with eight (8) service bays on approximately 1.68 acres.

831.9      0      415.95      831.9 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

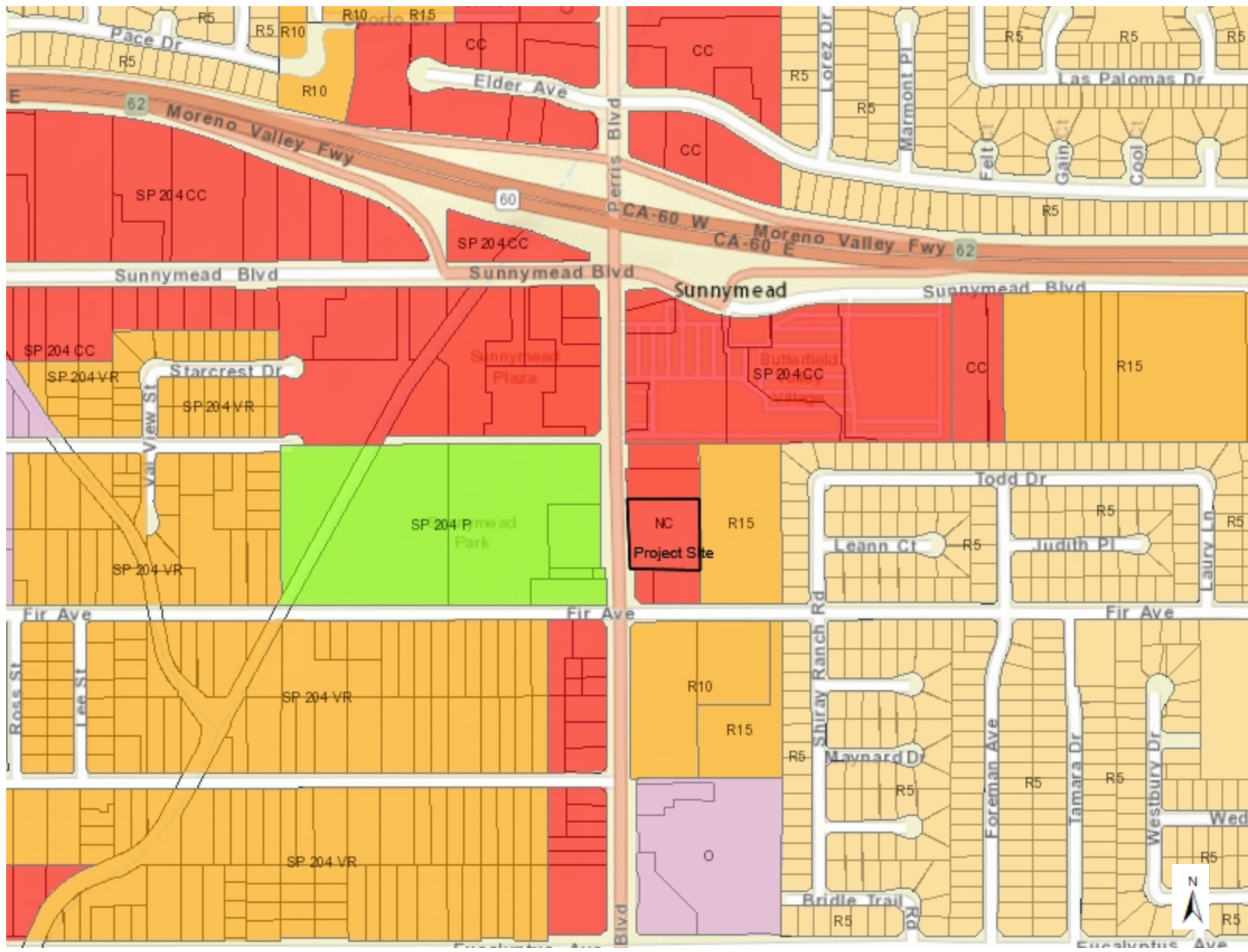
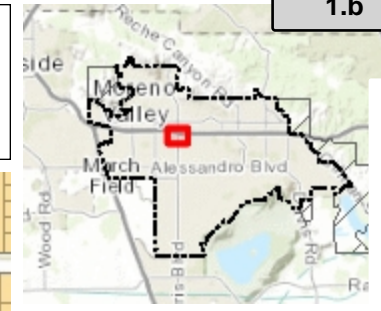
Print Date: 5/22/2015

*DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.*

Attachment: Aerial Photograph (1503 : Conditional Use Permit (CUP) for 11,604 square feet commercial



# Zoning PA14-0061

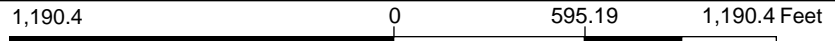


### Legend

#### Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Parcels



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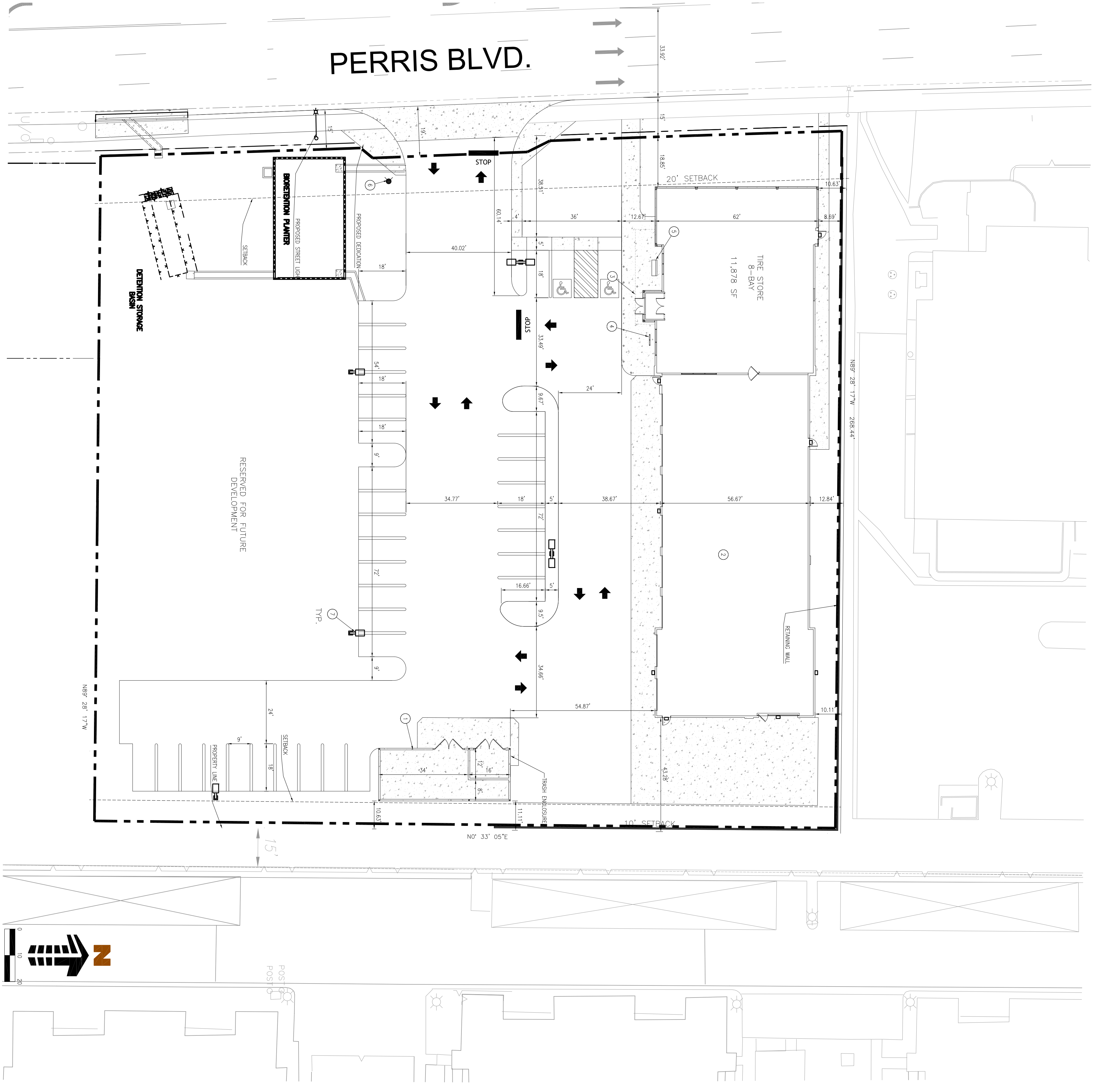
### Notes

Conditional Use Permit (CUP) for 11,604 square feet commercial retail tire store with eight (8) service bays on approximately 1.68 acres.

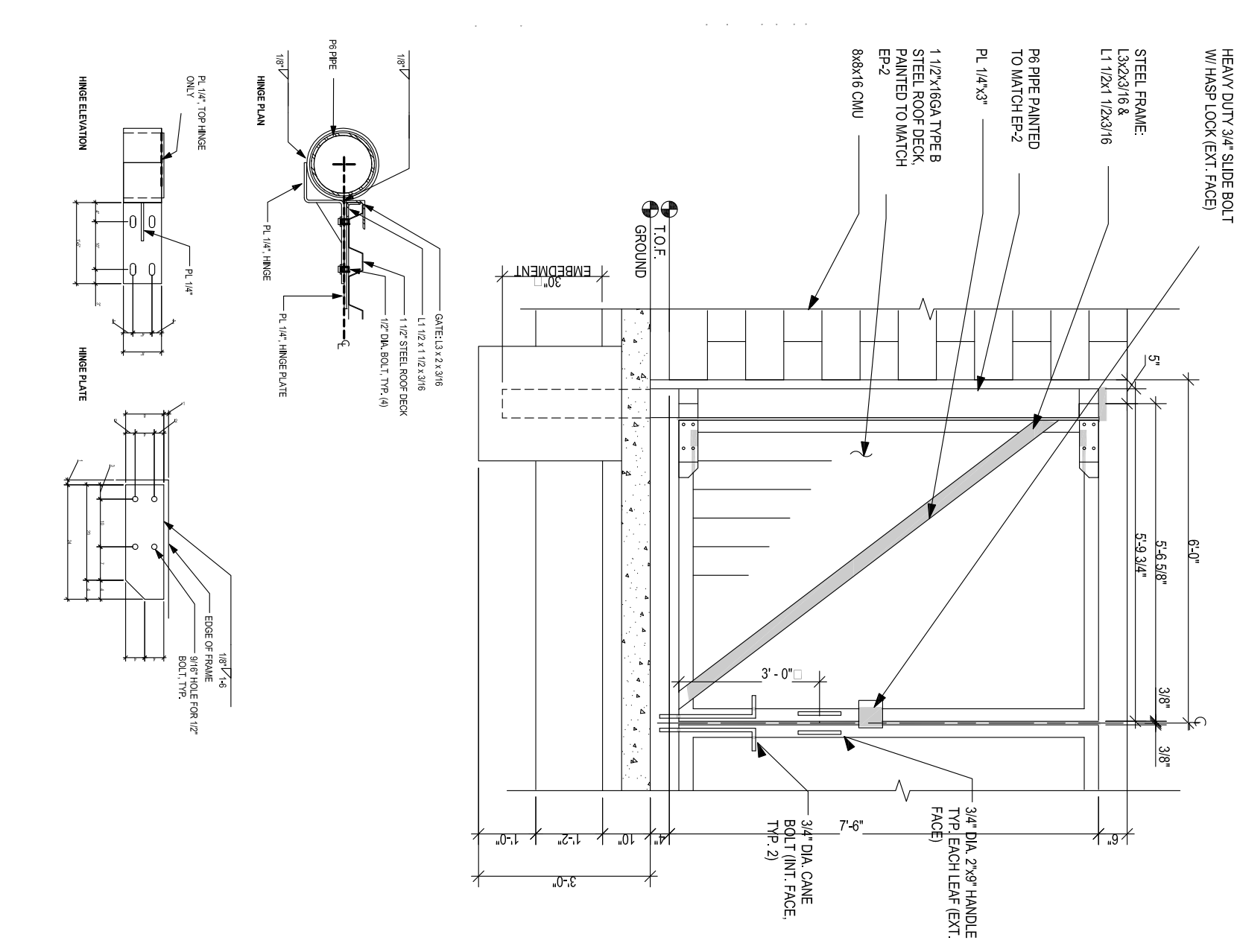
Attachment: Zoning Map (1503 : Conditional Use Permit (CUP) for 11,604 square feet commercial retail

# PERRIS BLVD.

1 SITE PLAN  
SCALE: 1"=20'-0"



2 TRASH ENCLOSURE GATE DETAILS  
SCALE: 1"=20"



- SCHEDULE**
- 1 PROPOSED DESIGNER BLOCK TRASH ENCLOSURE AND THE RECYCLE STORAGE REFERENCE
  - 2 ARCHITECTURAL PLANS FOR CONSTRUCTION REQUIREMENTS
  - 3 PROPOSED RETAIL AND SERVICE SPACE, REFERENCE ARCHITECTURAL
  - 4 PROPOSED DRIVEWAY, REFERENCE ARCHITECTURAL PLANS
  - 5 BWC BOX
  - 6 SITE FURNITURE (BENCH)
  - 7 PROPOSED FURNITURE
  - 8 PROPOSED FIRE HYDRANT
  - 9 PARKING LIGHT, REFER TO PHOTOGRAPHICS

- SITE LEGEND**
- PROPERTY BOUNDARY LINE
  - SETBACK
  - PROPOSED CONCRETE PAVING
  - PROPOSED ASPHALT PAVING
  - TRAFFIC DIRECTION
  - PROPOSED SIDEWALK
  - PARKING COUNT
  - SITE LIGHTING
  - PROPOSED FIRE HYDRANT

TOTAL PARKING REQUIREMENTS	
TOTAL BUILDING AREA	11,878 S.F.
TOTAL PARKING PROVIDED	23,836 S.F. 243 SPACES RECYCLED SURFACE PARKING (153) PROVIDED SURFACE PARKING (153) SERVICE BAYS (8)
ADA PARKING PROVIDED	2 SPACES
BICYCLE PARKING PROVIDED	5 SPACES

No.	REVISION	DES. BY	DRAWN BY	DATE

**Galloway**  
Planning, Architecture, Engineering  
6162 S. Willow Drive, Suite 320  
Greenwood Village, CO 80111  
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303.770.3636 F  
www.gallowayUS.com



**LES SCHWAB TIRE CENTER**  
PA14-0061

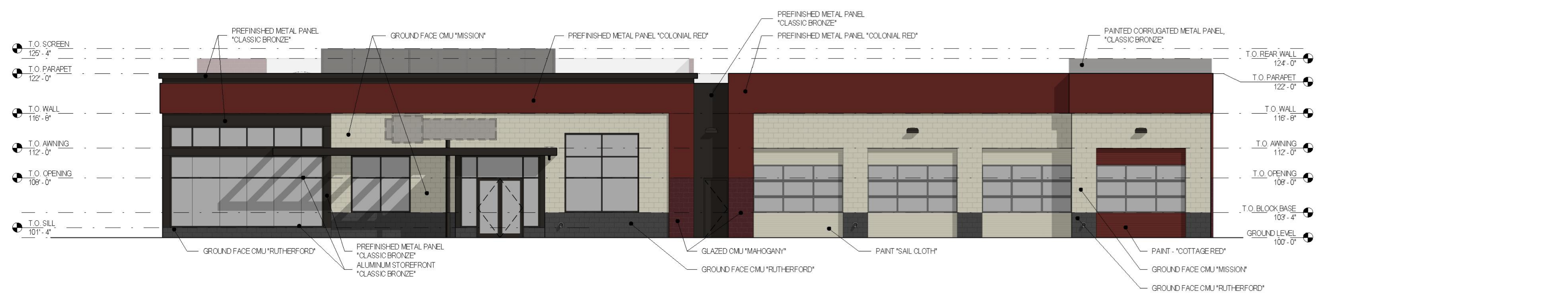
NEC PERRIS BOULEVARD & FIR AVENUE  
MORENO VALLEY, CALIFORNIA

Project No: L51800003  
Sheet Scale: 1"=20'  
Designed By: KJM  
Drawn By: KJM  
Date: MARCH 2015

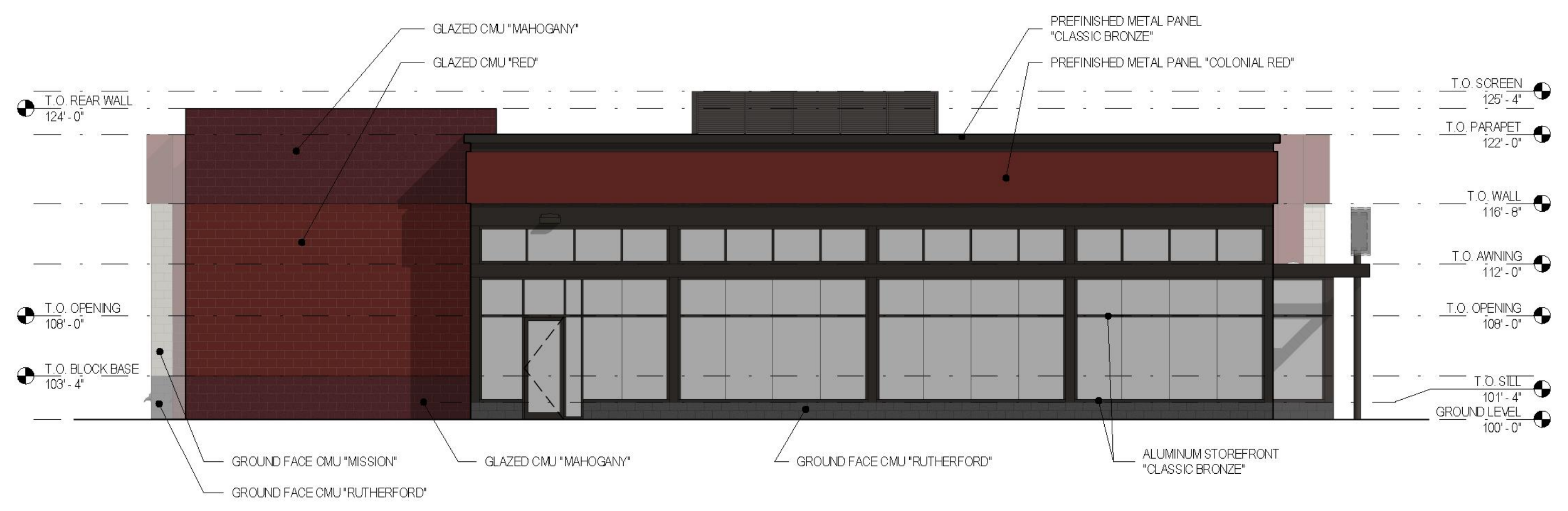
PRELIMINARY  
SITE PLAN

1 OF 1

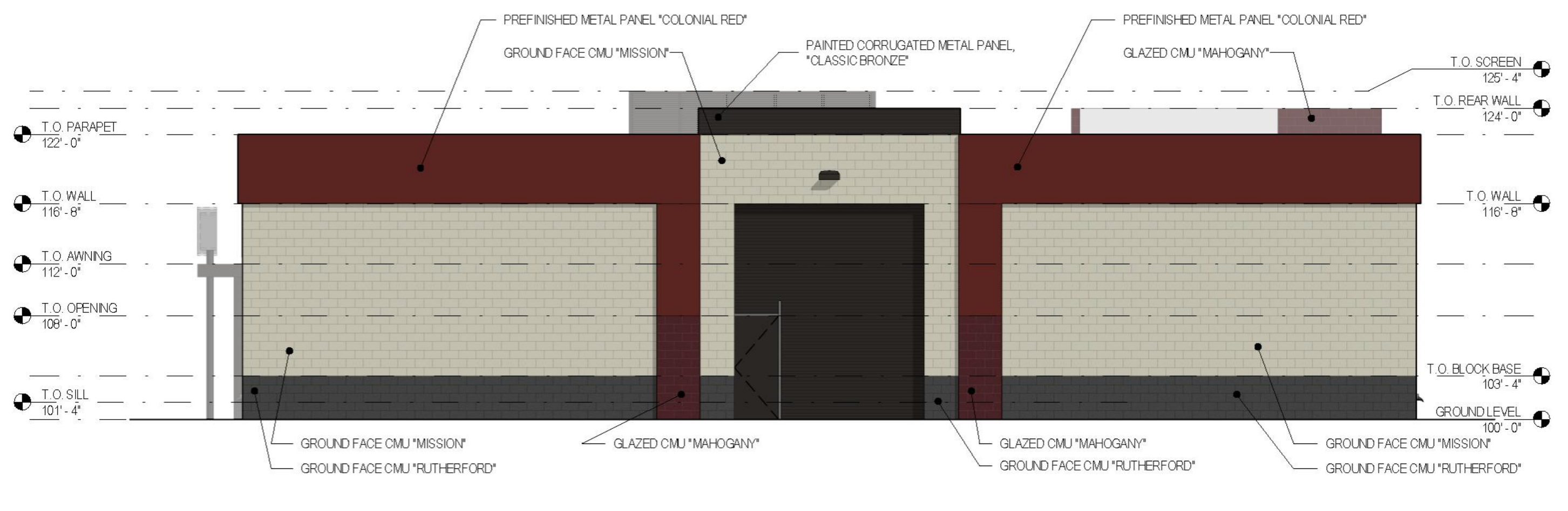




1 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



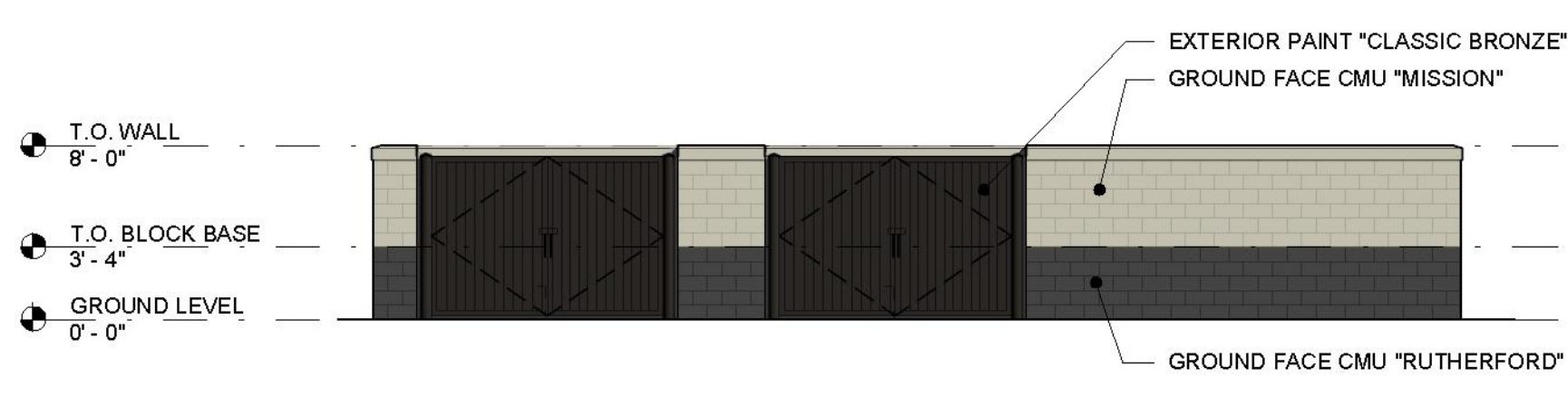
2 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



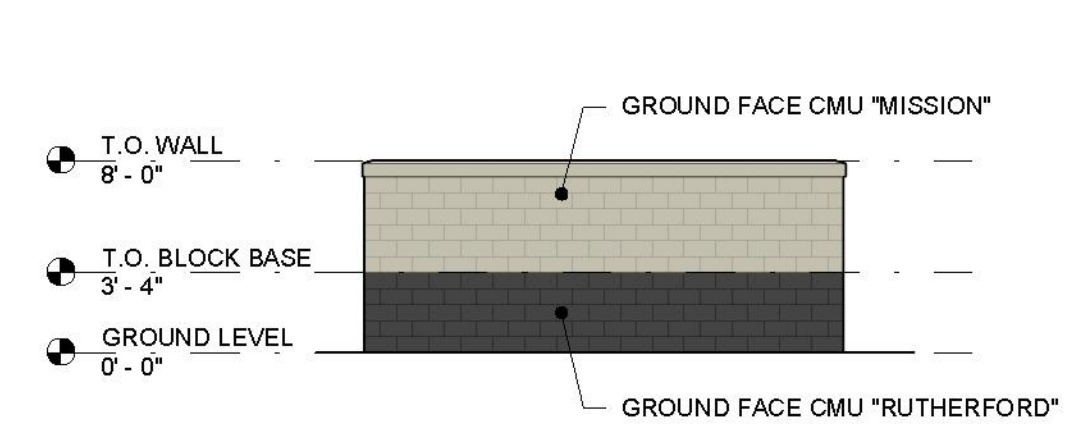
3 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



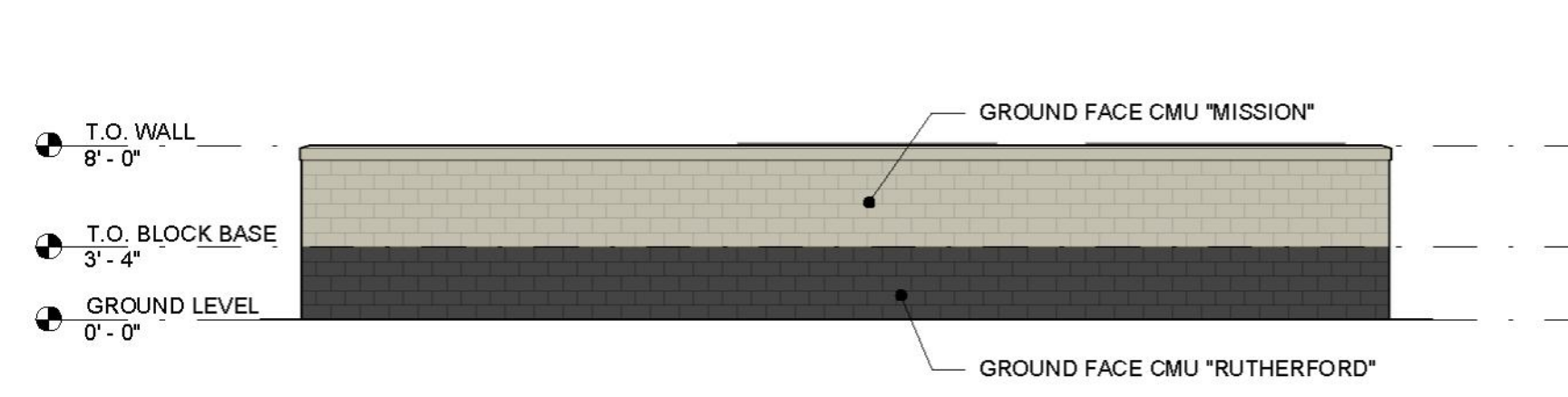
4 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



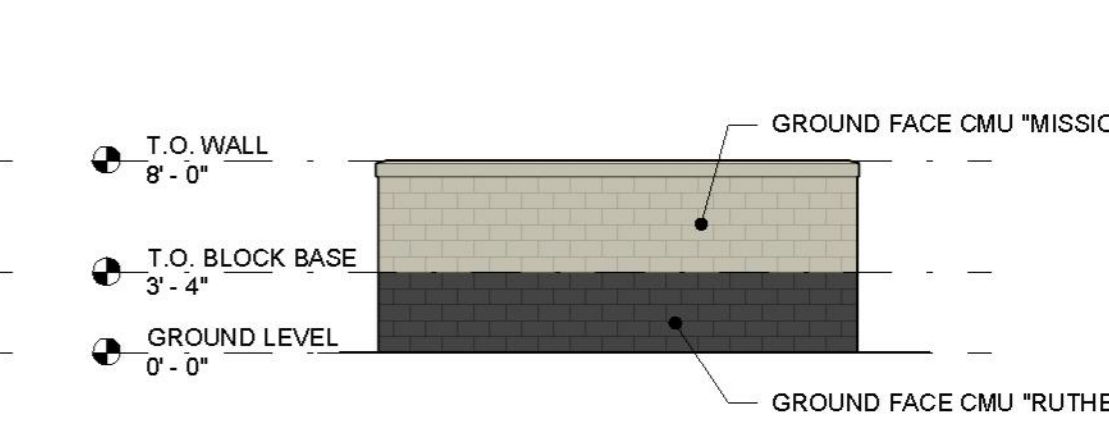
5 FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



6 SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



7 BACK ELEVATION  
SCALE: 1/8" = 1'-0"



8 SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

No.	Revision	Drawn By	Checked By	Date

**Gaioway**  
 Planning, Architecture, Engineering  
 5300 DTC Parkway, Suite 100  
 Greenwood Village, CO 80111  
 303.770.8884  
 303.770.3638  
 info@gaiowayplus.com

**Tires LES SCHWAB**

NOT FOR CONSTRUCTION

**LES SCHWAB TIRE CENTER**  
 MORENO VALLEY, CALIFORNIA

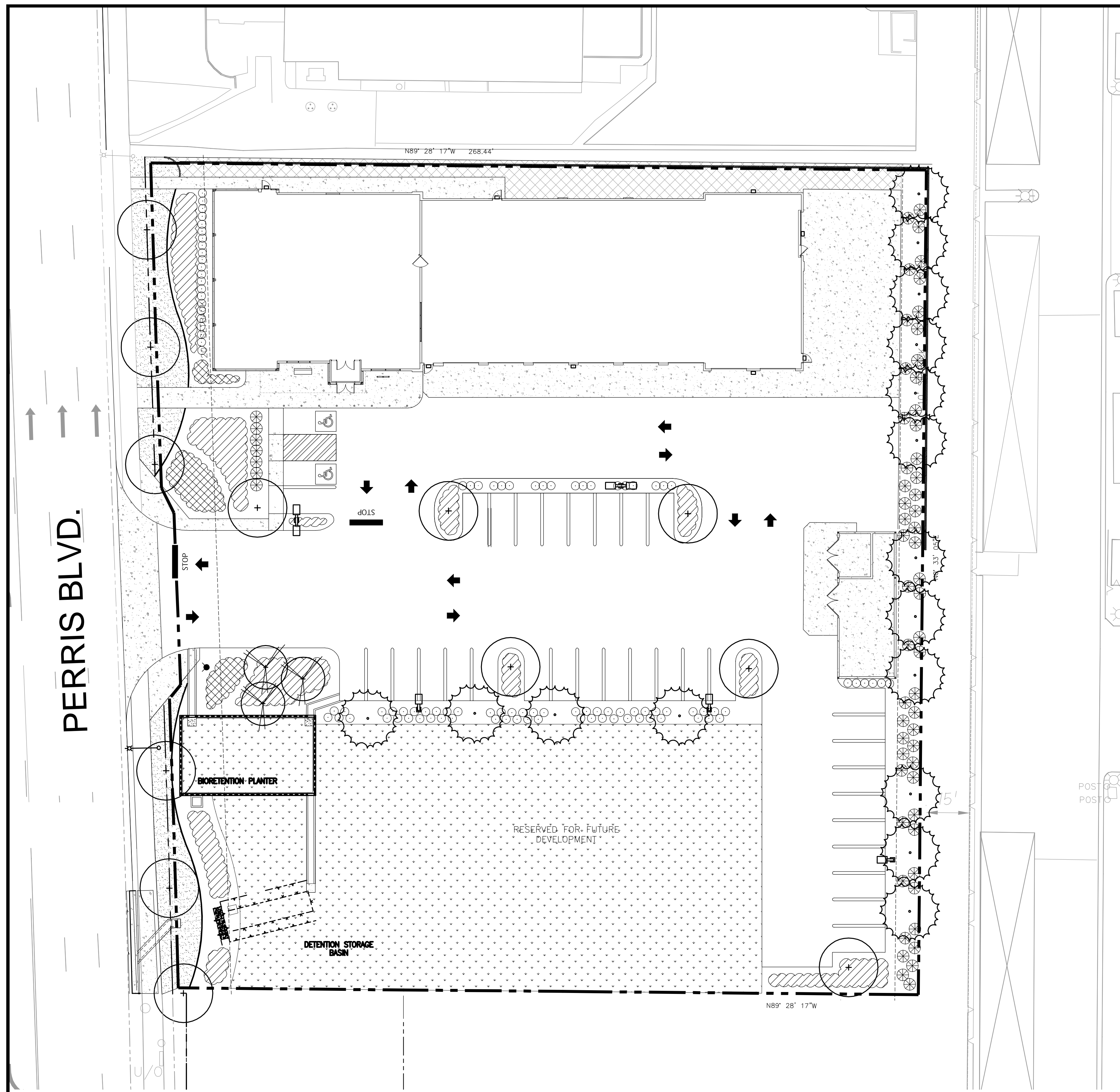
1460 NEAR FERRIS BOULEVARD  
 MORENO VALLEY, CALIFORNIA

Project No:	LST8000033
Sheet Scale:	1/8" = 1'-0"
Designed By:	FJM
Drawn By:	SDM
Date:	OCTOBER 2014

COLOR ARCHITECTURAL ELEVATIONS (FOR REFERENCE ONLY)

A2.1





**CONCEPTUAL PLANT SCHEDULE (WUCOLS REGION 4)**

	<b>DECIDUOUS TREES</b> -CHITALPA TASHKENTENSIS -CHORISIA SPECIOSA -GLEDITSIA TRIANCANTHUS -PISTACIA CHINENSIS -PLATANUS RACEMOSA -QUERCUS SPECIES	CHITALPA FLOSS SILK TREE HONEY LOCUST CHINESE PISTACHE CALIFORNIA SYCAMORE OAKS
	<b>EVERGREEN TREES</b> -EUCALYPTUS CITRIODORA -EUCALYPTUS POLYANTHEMOS -JUNIPERUS CALIFORNICA -LAURUS NOBILIS 'SARATOGA' -LAGUNARIA PATERSONII -OLEA EUROPAEA 'SWAN HILL' -PODOCARPUS MACROPHYLLUS	LEMON SCENTED GUM SILVER DOLLAR GUM CALIFORNIA JUNIPER SWEET BAY PRIMROSE TREE FRUITLESS OLIVE YEW PINE
	<b>ORNAMENTAL TREES</b> -AESCULUS CALIFORNICA -CERCIS OCCIDENTALIS -PHOENIX DACTYLIFERA -WASHINGTONIA FILIFERA	CALIFORNIA BUCKEYE WESTERN REDBUD DATE PALM CALIFORNIA FAN PALM
	<b>DECIDUOUS SHRUBS</b> -ALOYSIA TRIPHYLLA -BERBERIS THUNBERGII -CALLISTEMON VIMINALIS 'LITTLE JOHN' -SPIRAEA SPECIES	LEMON VERBENA JAPANESE BARBERRY WEEPING BOTTLE BRUSH SPIREA
	<b>EVERGREEN SHRUBS</b> -ARTEMISIA CALIFORNICA -BACCHARIS PILULARIS -BUXUS SEMPERVIRENS -CEANOTHUS SPP. -ELAEAGNUS PUNGENS -MAHONIA AQUIFOLIUM -MYRSINE AFRICANA -RHUS OVATA	CALIFORNIA SAGEBRUSH COYOTE BRUSH COMMON BOXWOOD CALIFORNIA WILD LILAC SILVERBERRY OREGON GRAPE AFRICAN BOXWOOD SUGARBUSH
	<b>ACCENTS / ORNAMENTAL GRASSES</b> -AGAVE SPECIES -CHAMAEROPS HUMILIS -LAVENDULA SPECIES -MISCANTHUS SINENSIS -MISCANTHUS TRANSMORRISONENSIS -PANICUM VIRGATUM -SALVIA SPECIES -YUCCA SPECIES	AGAVE MEDITERRANEAN FAN PALM LAVENDER JAPANESE SILVER GRASS EVERGREEN MISCANTHUS SWITCH GRASS SAGE YUCCA
	<b>GROUNDCOVER</b> -ARCTOSTAPHYLOS SPECIES -JUNIPER SPECIES -VERBENA SPECIES -WEDELIA TRILOBATA -ZAUSCHNERIA CALIFORNICA	MANZANITA CREEPING JUNIPER VERBENA WEDELIA CALIFORNIA FUCHSIA
	<b>TURF</b> CYNODON SPECIES FESTUCA SPECIES ZOYSIA 'VICTORIA'	BERMUDA GRASS FESCUE GRASS VICTORIA ZOYSIA GRASS
	<b>NATIVE SEED MIX WITH WILDFLOWERS</b>	
	<b>1"-3" ROCK MULCH</b>	

DES. BY	DATE
REVISION	DATE

**Galloway**  
 Planning, Architecture, Engineering  
 6162 S. Willow Drive, Suite 320  
 Greenwood Village, CO 80111  
 303.770.8884 O  
 303.770.9836 F  
 www.galloway-us.com

**LES SCHWAB**  
 Tires

**LES SCHWAB TIRE CENTER**  
 PA14-0061

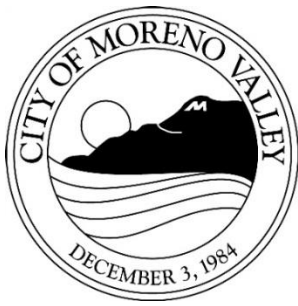
NEC PERRIS BOULEVARD & FIR AVENUE  
 MORENO VALLEY, CALIFORNIA

Project No:	LST1900003
Sheet Scale:	1"=20'
Designed By:	JLW
Drawn By:	DTI
Date:	MAY 2015
Disk File:	Let803_P1.0-Land

**PRELIMINARY LANDSCAPE PLAN**

Attachment: Landscape Plan (1503 - Conditional Use Permit (CUP) for 11,604 square feet commercial retail tire store with)





# Notice of PUBLIC HEARING

**This may affect your property. Please read.**

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

**Project:** PA14-0061 (Conditional Use Permit)

**Applicant:** Les Schwab Tires

**Owner:** SAS Development

**Representative:** Evergreen Development (Andrew Call)

**A.P.N.:** 479-040-006

**Location:** One parcel north of the northeast corner of Perris Boulevard and Fir Avenue.

**Proposal:** Conditional Use Permit (CUP) application for 11,604 square feet commercial retail tire store with eight (8) service bays on approximately 1.68 acres. The parcel is zoned Neighborhood Commercial (NC), which allows the proposed use.

**Council District:** 1

**Case Planner:** Claudia Manrique

The project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 (In-Fill Development).

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



**LOCATION** N ↑

## PLANNING COMMISSION HEARING

City Council Chamber, City Hall  
14177 Frederick Street  
Moreno Valley, Calif. 92553

**DATE AND TIME:** June 11, 2015 at 7 PM

**CONTACT PLANNER:** Claudia Manrique

**PHONE:** (951) 413-3225

Attachment: Public Notice (1503 : Conditional Use Permit (CUP) for 11,604 square feet commercial retail tire store with)

**PLANNING COMMISSION RESOLUTION NO. 2015-17**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA14-0061, A CONDITIONAL USE FOR A NEW TIRE STORE AT THE NORTHEAST CORNER OF PERRIS BOULEVARD AND FIR AVENUE (APN: 479-040-006)

**WHEREAS**, Les Schwab Tires has filed an application for the approval of PA14-0061, Conditional Use Permit for a new retail tire store as described in the title of this Resolution; and

**WHEREAS**, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

**WHEREAS**, upon completion of a through development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of June 11, 2015; and

**WHEREAS**, on June 11, 2015, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and

**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on June 11, 2015, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

**FACT:** The proposed tire store is consistent with General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses”.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

**FACT:** The proposed tire store use is located one parcel north of the northeast corner of Perris Boulevard and Fir Avenue (APN: 479-040-006) in the Neighborhood Commercial (NC) zoning district. The uses permitted by the NC zone are commercial related and would be compatible and would not be negatively impacted with approval of a tire store use at this location.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**FACT:** This project is Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act Guidelines. Section 15332 applies when the project meets the following conditions: it conforms to General Plan and zoning land use designations, policies, and standards; it is within city limits; it is less than 5 acres; it is substantially surrounded by urban uses; it has no value as habitat for endangered, rare, or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

**FACT:** The tire store as proposed is a common feature in urbanized areas. Staff worked very closely with the applicant to ensure that the design and the appearance of the structure, and miscellaneous site improvements would be compatible with the surrounding area. The proposed tire store use is located in the Neighborhood Commercial (NC) zoning district. The uses permitted by the NC zone are commercial related and would be compatible and would not be negatively impacted with approval of a tire store use at this location.

## **FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

### **1. FEES**

Impact, mitigation and other fees are due and payable under applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

### **2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

The adopted Conditions of Approval for PA14-0061, incorporated herein by reference, include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

### **3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS**

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Government Code Section 66020(a) and failure to follow this procedure in a timely fashion will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other

exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-17 and thereby:

1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 (In-Fill Development); and
2. **APPROVE** Conditional Use Permit PA14-0061 based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

**APPROVED** on this 11<sup>th</sup> day of June, 2015.

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Brian Lowell  
Chair, Planning Commission

ATTEST:

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Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

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City Attorney

Attached: Conditions of Approval

Attachment: Resolution 2015-17 (1503 : Conditional Use Permit (CUP) for 11,604 square feet commercial retail tire store with)

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
PA14-0061 CONDITIONAL USE PERMIT  
23334 SUNNYMEAD BLVD.  
APN: 292-242-007**

**APPROVAL DATE: June 11, 2015**  
**EXPIRATION DATE: June 11, 2018**

- Planning (P), including School District (S), Post Office (PO), Building (B), Police (PD)**
- Fire Prevention Bureau (F)**
- Land Development (LD)**
- Public Works, Special Districts (SD)**
- Public Works – Transportation Engineering (TE)**
- Economic Development Department (EDD)**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Division**

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

- P1. Conditional Use Permit (PA14-0061) is an approval for a 11,878 square foot Les Schwab Tires store on a 1.68 acres vacant parcel located one parcel north of the northeast corner of Perris Boulevard and Fir Avenue (APN: 479-040-006).
- P2. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
- P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

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**Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):**

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

**Governing Document (see abbreviation at the end of the affected condition):**

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	



**CONDITIONS OF APPROVAL**  
**PA14-0061**  
**PAGE 2**

- P4. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P5. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
- P6. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.
- P7. One outdoor trash receptacle shall be provided.

**Prior to Issuance of Grading Permits**

- P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee and Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
- P9. Prior to issuance of grading permits, the developer shall provide documentation on reciprocal access, parking and maintenance with adjacent parcels.
- P10. (GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect commercial/industrial buildings, parking and the public right-of-way (from front of the building out to Perris Blvd). The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
- P11. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.

**PRIOR TO BUILDING PERMITS**

- P12. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)

**CONDITIONS OF APPROVAL**  
**PA14-0061**  
**PAGE 3**

- P13. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)
- P14. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)
- P15. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
- P16. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:
- A. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - B. Drought tolerant landscape shall be used. Sod shall not be used.
  - C. Street trees shall be provided every 40 feet on center in the right of way.
  - D. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
  - E. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
  - F. Landscaping on three sides of any trash enclosure.

**CONDITIONS OF APPROVAL**  
**PA14-0061**  
**PAGE 4**

- P17. (BP) Prior to the issuance of building permits, the site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed buildings on the site, subject to the approval of the Planning Division.
- P18. Signs will be posted on the site stating that no auto repair is allowed in the parking lot.

PRIOR TO CERTIFICATE OF OCCUPANCY

- P19. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

**CONDITIONS OF APPROVAL**  
**PA14-0061**  
**PAGE 5**

**Building and Safety Division**

- B1. New buildings/structures shall comply with the current California Building Standards Code (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. Plans shall be submitted to the Building and Safety Division as a separate submittal and shall include a soils report at time of first submittal. Beginning on January 1, 2014, the 2013 CBC will become effective for all new building permit applications.
- B2. Building plans and instruments of service submitted with a building permit application shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
- B3. The proposed new development may be subject to the payment of development fees as required by the City's Fee Ordinance at the time an application is submitted or prior to the issuance of permits as determined by the City.

**SCHOOL DISTRICT- Moreno Valley Unified**

- S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

**UNITED STATES POSTAL SERVICE**

- PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

**CONDITIONS OF APPROVAL**  
**PA14-0061**  
**PAGE 6**

**POLICE DEPARTMENT**

- PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)
- PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)
- PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (DC 9.08.080)
- PD4. Addresses needs to be in plain view visible from the street and visible at night. It needs to have a backlight, so the address will reflect at night or a lighted address will be sufficient.
- PD5. The exterior of the building should have high-pressure sodium lights and or Metal halide lights installed and strategically placed throughout the exterior of the building. The parking lots should have adequate lighting to insure a safe environment for customers and or employees.
- PD6. All landscape cover should not exceed over 3' from the ground in the parking lot. Bushes that are near the exterior of the building should not exceed 4' and should not be planted directly in front of the buildings or walkways. Trees, which exceed 20', should have a 7' visibility from the ground to the bottom half of the tree. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.
- PD7. Window coverings shall comply with the city ordinance.

**CONDITIONS OF APPROVAL**  
**PA14-0061**  
**PAGE 7**

**FIRE PREVENTION BUREAU**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1500 GPM for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B).
- F3. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
- F3. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MV City Standard Engineering Plan 422 a, b, c)
- F4. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
- F5. Prior to issuance of building permits, a miscellaneous combustible storage plan shall be submitted to the Fire Department for review and approval. (C.F.C., 105)
- F6. Prior to issuance of building permits, a hazardous materials inventory statement shall be submitted to the Fire Department in an approved format as specified by the Moreno Valley Fire Department's chemical classification packet. (C.F.C., 5001.5.2)

**CONDITIONS OF APPROVAL****PA14-0061****PAGE 8**

- F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MV City Standard Engineering Plan 108d)
- F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
- F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
- F11. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
- F12. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of six (6) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1, MVMC 8.36.060[I])
- F13. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
- F14. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)



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- F15. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
- F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
- F17. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
- a) Be signed by a registered civil engineer or a certified fire protection engineer;
  - b) Contain a Fire Prevention Bureau approval signature block; and
  - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3)

- F18. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.



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- F19. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105, MVMC 8.36.100[A])
- F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F21. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 33 & CBC Chapter 33)
- F22. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
- F23. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
- F24. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with CFC 105.
- F25. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the

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HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

- a) Storage and use areas;
- b) Maximum amount of each material stored or used in each area;
- c) Range of container sizes;
- d) Locations of emergency isolation and mitigation valves and devices;
- e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
- f) On and off positions of valves for valves which are of the self-indicating type;
- g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
- h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

- F26. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC 105 Chapter 50)
- F27. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

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**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

**Special Districts Division**

**Acknowledgement of Conditions**

The following items are Special Districts' Conditions of Approval for project **PA14-0061**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Financial & Management Services Department 951.413.3480 or by emailing [specialdistricts@moval.org](mailto:specialdistricts@moval.org).

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
- SD-2 Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
- SD-3 The ongoing maintenance of any landscaping required to be installed behind the curb on Perris Boulevard shall be the responsibility of the property owner.
- SD-4 Street Light Authorization forms for all street lights that are conditioned to be installed as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison. For questions, contact the Special Districts Division at 951.413.3480 or [specialdistricts@moval.org](mailto:specialdistricts@moval.org).

**Prior to Building Permit Issuance**

- SD-5 (BP) This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public

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hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).

- SD-6 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. This condition will not apply if the first building permit for the project is obtained prior to formation of the district. If the condition applies, conducting a special election may take up to 90 days to complete the process in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
- SD-7 (BP) This project is conditioned to provide a funding source for the capital improvements, energy charges, and maintenance for residential street lighting. The Developer shall satisfy the condition with one of the options below.
- a. Participate in a special election (mail ballot proceeding) for street lighting and pay all associated costs of the ballot process and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
  - b. Establish an endowment fund to cover future operation and maintenance costs for the street lights.

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- c. Projects with privately maintained streets, establish a property Owner Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs associated with the street lights installed on private roadways. This does not apply to publicly accepted roadways.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting the application for building permit issuance. The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to complete the special election process in compliance with the provisions of Article 13C of the California Constitution.

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

SD-8 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Perris Boulevard median landscape. The Developer shall satisfy the condition with one of the options outlined below.

- a. Participate in a special election (mail ballot proceeding) for improved median maintenance and pay all associated costs of the ballot process and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or
- b. Fund an endowment to cover the future maintenance costs of the landscaped area.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financing option when submitting the application for building permit issuance. The option for participating in a special election requires 90 days to complete the special election process to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

*The financial option selected shall be in place prior to the issuance of certificate of occupancy.*

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- SD-9 (BP) This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
  - b. Establish an endowment fund to cover the future maintenance and/or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

*The financial option selected shall be in place prior to the issuance of the certificate of occupancy.*

- SD-10 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the monitoring of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). If participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit to allow adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

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- SD-11 (BP) Prior to the issuance of the first building permit for this project, the Developer shall pay Advanced Energy fees for all applicable Residential and Arterial Street Lights required for this development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (*specialdistricts@moval.org*). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee. Questions may be directed to the Special Districts Division at 951.413.3480 or [specialdistricts@moval.org](mailto:specialdistricts@moval.org).



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**Transportation Engineering Division – Conditions of Approval**

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

**GENERAL CONDITIONS**

- TE1. Perris Boulevard is classified as a Six-Lane Divided Arterial (110' RW/86' CC) per City Standard Plan No. MVSI-103C-0. Any improvements to the roadway shall be per City standards.
- TE2. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. MVSI-112C-0 for commercial driveway approach.
- TE3. Conditions of approval may be modified or added if a modified plan is submitted for this development.

**PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT**

- TE4. Prior to the final approval of the street improvement plans (if necessary), a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets.
- TE5. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
- TE6. Prior to final approval of the street improvement plans and/or landscape plans, the project plans shall demonstrate that sight distance at the proposed driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0.

**PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL**

- TE7. (CO) Prior to issuance of Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.



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**Economic Development Department (EDD)**

EDD1. New Moreno Valley businesses are encouraged to hire local residents.

EDD2. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).

The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

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

EDD3. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.

EDD4. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.

EDD5. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.

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**CITY OF MORENO VALLEY  
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION  
CONDITIONS OF APPROVAL  
PA14-0061 (Plot Plan)  
Proposed 11,823 SF Commercial Retail Tire Store  
APNs: 297-140-037 through 297-140-042**

**Note:** All Special Conditions are in **Bold** lettering and follow the standard conditions.

**PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION**

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

**General Conditions**

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City’s Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)
- LD2. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD3. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
  - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
  - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

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- (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- LD4. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD5. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.
- LD6. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

- LD7. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD8. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary

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

- b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
- c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
- d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
- e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD9. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD10. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD11. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
- b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

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- c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
- d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
- e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

- LD12. (GPA) Prior to the grading plan approval, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted for review at the same time of grading plan submittal. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans or precise grading plans if a rough grading plan is not required. This shall be confirmation that a project-specific F-WQMP approval has been obtained. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disc (PDF) prior to grading plan approval.
- LD13. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
- LD14. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
- LD15. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.
- LD16. (GPA) Prior to grading plan approval, resolution of all drainage issues shall be as approved by the City Engineer.
- LD17. (GP) Prior to the issuance of a grading permit the developer shall submit written permission from adjacent property owners for any offsite grading.
- LD18. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

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- LD19. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project. (MC 8.21.070)
- LD20. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the implementation and maintenance of erosion control measures required as a condition of approval of the project. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the City. (MC 8.21.160)
- LD21. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.
- LD22. (GP) Prior to issuance of a grading permit, the developer shall submit all grading plans on compact disks, in digital format (PDF) to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

- LD23. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.
- LD24. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations.
- LD25. (IPA) Prior to approval of the improvement plans, all dry and wet utility crossings shall be potholed to determine actual elevations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.
- LD26. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in

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an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

- LD27. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)
- LD28. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)
- LD29. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.
- LD30. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in digital format (PDF) to the Land Development Division of the Public Works Department.
- LD31. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

- LD32. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.
- LD33. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:
- a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal,



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- rocks, soils, concrete and other material that normally results from land clearing.
- b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
  - c. The vendor(s) that the applicant proposes to use to haul the materials.
  - d. Facility(s) the materials will be hauled to, and their expected diversion rates.
  - e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD34. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD35. (CO) Prior to issuance of a certificate of occupancy, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

LD36. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (**NPDES**) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.

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- i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
  - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
  
- b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)
  
- LD37. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.
  
- LD38. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.
  
- LD39. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.
  - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

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- e. Under grounding of existing and proposed utility lines less than 115,000 volts.
  - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
- LD40. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)
- LD41. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
- LD42. (CO) Prior to issuance of a certificate of occupancy or building final, the applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP)
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted to the City for review and approval.

**SPECIAL CONDITIONS**

- LD43. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. ([www.usdoj.gov](http://www.usdoj.gov)).
- LD44. Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan No. MVFG-660 Series.
- LD45. Prior to issuance of a building permit, the precise grading plans shall be approved.

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**LD46. Prior to issuance of a building permit, the Developer may be required to guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy or as otherwise determined by the City Engineer:**

- a. The developer shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.**
- b. A street light shall be installed, per City Standard No. MVLT-400-B, on Perris Boulevard Street along the frontage.**
- c. A driveway approach shall be constructed per City Standard No. MVSI-112C-0. No decorative pavers shall be placed within the public right-of-way.**
- d. A 4-foot minimum pedestrian right-of-way dedication behind the driveway approach per City Standard Plan No. MVSI-112C-0.**
- e. A 15-foot street right-of-way dedication on the east side of Perris Boulevard along project frontage. The dedication for Items “d.” and “e.” may be combined into one Offer of Dedication.**
- f. Sidewalk shall be installed along the project frontage per City Standard No. MVSI-115A-0.**
- g. Parkway culverts shall be installed per City Standard Plan Nos. MVSI-150A-0 and MVSI-150B-0.**
- h. Monuments shall be installed per City Standard Plan No. MVSI-170 Series.**
- i. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site.**

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**LD47. Prior to Precise Grading Plan Approval, the Applicant shall submit for approval a Project Specific F-WQMP. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; “Water Quality Management Plan: A Guidance Document for the Santa Ana Region of Riverside County” dated October 22, 2012. At a minimum, the F-WQMP shall include the following: storm water BMPs, LID Principles, Source Control BMPs, Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.**

- a. The Applicant has proposed to incorporate the use of a bio-filtration BMP for POC treatment and, if applicable, an on-site detention facility for HCOC mitigation. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the Special Project Conditions listed above. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.**
- b. All proposed LID BMP’s shall be designed in accordance with the RCFC&WCD’s Design Handbook for Low Impact Development Best Management Practices, dated September 2011.**
- c. The proposed LID BMP’s as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.**
- d. The Applicant shall substantiate all applicable Hydrologic Condition of Concern (HCOC) issues in the first submittal of the F-WQMP.**
- e. The NPDES notes per City Standard Plan No. MVFE-350-0 shall be included in the grading plans.**
- f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.**

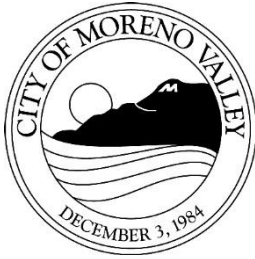
**LD48. Prior to occupancy, the applicant shall, demonstrate:**

- a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;**
- b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;**

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- c. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and**
- d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

**LD49. Prior to occupancy, as-built precise grading plans shall be submitted for review and approved.**



## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: June 11, 2015

WORLD LOGISTICS CENTER PROJECT INCLUDES A GENERAL PLAN AMENDMENT, A CHANGE OF ZONE, WORLD LOGISTICS CENTER SPECIFIC PLAN, A PRE-ZONING/ANNEXATION, TENTATIVE PARCEL MAP NO. 36457, AND A DEVELOPMENT AGREEMENT FOR A 3,818 ACRE PROJECT AREA IN THE EASTERN PORTION OF THE CITY.

Case: PA12-0010 (General Plan Amendment)  
 PA12-0011 (Development Agreement)  
 PA12-0012 (Change of Zone)  
 PA12-0013 (Specific Plan)  
 PA12-0014 (Annexation)  
 PA12-0015 (Tentative Parcel Map No. 36457)  
 P12-016 (Environmental Impact Report)

Applicant: Highland Fairview Inc.

Owner: Highland Fairview and various private property owners

Representative: Iddo Benzeevi

Location: The project area is in the eastern portion of the city and is more specifically located east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of the San Jacinto Wildlife Area.

Proposal: The proposed World Logistics Center (WLC) project involves approximately 3,818 acres of property and includes multiple applications. A General Plan Amendment changing the land use potential for the project area to Business Park/Light Industrial (BP) and Open Space (OS), includes associated



modifications to the Community Development Element, Parks, Recreation and Open Space Element, Circulation Element, Safety Element, and Conservation Element. A Specific Plan for 2,610 acres of the project area is proposed to establish vision and development regulations for up to 40.6 million square feet of logistic development, and light logistics land uses, predominantly in the form of large high-cube industrial warehouse and distribution centers, and approximately 20,000 square feet of logistics support (e.g. fueling, associated retail). The proposed Change of Zone would result in changes to the zoning atlas to reflect the designated areas for Logistics Development (LD), Light Logistics (LL) and Open Space (OS) for the entire project area both within and outside the proposed Specific Plan boundary. Eighty-five (85) acres of land at the northwest corner of Alessandro Boulevard and Gilman Springs Road within the Specific Plan boundary would be pre-zoned for LD and is intended for a subsequent Annexation to the City. Tentative Parcel Map No. 36457 is proposed to divide property for finance and conveyance purposes only. A Development Agreement is proposed between the City and Highland Fairview for only that real estate within the Specific Plan boundary in which Highland Fairview has a legal or equitable interest (approximately 2,263 acres). Approval of the various project applications will result in a repeal of the current Moreno Highlands Specific Plan No. 212-1

Recommendation: Certification of the Final Program Environmental Impact Report for the project, and approval of the proposed General Plan Amendment, Specific Plan, Change of Zone, Pre-zoning for subsequent Annexation, Tentative Parcel Map No. 36457, and Development Agreement by the City Council are all recommended.

Case Planner: Mark Gross

Council District: 3

### **SUMMARY**

The proposed project would establish clear City vision and development regulations for a significant portion of the eastern area of the City. The project area is primarily vacant

today with seven existing developed residential properties (Attachment 9). The development regulations in place today for much of the project area are codified as the Moreno Highlands Specific Plan (MHSP), which was adopted April 17, 1992. Over the past twenty-three years, notwithstanding the MHSP being in place, the area has experienced nearly non-existent growth or development.

The World Logistics Center is a large, complex project that encompasses a project area of approximately 3,818 acres in the eastern portion of the City. The project area is generally bound by State Route 60 on the north, Gilman Springs Road on the east, the San Jacinto Wildlife Area on the south and Redlands Boulevard on the west (Attachment 8). The project proposes to convert the land use and zoning potential for the area from a variety of residential, commercial, industrial business park, mixed-use and open space land uses to a predominantly industrial and open space based land use mix. Specifically, the industrial focused Specific Plan would allow for subsequent development of up to 40,600,000 square feet of warehousing and distribution centers to complement anticipated market growth in logistics and goods movement demand. In addition to the proposed industrial land use, the project would result in a significant consolidation of Open Space zoning in the southwestern portion of the Specific Plan area and in the southern portion of the overall project area adjacent to the San Jacinto Wildlife Area. This consolidation would be consistent with the intended land use purpose envisioned in the current General Plan. It is also considerate of the California Department of Fish and Wildlife's significant purchase of land in that portion of the project area back in 2002 as well as land purchases by the Sempra energy company that intended the land to be uses as open area.

The project applications submitted by Highland Fairview include a number of entitlements, including: 1) General Plan Amendment, 2) Specific Plan and corresponding zoning atlas changes for approximately 2,610 acres of the total project area, 3) Pre-zoning of an 85-acre parcel within the proposed Specific Plan area that is identified for future annexation to the City of Moreno Valley, 4) A Tentative Parcel Map for financing and conveyance purposes only, 5) A Development Agreement for approximately 2,263 acres of the approximate 2,610 acre proposed Specific Plan, and 6) Zoning atlas changes for approximately 1,104 acres within the overall project area but outside of the proposed Specific Plan area for Open Space, 104 acres is estimated for off-site improvement areas.

If approved, the proposed Specific Plan will serve as the regulatory framework and implementation tool for future development within the Specific Plan area. The Specific Plan document includes development standards, list of allowable land uses, building and landscape guidelines, on and off-site design standards, infrastructure requirements, maintenance regulations, and other pertinent regulations to ensure a sustainable high quality enclave of the City. The City Municipal Code, Title 9, will serve as the regulatory framework for the portions of the overall project area not included in the Specific Plan boundary.

## **PROJECT DESCRIPTION**

## **Project**

The proposed WLC project area encompasses approximately 3,818 acres in the eastern part of the City. The 2,610 acre Specific Plan area is included within the overall project area. The Specific Plan establishes development framework for up to 40,600,000 square feet of industrial, logistics, high cube, warehouse and distribution center land uses and related “logistics support” uses. A 74.3 acre parcel located in the southwest corner of the Specific Plan area is proposed as Open Space. Project areas outside and south of the Specific Plan boundaries make up approximately 1,104 acres and are designated as Open Space zoning. Another 104 acres within the project area will accommodate offsite improvements. The project area is generally bound by State Route 60 on the north, Gilman Springs Road on the east, the San Jacinto Wildlife Area on the south and Redlands Boulevard on the west.

Exhibit 2-1 of the Specific Plan shows the proposed Land Use Plan. As described on Exhibit 2-1, up to 40,400,000 square feet of high-cube warehouse (i.e. larger than 500,000 square foot buildings) logistics uses and “logistic support” uses (e.g. fueling, convenience retail) are proposed in the planning areas designated for “Logistics Development” (LD) zoning. Up to 200,000 square feet of smaller warehouse (i.e. less than 500,000 square foot buildings) are proposed in areas designated for “Light Logistics” (LL) zoning (Attachment 15). Allowance is provided in the Specific Plan for associated office and accessory uses to be conducted within the warehouse logistics uses. As described in the Specific Plan, logistics uses include facilities intended for storage, assembly and processing of manufactured goods and materials prior to their distribution to other facilities.

It is important to note that the project area and the development intensity described in the Draft Environmental Impact Report, which was circulated for public review in early 2013, have since both been reduced. The project area was reduced by approximately 100 acres and the development intensity of the project was reduced by one million square feet.

The applicant has provided documents confirming it holds legal or equitable interest in approximately 2,263 acres within the 2,610 acre Specific Plan area, which was reviewed by special legal counsel. The remainder of the project area is owned by sixteen private entities, the Metropolitan Water District, San Diego Gas & Electric Company, Southern California Gas Company, and California Department of Fish and Game (Attachment 16).

The applicant’s proposal is consistent with the Economic Development Action Plan adopted by the City Council in 2011, and updated in 2013. These Council-approved Plan documents recognize opportunities to support the emerging logistics industry in the eastern portion of the City and the economic development potential of logistics development in the area of the proposed World Logistics Center. As cited by Highland Fairview, a February 2012 letter from the City Manager indicates that “the City has developed and is now implementing an aggressive economic development strategy which identified logistics as a prime area of focus and opportunity for development in the eastern portion of the city” and references “the City’s intent to consider

comprehensive General Plan and zoning amendments for the Moreno Highlands area to facilitate the development of logistics uses” (Attachment 13). This direction was subsequently supported by City Council action at a public meeting held on May 22, 2012 (Attachment 14).

The following describes the discretionary entitlement applications requested with the project and staff analysis and findings with each:

## **1. General Plan Amendment (PA12-0010)**

### Description

The applicant is requesting amendments to the Community Development Element, Parks, Recreation and Open Space Element, Conservation Element, Safety Element, and Circulation Element of the City General Plan that collectively will set forth policy goals, and exhibits that allow for Open Space (OS) and Business Park/Light Industrial (BP/LI) land uses to occur in the project area, and which can facilitate development of the applicant’s desired industrial logistics warehouse and distribution centers (Attachment 3).

Text and map modification to General Plan Elements include amendment of the Community Development Element related to modification of land uses, Parks, Recreation and Open Space Element for modification of existing multi-use trail configurations, open space and future parkland acquisition areas, Conservation Element to modify the Major Scenic Resources Map, Safety Element to modify noise contours and Fire Station Map, Circulation Element to change General Plan Street designations and roadway configurations, and General Plan Goals and Objectives to include a revised Circulation Plan, level of service (LOS) standards and Bikeway Plan Map. Detailed information on General Plan changes is included as Attachment 10 of this staff report.

### Analysis

The proposed General Plan Land Use Amendment would modify land use designations from the current general plan land use designations of business park, single-family residential, multiple family residential, commercial/retail, public facilities, and open space to Business Park/Light Industrial (BP/LI) and Open Space (OS). The proposed General Plan land use amendments would be consistent with the zoning established in the WLC Specific Plan which would allow industrial related land uses and related office, ancillary and logistics support uses. Land use change to Open Space (OS) is proposed for areas outside and to the south of the WLC Specific Plan which include California Department of Fish and Wildlife, San Diego Gas and Electric and the Southern California Gas Company properties.

The General Plan land use amendment to Business Park/Light Industrial would constitute a significant policy change for the eastern portion of Moreno Valley. The variety of land uses currently shown in the General Plan for this area of the city allow for

business park/industrial, single and multiple-family residential, commercial/retail, mixed use, public and open space land uses. The land use change to Business Park/Light Industrial coupled with the proposed Specific Plan regulations would result in two principal land uses: industrial warehouse distribution centers and open space. The proposed land use changes that will reduce residential zoning potential are consistent with assumptions in the earlier 2011 Housing Element update, as well as the current Housing Element adopted on February 12, 2014. The reduction in housing units is consistent with a shift toward industrial zoning strategies and goals outlined in the City's 2011 and 2013 Economic Development Action Plans. A significant driver for the proposed land use change is to expand job producing land uses in the eastern portion of Moreno Valley. The General Plan Amendment is expected to facilitate improvement in the existing low jobs to high housing imbalance. The shift in land use creates opportunity for a better positive ratio in overall future City revenue to cost figures; given residential land uses typically create a higher demand and cost for city services compared with non-residential industrial uses. The project and its potential for job creation, as envisioned, could substantially benefit the established, but currently under performing, commercial/retail developments located west of the project area. The project may provide momentum, need and interest for future office and hospitality land use development in other areas of the City.

The proposed Open Space land use changes would provide consistency and compatibility with the existing Open Space land use and established wildlife habitat areas. The project area proposed as Open Space, south of the southern edge of the proposed new Specific Plan area, is consistent with policy assumptions and text added to the General Plan when it was last updated in 2006. Those assumptions and text changes were provided in recognition of the acquisition of over 1,000 acres in that area by the California Department of Fish & Wildlife and the Sempra energy company with the intended purpose to maintain them as open area.

Recommendation:

Staff recommends the Planning Commission recommend approval of the proposed modifications to General Plan text and maps to the City Council.

## **2. Change of Zone (PA12-0012)**

### Description

The proposed Change of Zone application submitted for the World Logistics Center (WLC) Specific Plan (2,610 acres) and areas outside and south of the WLC Specific Plan boundary (1,208 acres) will replace zoning predominantly for land currently within the Moreno Highlands Specific Plan, as well as some properties in the project area that are not included in the Moreno Highlands Specific Plan. The proposal will change land use residentially zoned RA2 (96 acres), R3 (133 acres), R5 (60 acres), and R5/R10 (9 acres) and land use established within a Planned Residential Community that included Residential Development (1,359 acres), Golf Course and Open Space (702 acres), Neighborhood Commercial (10 acres), Cemetery (16.5 acres) and Public (348 acres) and a Planned Business Center that included Business Park (361 acres), Mixed Use

(80.5 acres), Community Commercial (16 acres), Open Space (78 acres) and Public Facilities (67 acres). The newly proposed zoning within the Specific Plan boundaries, which would allow for primarily industrial warehouse and ancillary uses, would be consistent with proposed land uses established within the proposed WLC Specific Plan. Proposed modifications in land use and zoning are consistent with the proposed General Plan land use amendments and allow for a small variety of industrial related land uses including high cube logistics warehouse uses, ancillary office uses, self-storage and vehicle storage uses. The Open Space or OS zone, which includes a 74.3 acre area in the southwestern portion of the Specific Plan, would remain as open space.

### Analysis

The Change of Zone (PA12-0012) request proposes to establish Logistics Development (LD), Light Logistics (LL), and Open Space (OS) zoning designations for a proposed warehouse/logistics master planned project on an approximately 2,610 acre portion of land within the WLC Specific Plan. Zoning proposed within the Change of Zone application would be consistent with that which is proposed within the Specific Plan for the project. Specific zones would include Logistics Development or LD proposed for approximately 2,384 acres allowing for high cube warehouse uses to include buildings with a minimum square footage of 500,000 square feet. Ancillary office uses would also be a permitted land use within the category. Logistics support uses to include motor fuel sales and related retail sales when operated in connection with a primary fuel operation use are also permitted within the zone. The Light Logistics or LL zone, which is included as part of an approximate 37 acres of the Specific Plan, would allow for warehouses buildings and related ancillary uses less than 500,000 square feet with no minimum square footage requirement. A 74.3 acre site in the southwestern portion of the Specific Plan is proposed as Open Space (OS).

The proposal will also include zoning modifications outside the WLC Specific Plan Area that was originally included within the Moreno Highlands Specific Plan (MHSP). This will include a zone change to Open Space (OS) for areas to the south of the WLC Specific Plan which includes primarily the 910 acre California Department of Fish and Wildlife (CDFG) land that is provided for habitat use and the 174 acre San Diego Gas and Electric properties which are primarily used as an open space noise attenuation buffer area around their property. The 20 acres of land owned by SDG&E and the Southern California Gas Company currently used for natural gas facilities is zoned for Public Utility use and is not a part of the WLC Specific Plan or a component of the request to modify zoning outside of the WLC Specific Plan boundary. Permitted uses under the OS zone would include agricultural uses, animal raising, police stations, museums, wholesale and distribution plant nurseries, and parks, while conditionally permitted uses would include equestrian centers, day care centers, golf courses, open air theaters, and public utility stations/yards.

As a result of the proposed project, the 3,038 acre Moreno Highlands Specific Plan will be repealed and replaced with the WLC Specific Plan and proposed Open Space (OS) land use and zoning designations south of the WLC Specific Plan boundary. A remnant 16.5 acre parcel included in the Moreno Highlands Specific Plan located north and east

of Gilman Springs Road is not included in the WLC Specific Plan or in an area included within the overall project area. Land use designation of Open Space (OS) would remain if the WLC project is approved. The remnant 16.5 acre parcel of land leftover from the proposed repeal of the Moreno Highlands Specific Plan will establish consisting zoning with the General Plan Open Space designation, and staff will present this consistency modification at a later date. Pursuant to Government Code Section, 65860c, "in the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the General Plan as amended."

Recommendation:

Staff recommends the Planning Commission recommend approval of the proposed Change of Zone to the City Council.

### **3. Specific Plan (PA12-0013)**

#### Description

Government Code Section 65450 establishes that a Planning Agency may prepare a specific plan for the systematic implementation of the General Plan for all or a part of the area in the City covered by the General Plan. The WLC Specific Plan would serve as that implementation tool for a large portion of the currently undeveloped eastern portion of the City.

The proposed World Logistics Center (WLC) Specific Plan is a master plan for the development of up to 40.6 million square feet of high-cube logistics warehouse distribution facilities and related ancillary uses. The proposed project includes a 2,610 acre Specific Plan to implement future development and establish comprehensive land use regulations governing the proposed project, including zoning, project infrastructure, location of public improvements such as a required fire station, permitted uses and development standards in each of the zones (primarily industrial warehouse uses), building architecture (including building form/massing and façade treatments), street configurations (including roundabout locations), landscape guidelines, multi-use trail configurations and project phasing.

#### Analysis

The Specific Plan establishes sixteen (16) separate planning areas for future development. Exhibit 2-1 in the Specific Plan document serves as the land use plan. The Exhibit shows the sixteen planning areas numbered as 1-12, 20-22, and 30. The Exhibit contains further details with regard to size of each planning area, land use category for each planning area, and anticipated square foot of building development for each planning area. As plot plans for industrial development have not been submitted at this time, the Plan will act as an implementation tool that will provide development standards and allow for future build out of fifteen (15) of the planning areas within the Specific Plan boundary area. The sixteenth planning area is designated for Open Space



purposes. It is anticipated that development of the project would occur over time in the form of multiple separate independent projects of varying sizes and configurations. Each of these future projects would be required to be consistent with the General Plan and zoning and would comply with all applicable regulations of the Specific Plan.

The Specific Plan identifies the type and intensity of land uses permitted within the project. For example, the Logistics Development or “LD” land use district will allow for larger high cube logistics warehouse buildings (500,000 square feet or greater) with ancillary office uses as well as facilities for vehicle and container storage, cellular transmission facilities, construction yards, a motor fuel facility and public utility uses. The Light Logistics Support or “LL” category allows for such uses as smaller high cube logistics warehouse buildings (500,000 square feet or less), self-storage uses, vehicle and container storage, construction yards within or immediately adjacent to construction sites, cellular transmission facilities and public utility uses. Proposed Open Space or OS zoned areas will be designated for the 74.3 acre parcel located in the southern area of the WLC Specific Plan site as well as parcels outside and south of the WLC Specific Plan boundary down and adjacent to the San Jacinto Wildlife area. All uses and development within the OS designation areas shall comply with the standards, guidelines, and procedures set forth Section 9.06.030 of the City Municipal Code.

In order to provide greater compatibility between current residential land uses that are included west of the project site and proposed industrial land uses, the applicant has proposed a buffer area considered as a 250 foot edge treatment area that will be established to create buffers between the project site and adjacent existing land uses. Two distinct buffer or edge treatment areas will occur within the project site, including the Redlands/Bay/Merwin/Street D edge located on the north portion of the project site adjacent to existing residential properties located west of the Specific Plan boundary near Redlands Boulevard, and the San Jacinto Wildlife area edge located outside and south of the WLC Specific Plan boundary area. The San Jacinto Wildlife area edge is located on the southern portion of the project site currently adjacent to designated wildlife areas. This area will include a restricted use area of at least 250 feet from state owned property. In addition to the 250 foot restricted area, additional setback will be provided such that all buildings are a minimum of 400 feet from the San Jacinto Wildlife Area.

A phasing plan is included within the Specific Plan. Project phasing and development within the Specific Plan is expected to occur in two large phases, starting in the western portion of the site south of Eucalyptus Avenue and progress easterly and southerly. The phasing concept is based on beginning construction where infrastructure presently exists and expanding to the south and east. The first phase will include development primarily in the western portion of the Specific Plan, with final phases of development on the eastern portion of the project. As analyzed in the environmental document, it is anticipated that the first phase of development would be completed by the year 2022, and could achieve 50% of the entire project or approximately 20,300,000 square feet of logistics warehouse development. The second phase is anticipated to be completed by 2030 and include the remaining 50% of the project or 20,300,000 square feet of warehouse development. The projected time lines were based on the project starting development in 2015, and the actual build out years provided could fluctuate dependent

upon various conditions. The actual timing of development will be dependent upon numerous factors, including interest by building users, private developers and local, regional, and economic conditions. A Development Agreement, which is discussed in more detail later in this report, has also been requested by the applicant as a means to secure long term vesting of the approvals. The Development Agreement contains provisions that are intended to motivate timely development of the project, along with negotiated public benefits that would apply with, and some without, progress in physical development.

In securing a new specific plan for the WLC project, the existing Moreno Highlands Specific Plan would be repealed. The Moreno Highlands Specific Plan includes 3,038 acres and was approved for approximately 7,763 residential dwelling units and approximately 603 acres of Business Park, retail, residential, open space, and public/institutional land uses. A Development agreement for the Moreno Highlands Specific Plan expired on September 12, 2012.

Recommendation:

Staff recommends the Planning Commission recommend approval of the proposed Specific Plan and repeal of the existing Moreno Highlands Specific Plan to the City Council.

#### **4. Pre Zoning/Annexation (PA12-0014)**

##### Description

The WLC Specific Plan Area includes a triangular shaped 85 acre area of land (made up of two separate parcels) west of Gilman Springs and north of Alessandro Boulevard that is currently within the County of Riverside jurisdiction. The area is within the City of Moreno Valley Sphere of Influence, and the applicant has demonstrated that they hold a legal or equitable interest in the property. A pre-zoning/annexation application has been submitted by the applicant to incorporate the two parcels of land into the City of Moreno Valley. This project proposes to pre-zone the property as Logistics Development (LD) within the proposed Specific Plan, and it is anticipated that the zoning would carry forward with the intended subsequent annexation.

##### Analysis

The project includes completion of the annexation process for an approximate 85-acre area located on the north side of Alessandro Boulevard at Gilman Springs Road within the County of Riverside. The first step has already been provided to make this parcel part of the City, as the parcel has been included in the City's Sphere of Influence since 1985. The proposed WLC project furthers the annexation with General Plan land use designations and pre-zoning for this parcel, with the intent to incorporate the property into the World Logistics Center Specific Plan. The proposed annexation follows a logical path of City property located on the west side of Gilman Springs Road.

The annexation of additional land in the City's sphere will require review and approval by the Riverside County's Local Area Formation Commission (LAFCO). The current review of the area to be annexed and approval of the tentative map would establish "pre-zoning" of the area in advance of the final annexation action by LAFCO. The proposed annexation is reviewed by the agency once the environmental analysis has been certified and the project is approved by the City and an application is submitted.

Recommendation:

Staff recommends the Planning Commission recommend to the City Council approval of the proposed Pre-zoning of the identified 85 acres, consistent with zoning described in the WLC Specific Plan, for future annexation of the property into the City of Moreno Valley.

## **5. Tentative Parcel Map (PA12-0015)**

### Description

Tentative Parcel Map No. 36457 proposes the subdivision of a portion of the project site into separate large parcels for financing and conveyance purposes. The tentative parcel map identifies twenty-six (26) parcels within the World Logistics Specific Plan area. This map does not create any development rights for the subdivided properties. Subsequent subdivision applications will be required to be processed, approved and recorded prior to the development of any future buildings on the properties within the WLC Specific Plan area. The tentative map along with the pre-zoning/annexation application will also serve as the mechanism for including the resulting 85 acre parcel, within the proposed map, which is currently within the County of Riverside jurisdiction, to be subsequently annexed into the project site and the City of Moreno Valley.

### Analysis

The proposed map is for financing and conveyance purposes only and does not create any development rights for the subdivided properties.

Recommendation:

Staff recommends the Planning Commission recommend approval of proposed Tentative Parcel Map No. 36457 to the City Council.

## **6. Development Agreement (PA12-0011)**

### Description

The applicant has requested a Development Agreement (DA) as part of the World Logistics Center (WLC) Specific Plan. The following are general considerations the Planning Commission should note with regard to a DA:

- A DA is a negotiation entitlement tool used to lock in (“vest”), for an extended/specified period of time, the underlying approved land use entitlements along with parameters for certain development regulations, fees, processing procedures, and policies, etc. that would be applied to subsequent development approvals in implementing the project and improvements which, in the absence of the DA, would be subject to periodic changes outside of the control of the parties.
- Authority/Approval – Per City Municipal Code Section 9.02.110(D)(2) a DA requires review through the Planning Commission with final action by the City Council. The Development Agreement is not a "required" approval for the World Logistics Center project. The General Plan Amendments, Zone Change, Specific Plan, Parcel Map, and pre-zoning for the 85 acre future annexation parcel can all be approved without an accompanying or subsequent Development Agreement. Approval of the DA is simply contingent upon mutual agreement of the parties entering into the agreement.
- In exchange for longer vested rights to the developer, through a DA the City seeks public benefits above and beyond any required developer obligations. The public benefits are not subject to a nexus finding and do not have to be directly associated with the development project.

The proposed Development Agreement was initially submitted by the applicant and has since been vetted through multiple negotiation sessions between the applicant’s team and City negotiation team. Both teams included legal representatives and used appropriate technical and fiscal expertise as warranted to perform a thoughtful, comprehensive assessment of the elements structured in the DA. The recommended Agreement represents the collective interests of both parties to provide for the future timely and efficient development of the project. As the applicant does not own all parcels within the proposed 2,610 acre WLC Specific Plan project area, only those properties that the applicant has demonstrated a legal or equitable interest in (2,263 acres) within the boundaries of the WLC Specific Plan area are subject to the DA.

With a Development Agreement, the determination by the Planning Commission, and subsequently the City Council which has the approval authority for the DA, is whether or not the anticipated public benefits of the project coupled with the additional public benefits established in the DA are a fair exchange in allowing for the longer term vested development rights for the applicant. In negotiating the DA, it was noted that the WLC project presents a unique opportunity to expand the City’s property and sales tax, generate construction employment and new permanent employment opportunities for Moreno Valley residents, and thereby reduce the present jobs and housing imbalance that exists in the City.

### Analysis

The following are key provisions in the DA:

**Term:** The DA would be up to a 25-year agreement. The initial Term would be for fifteen (15) years, and provisions are included for a ten (10) year extension. Specifically, Section 3.5 of the DA states that the Term will not be extended for the additional 10 years unless within the first 15 years at least 8,000,000 square feet of occupied development is achieved and a payment of \$1,000,000 is made to the City, or 12,000,000 square feet of occupied development is achieved, in which case no additional payment would be due to the City. If less than 8 million square feet is achieved the DA would terminate at the end of the 15th year.

**Development Impact Fees ("DIF"):** The developer will be obligated to participate in the City DIF programs included in Section 1.5 of the DA. The definition includes the current DIF categories in the City's current Municipal Code; traffic and fire DIF are excluded in lieu of other DA provisions that ensure developer commitments to traffic and fire station infrastructure. Section 4.7.1 of the DA includes language to ensure any future increases to DIF will be applied at the time of development.

**Payments and Reimbursements:** Payments and reimbursements for infrastructure, including any oversized and/or accelerated infrastructure put in place by the developer, will be processed in accordance with the current provisions of Section 9.14 of the City Municipal Code. This is addressed in Section 4.8 of the DA. No unique or specialized provisions for reimbursement are included within the DA that are not typically available to other development projects.

**Fire Station and Equipment:** Highland Fairview shall, at its own cost, provide a fully constructed, fully equipped "turnkey" fire station and fire station site, including fire equipment, as specified by the City's Fire Chief. The fire station's furniture and fixtures shall be reasonably comparable to those of the most recently completed fire station within the City. The fire station, equipment and trucks shall be provided as and when directed by the Fire Chief. This is included in Section 4.9 of the DA.

**SR-60 Enhancements:** Highland Fairview will contribute up to \$500,000 to be used to develop landscape, signage, and bridge architectural guidelines for SR-60 between Redlands Parkway and Gilman Springs Road, based on a 10:1 match of City funds budgeted for the same. This is included in Section 4.13 of the DA. It is noted that this provision will require allocation up to \$50,000 of City funds in order to gain the full developer contribution.

**Force Majeure:** Force majeure provisions in the DA were expanded to cover economic or environmental/physical conditions (such as lack of utilities) that could arise and be beyond Highland Fairview's control which would make development uneconomic or infeasible. If any such events shall occur, the Term of the DA shall be extended for the duration of each such event, provided that the Term shall not be extended under any circumstances for more than three (3) years regardless of the number or length of individual extensions. This is included in Section 11.9 of the DA.

**Local Hiring and Education, Library, Training and Workforce Development Funding:** Highland Fairview will participate in the new City Council approved Hire MoVal Incentive Program. In addition, to ensure residents of Moreno Valley are provided education resources and obtain every opportunity to secure the jobs which will be created by the operation of the World Logistics Center, Highland Fairview will contribute up to \$6,993,000 towards education and training programs tied to the logistics industry. The funds related to these provisions will begin to flow in to the City immediately with an initial \$100,000 payment, and subsequent \$100,000 annual payments for the next 6 years. At year seven the annual payments increase to \$125,000 through buildout. One million dollars (\$1,000,000) is to be contributed by Highland Fairview at the issuance of the first building permit for a logistics building on the Subject Property and \$0.11/square foot to be paid at the time of the issuance of the building permit for each succeeding building, excluding the fire station. The provisions are included in Sections 4.11 and 4.12 of the DA.

**Public Benefits:** Exhibit No. A-3 was included in the DA to clearly identify the full list of Public Benefits that will result with approval of the DA.

Recommendation:

Staff recommends the Planning Commission recommend approval of the proposed Development Agreement to the City Council.

## **KEY PROJECT CONSIDERATIONS**

The following is a discussion of the project area and how the proposed Specific Plan has been developed in a considerate fashion in light of the opportunities and constraints presented by the project environs, with both local and regional focus.

### **Site**

The project area is predominately vacant, undeveloped, and marginal agricultural land. There are seven occupied residential single-family homes with associated ranch/farm buildings in various locations in the project area, but are not all contiguous properties. Established single-family development and subdivisions are located west of the project area just west of Merwin Street and south of Bay, and along the west side of Redlands Boulevard between Bay Street and Dracaea. The Skechers high-cube warehouse facility is located west of Theodore and north of Eucalyptus immediately outside of the project area.

The 3,038-acre Moreno Highlands Specific Pan (MHSP), is currently in place and constitutes the land use and development regulations for the majority of the project area. Land use and development regulations for those properties within the project area but outside of the MHSP are established in Title 9 of the City Municipal Code. The MHSP is a master planned, mixed-use community concept consisting of up to 7,763 residential dwelling units on approximately 2,435 acres and approximately 603 acres of business, retail/commercial, institutional, and other uses. Development within the

specific plan area has been essentially non-existent since the Specific Plan was approved in 1992. The development agreement approved with the MHSP expired in 2012.

### **Surrounding Area**

Surrounding developed industrial properties in the vicinity of the proposed project include the 1.8 million square foot Skechers and 800,430 square foot Aldi warehousing logistics and distribution centers located south of State Route 60, west of Theodore Street and west of Redlands Boulevard respectively. Several residential neighborhoods have developed along Redlands Boulevard to the west and south of the western boundary of the proposed WLC Specific Plan. An area of the City known as “Old Moreno” is situated near the southwest portion of the project site, around the intersection of Redlands and Alessandro Boulevards. The major roadways that provide access to the project area are SR-60 to the north, Redlands Boulevard to the west, Alessandro Boulevard which traverses the site east-west, Gilman Springs Road to the east, and Theodore Street which traverses the site north-south. Redlands Boulevard and Theodore Street are north-south arterial roadways that intersect with SR-60. The Moreno Valley Ranch residential community and Golf Club is located approximately one mile southwest of the project area.

Limited development has occurred adjacent to the eastern and southern boundaries of the project, which include the “Badlands” to the east and the San Jacinto Wildlife Area to the south. Gilman Springs Road serves as the eastern City boundary and areas on the east side of the road are within the City’s sphere of influence. There are approximately ten (10) large custom single-family homes in the area east of Gilman Springs Road near the project site. The Badlands Sanitary Landfill, operated by the County of Riverside Waste Management Department, is located approximately 1.5 miles northeast of the project area.

Immediately south of the proposed project is the San Jacinto Wildlife Area (SJWA), Mystic Lake, and the Lake Perris State Recreation Area. These lands are state-owned and access is restricted. The SJWA is owned and operated by the California Department of Fish and Game (CDFG) and contains approximately 20,000 acres of restored wetland and ponds. The Lake Perris State Recreation Area is owned and operated by the California State Parks Department and contains approximately 6,000 acres of open space land, which is used both for recreation and preservation.

The closest large-scale commercial/retail developments are located south of State Route 60 at Moreno Beach Drive, approximately 1.25 miles to the west of the proposed project, and south of State Route 60 at Nason, approximately 1.5 miles to the west of the proposed project area. These shopping complexes include the Moreno Valley Auto Center, Walmart, Target and the Stonegate Center along with a variety of restaurants and ancillary commercial and service uses.

### **Access/Parking**



The revised General Plan Circulation Element and the Specific Plan's Circulation Plan provide a framework for the movement of vehicles in and around the World Logistics Center project area. The Specific Plan document provides details on the road/street designations, right-of-way design, and road improvement thresholds. Access and parking for future developments on the individual parcels would be reviewed and approved against these regulations under their respective separate plot plan reviews.

Access to the World Logistics Center Specific Plan area is expected to be through the Theodore Street/SR-60 interchange, Eucalyptus Avenue (between Redlands Boulevard and Theodore Street), Gilman Springs Road at Alessandro Boulevard, and through the proposed extension of Alessandro to Cactus Avenue. Within the Specific Plan area the circulation system is essentially a loop system off of the Theodore Street backbone. The interior arterials will connect through three roundabouts to control traffic flow. The circulation system is intended to direct truck traffic access to Theodore Street from Highway 60 and to a lesser degree Alessandro from Gilman Springs Road. The interior street network is also expected to accommodate bus access, pedestrian infrastructure and bicycle infrastructure.

Due to the anticipated truck traffic within the proposed Specific Plan, the Master Plan multi-use trails have been laid out to avoid the interior loop roads by routing from Redlands Boulevard around Eucalyptus, Street B, Street F, Alessandro Boulevard, to Cactus and back to Redlands Boulevard. The Plan proposes a trail connection around the Old Moreno neighborhood along Bay Avenue and Merwin Street. The proposed Cactus Avenue trail would continue east at the base of the hills to connect to Davis Street and the San Jacinto Wildlife Area.

As included in the WLC Specific Plan, all future truck loading and parking areas for individual buildings and uses will be screened from public view and buffered by walls and dense landscape areas. In addition, vines shall be placed near walls along all designated truck loading/parking areas.

### **Design/Landscaping**

Site design and architecture guidelines are included within the WLC Specific Plan and would be applicable to individual projects and plot plans submitted for subsequent development review and permitting. The design standards provide for compatible contemporary and sustainable designs that minimize resource and energy consumption. The Specific Plan establishes building height limitations throughout the project as described on Exhibit 5-3 Building Height Plan of the Specific Plan, with limits of 60 feet in areas designated as Area A and limits of 80 feet in Area B.

All buildings in the World Logistics Center that are 500,000 square feet or greater shall be designed to meet or exceed LEED Certified Building Standards. Building design under LEED would assist in reducing energy consumption by incorporating sustainable design features to further reduce the project's environmental footprint such as the inclusion of recycled building materials and the use of roof-mounted solar systems.

The Specific Plan includes landscape design standards for the project site that will ensure reduced consumption of water compared to conventional landscaping concepts. These regulations will meet goals of the Moreno Valley drought tolerant landscape ordinance. The Specific Plan contains an extensive palette of drought tolerant plants and requires individual development projects to install this drought tolerant landscaping and to utilize onsite runoff to irrigate landscaped areas. The Specific Plan calls for a substantial landscape treatment along the project area western boundary to provide an aesthetic buffer between the existing and future residential development and the planned warehouse buildings and truck activity areas. For areas not located along the western boundary, landscaped areas would be grouped by water needs and only utilize drip irrigation systems along Theodore and the perimeter of the project. The future design of the project will direct runoff to landscaped areas and employ techniques to promote percolation and water capture.

As part of the master plan design Section 4.2.4 of the Specific Plan identifies Special Edge Treatment Areas and Design Criteria. A 250 foot landscape edge treatment area will be established along the west and southwest portions of the project adjacent to existing and planned residential land uses. An additional setback is included in the southwestern portion of the area and along Gilman Springs Road. Land use restrictions within these areas would exclude items such as buildings, truck loading areas, truck circulation areas or truck/trailer storage uses. Items such as employee/visitor parking, emergency access and property maintenance for hardscape and landscape areas would be allowed in the buffer area. The San Jacinto Wildlife area edge is located on the southern portion of the project site currently adjacent to wildlife uses and will include an additional setback in addition to the 250 foot buffer area between the conservation area and buildings so that the minimum distance will be 400 feet.

### **Infrastructure Improvements**

Development within the Specific Plan will require various infrastructure improvements. Local roadways and intersections necessitate by and/or impacted by project traffic will be constructed and/or improved. Electrical service would need to be extended from the Moreno Beach substation to the project area. Electric power lines along Gilman Springs Road would be relocated when that road is widened. Providing potable water to the site will require the construction of three new reservoirs, one north of SR-60 off of Theodore Street, one east of Gilman Springs Road near the northeast corner of the site, and one west of the project site off of Cottonwood Avenue. Gas and sewer lines will also be extended to the project site. The existing County drainage channel near the southwest corner of the site will be improved to handle increased flows from project runoff.

### **REVIEW PROCESS**

**On March 19, 2012, the proposed project was submitted to the Planning Division for review and processing. The project applications were deemed complete on April 18, 2012 with the exception of the rezoning/annexation and Development Agreement materials. The project was first reviewed by the Project Review Staff**

**Committee (PRSC) on May 23, 2012. At the above meeting date, specific items were required to be modified within the Specific Plan and Tentative Map documents. In addition, staff requested additional information be submitted to complete the application materials for the Annexation and Development Agreement.**

On May 22, 2012, a public hearing was conducted and the City Council directed that all properties in the eastern portion of the City project area including those not owned by the applicant be included with the project.

The draft Specific Plan document was reviewed multiple times by internal staff to revise language within the Plan. Additional comments and corrections were made to the Specific Plan by staff regarding landscape, project setbacks and permitted uses in proposed land use zones. In addition, staff was involved with the development of the Draft Environmental Impact Report with the consultant LSA and Associates, and reviewed multiple drafts of the Final Environmental Impact Report to include revised responses to comments, mitigation measures and other key aspects of the document prior to completion of the final document.

The City of Moreno Valley Trails Board reviewed the WLC project trails configurations on January 23, 2013. In light of the subsequent deletion of 100 acres from the project area and a reduction in approximately 1 million square feet of building area, the Board reviewed the revised recreational trails for the project again on January 22, 2014, and recommended approval.

## **ENVIRONMENTAL IMPACT REPORT**

### Description

Based on scope of the project, a Program Environmental Impact Report (EIR) was prepared. Due to the large project size and expansive land area, proposed phasing of the project and limited information known about future development of industrial buildings, a programmatic EIR rather than a project EIR has been prepared. Allowances within the CEQA Guidelines will allow subsequent development project environmental review to tier off of this program level document when those subsequent development proposals are submitted.

### Analysis

The City has adhered to the California Environmental Quality Act (CEQA) Guidelines in the environmental review of this project. Notice of completion and availability for public review of the draft environmental impact report (DEIR) document was circulated on February 5, 2013 with the comment period ending on April 8, 2013. This offered more than a 60-day review period, which exceeded the 45 day review period required by CEQA for a DEIR. In fact, the City accepted comments well past the 60-day review period for the project and those comments have been considered and included with the Final EIR.

The DEIR document was sent to numerous state and local agencies, adjacent property owners and other interested parties. Staff received approximately 144 comment letters and over 1,000 individual comments in relation to the public review period of the draft document. Subsequent to Draft Environmental Impact Report process and public comments, the project area has been reduced by approximately 100 acres and 1 million square feet.

All interested parties and responsible agencies had the opportunity to review responses to comments in the Final EIR that was mailed May 1, 2015 to all parties providing comment letters and other interested parties. This posting and circulation was 41 days in advance of this public hearing by the Planning Commission. The 41 days far exceeds the 10 day review period required by CEQA Guidelines. As was the case with the Draft EIR, the Final EIR in its final form was also provided for the public's review at City Hall, the public library and electronically on the City's website.

In briefly summarizing the key points of the document, analysis presented in the Draft EIR indicates that the proposed project will have certain significant environmental impacts to, Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation as described in detail in both the Draft EIR and Final EIR that cannot be reduced to less than significant levels even with proposed mitigation in place. As identified in the document, cumulative impacts for the noted items above are considered to be significant and unavoidable for these five items. The EIR presented mitigation measures, which, to the extent feasible, will reduce project-specific and cumulative impacts for each of these items; however in some instances this did not reduce impacts below significant thresholds. All other environmental effects evaluated in the Draft EIR have been determined to be less-than-significant, or can be successfully mitigated below significant thresholds. All mitigation measures are included in the Mitigation Monitoring and Reporting Program established by the Environmental Impact Report.

As presented, the five (5) environmental impacts of aesthetics, air quality, land use, noise and traffic/circulation evaluated in the DEIR and FEIR remain significant and unavoidable and a cumulative impact even with mitigation measures provided. For aesthetics, Mitigation Measures (MM) 4.1.6.1 A through D have been included that provide plans prior to project development for maintaining a 250 foot setback area measured from the city zoning boundary line to any building or truck parking area, the inclusion of visual plans demonstrating screening of the project from existing residents and MM 4.1.6.2, 4.1.6.3 and 4.1.6.4 which include view protection of Mount Russell and light and glare restrictions/analysis of proposed solar panels for any future development. Mitigation measures for air quality include MM 4.3.6.2A through 4.3.6.2D, 4.3.6.3A, through 4.3.6.3E, and 4.3.6.4A which include measures such as the required inclusion of Tier 4 construction equipment, restriction of trucks that fall below 2010 engine emissions standards from entering project areas and limitation of truck idling to three (3) minutes all in an effort to reduce air pollutant emissions. For Noise, mitigation measures have been added for short-term construction noise levels as provided in MM 4.12.6.1 A through J to include the requirement of a Noise Reduction Compliance Plan, restrictions on grading during nighttime hours, potential sound barriers, as well as measures for long term traffic and operation noise to include MM 4.12.6.2A through 4.12.6.4A for the

requirement of building specific noise studies, the potential for sound walls and maintenance of buffer areas. The WLC Specific Plan also has been designed to direct truck traffic away from residential areas. Traffic/circulation measures include MM 4.15.7.4A through 4.15.7.4G which includes a traffic impact analysis, dedication of right of way consistent with the Subdivision Map Act for frontage street improvements and payment of Transportation Uniform Mitigation (TUMF) fees. Land use/Planning remains a significant and unavoidable project impact with no feasible mitigation measures available in regards to future development affecting seven single-family residential homes and the fact that the WLC Specific Plan cannot accommodate these residences within logistics warehousing areas.

Alternatives to the proposed project were analyzed in the EIR to include:

- **No Project/No Development** – Site would be void from development and remain in dry farming with some rural residential uses
- **No Project/Existing General Plan Alternative** - Includes land uses currently included on the City's General Plan (i.e. Moreno Highlands Specific Plan land uses).
- **Alternative 1: Reduced Density** – Site would include development of approximately 29 million square feet of logistics warehousing uses on the 2,610 acre WLC Specific Plan site.
- **Alternative 2 Mixed Use A Alternative** - Would result in 1,410 acres or 22 million square feet designated for logistics warehousing, 1,000 acres or 20 million square feet of light manufacturing, assembly or business park, 50 acres or 500,000 square feet of retail commercial, 100 acres or 1 million square feet of professional/medical offices and 150 acres of open space.
- **Alternative 3 Mixed Use B alternative** - Would be similar to the no project/existing General Plan Alternative, but with 10 million square feet of logistics warehousing on the 603 acres proposed for business, retail, institutional and other uses under the Moreno Highland Specific Plan.

Alternative sites for the project were also evaluated in the EIR. Due to the size and nature of the project, no feasible alternative sites were found in any of the eleven (11) jurisdictions evaluated. From the analysis of the five project alternatives, the environmentally superior alternative was Alternative 1 (Reduced Density), which is the only alternative that reduces traffic, air quality and related impacts by reducing the total square footage of warehousing by 30 percent. As stated in the EIR document, it was determined that Alternative 1 does not achieve the objectives to the degree of the proposed project and particularly does not meet most of the major project goals primarily because the project's industrial square footage is reduced by 30 percent.

Although impacts to aesthetics, air quality, land use, noise, and traffic/circulation cannot be reduced to less than significant levels, CEQA allows for a Statement of Overriding Considerations and findings to be prepared and considered. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. This would include project

benefits such as the potential creation of jobs, reduction of the jobs housing imbalance, increase in City revenue or other project benefiting aspects including the furthering of General Plan goals and objectives that can be weighed against project environmental impacts that cannot be mitigated to less than significant levels. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable” as allowed for under CEQA. The Statement of Overriding Consideration and corresponding findings are attached to the report as Attachment 2 for review and consideration.

The Planning Commission will have the opportunity to take public testimony on the draft FEIR and project and forward a recommendation to City Council. The review of the draft FEIR will include a recommendation to either certify or reject the document and Mitigation Monitoring Program along with the Statement of Overriding Considerations. The City Council will have the opportunity to review the final environmental document, receive public testimony and either certify or reject the EIR and subsequent Mitigation Monitoring Program and Statement of Overriding Considerations after a recommendation is rendered and forwarded by the Planning Commission.

### Recommendation

With all required mitigation measures included in the Mitigation Monitoring and Reporting Program, and with inclusion of the Statement of Overriding Considerations which weighs benefits of the project against the potential project environmental impacts, certification of the EIR is recommended.

### **NOTIFICATION**

All responsible agencies, interested parties and property owners of record within a 300 foot radius of the project area were provided a notice of the Planning Commission public hearing. In addition, the draft Final Environmental Impact Report was sent out to all responsible agencies, and interested parties that have requested to be placed on the mailing list. The public hearing notice for this project was posted on the project site in seven (7) separate prominent locations and the hearing notice was published in the local newspaper and regional version of the local newspaper on May 1, 2015 and May 4, 2015, respectively.

### **REVIEW AGENCY COMMENTS**

Staff received approximately 144 comment letters and over 1,000 individual public comments in response to the circulated Draft EIR in early 2013. Comment letters and required response to comments for the Draft Environmental Impact Report (DEIR) are included in the final Environmental Impact Report (FEIR). This includes comments received during the designated 60 day comment period and those received after the comment period.

## **ALTERNATIVES**

1. Recommend that the City Council Certify the Environmental Impact Report and approve the World Logistics Center project including a General Plan Amendment, Development Agreement, Change of Zone, Specific Plan, Pre-Zoning/Annexation, and Tentative Parcel Map.
2. Recommend that the City Council Certify the Environmental Impact Report and approve the World Logistics Center project including a General Plan Amendment, Change of Zone, Specific Plan, Pre-Zoning/Annexation, and Tentative Parcel Map, but without a Development Agreement.
3. Deny the World Logistics Center project.
4. Recommend that the City Council Certify the Environmental Impact Report and approve the World Logistics Center project including a General Plan Amendment, Development Agreement, Change of Zone, Specific Plan, Pre-Zoning/Annexation, and Tentative Parcel Map, with modifications specified by the Planning Commission.

## **STAFF RECOMMENDATION**

That the Planning Commission:

**APPROVE** Resolution Nos. 2015-12, 2015-13, 2015-14, 2015-15 and 2015-16 thereby recommending that the City Council:

1. **CERTIFY** the Environmental Impact Report (P12-016), including approval of the Mitigation Monitoring Program and adoption of a Statement of Overriding Considerations (Exhibits A and B of Resolution 2015-12) for PA12-0010 (General Plan Amendment), PA12-0011 (Development Agreement) PA12-0012 (Change of Zone), PA12-0013 (Specific Plan), PA12-0014 (Pre-Zoning/Annexation), PA12-0015 (Tentative Parcel Map), pursuant to the California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVE** General Plan Amendment PA12-0010, to change the land use designations for the project area to Business Park/Light Industrial (BP) and Open Space (OS), and to amend General Plan goals and objectives text and map in the respective Community Development, Circulation, Parks, Recreation and Open Space, Safety, and Conservation Elements identified in Exhibits A through M of Resolution 2015-13.
3. **APPROVE** Change of Zone PA12-012 and Specific Plan PA12-0013 and Annexation PA12-0014, which would repeal the current Moreno Highlands Specific Plan No. 212-1, would establish the World Logistics Center Specific Plan including Change of Zone on the City's Zoning Atlas to Logistics Development (LD), Light Logistics (LL) and Open Space (OS) for

areas within the proposed WLC Specific Plan boundary, would establish Pre-zoning/Annexation for an 85 acre site at the northwest corner of Gilman Springs and Alessandro Boulevard, and authorize Change of Zone on the City's Zoning Atlas to Open Space (OS) for those project areas outside and southerly of the new WLC Specific Plan boundary, Exhibits A, B and C of Resolution 2015-14.

4. **APPROVE** Tentative Parcel Map No. 36457 PA12-0015 for a tentative parcel map that includes 26 parcels for financing and conveyance purposes, Exhibit A and B of Resolution 2015-15.
5. **APPROVE** Development Agreement PA12-0011 covering properties controlled by Highland Fairview, Exhibit A of Resolution 2015-16.

Prepared by:  
Mark Gross  
Senior Planner

Approved by:  
Richard J. Sandzimier  
Planning Official

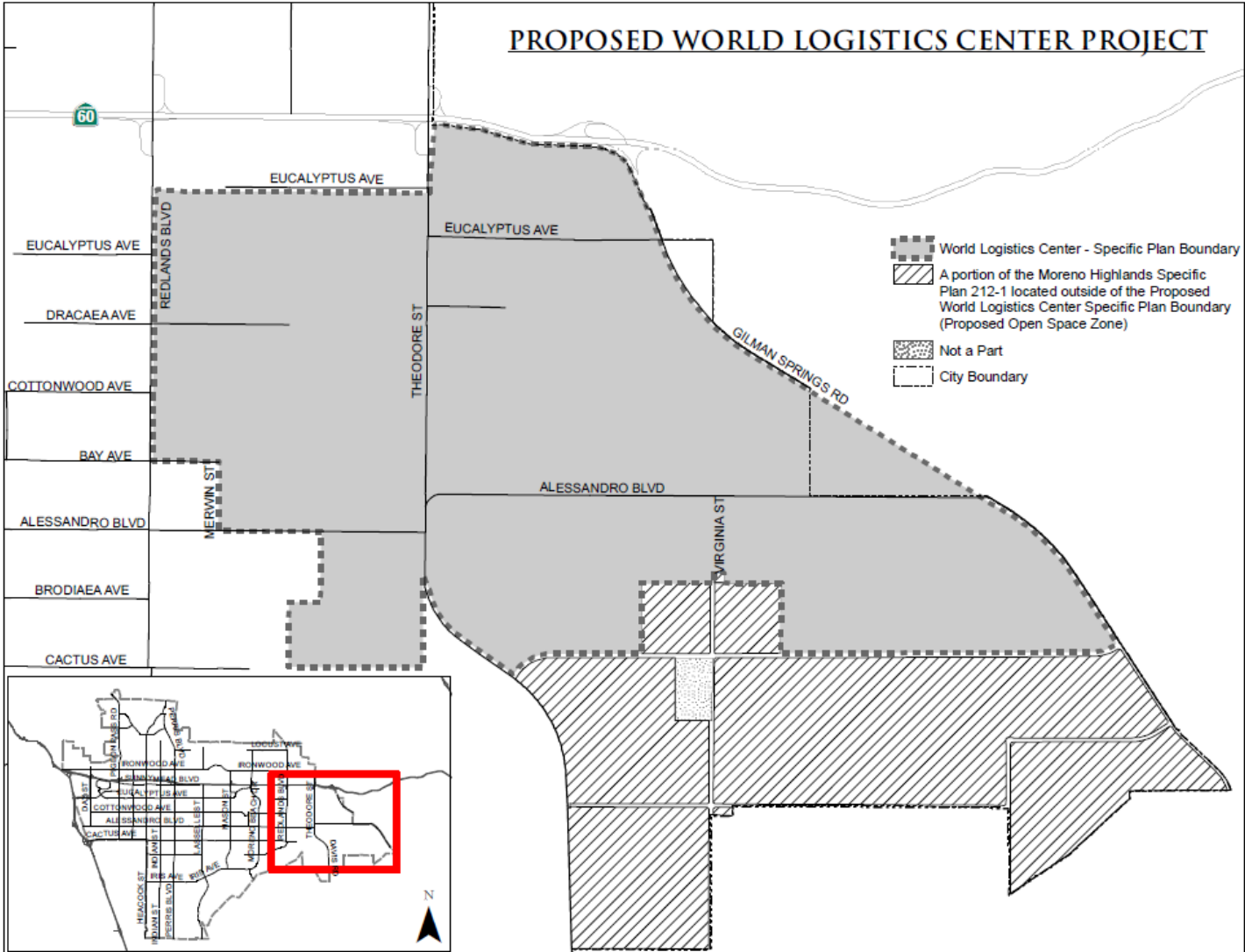
### **ATTACHMENTS**

1. Public Hearing Notice
2. PC Resolution 2015-12 EIR (combined)
3. PC Resolution 2015-13 General Plan (combined)
4. PC Resolution 2015-14 Change of Zone (combined)
5. PC Resolution 2015-15 with Map and COAs (combined)
6. PC Resolution 2015-16 Development Agreement
7. Final Environmental Impact Report
8. General Property Location Map
9. Aerial Map
10. General Plan Background Sheet
11. Letters of Correspondence
12. Responses to Correspondence
13. CC letter from CM Garcia dated 2-8-12
14. CC Report dated 5-8-12
15. Exhibit 2.1 Land Use Plan of the Specific Plan
16. Highland Fairview Property Ownership Map





# PROPOSED WORLD LOGISTICS CENTER PROJECT



Attachment: Public Hearing Notice (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World

## RESOLUTION NO. 2015-12

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, RECOMMENDING TO THE CITY COUNCIL, CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (P12-016), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WORLD LOGISTICS CENTER PROJECT, GENERALLY LOCATED EAST OF REDLANDS BOULEVARD, SOUTH OF STATE ROUTE 60, WEST OF GILMAN SPRINGS ROAD AND NORTH OF THE SAN JACINTO WILDLIFE AREA.**

**WHEREAS**, the applicant, Highland Fairview, has filed multiple entitlement applications, which collectively constitute the World Logistics Center project (Project) within an approximate 3,818 acre project area, and which applications include a General Plan Amendment (PA12-0010), a change of zone (PA12-0012), Specific Plan (PA12-0013), Pre-Zoning/Annexation (PA12-0014) a Development Agreement (PA12-0011) and Tentative Parcel Map No. 36457/Finance Map (PA12-0015); and

**WHEREAS**, the project also includes an application for an Environmental Impact Report (EIR) (P12-016); and

**WHEREAS**, all of the discretionary applications are related but may be approved by separate resolutions or ordinances with individual findings as appropriate for each, and each should not be approved unless said Environmental Impact Report (P12-016) is certified and approved; and

**WHEREAS**, a Draft Environmental Impact Report (DEIR) was prepared for the Project; and

**WHEREAS**, the City published a Notice of Availability in the local newspaper (Press Enterprise), posted the Notice of Availability at the Riverside County Clerk's office, and distributed copies to the State Clearinghouse, circulated to the public and to responsible agencies for a 60 day review period between February 5, 2013 and April 8, 2013; and

**WHEREAS**, the DEIR includes a review of potential impacts associated with the implementation of the World Logistics Center Project, including, but not limited to Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation as described in detail within the draft document. A Statement of Overriding Considerations is provided for environmental impacts related to Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation, which cannot be reduced to less than significant levels; and

**WHEREAS**, in response to comments received on the DEIR, a Final Environmental Impact Report (FEIR) was completed for this project and released for public review 41 days prior to the date of the public hearing by the Planning Commission. Copies of the final document have been sent to commenters, interested parties and responsible agencies and those living in close proximity to the project and it was made available to the public at the City's offices, on the City's website and at the City's public library. The City has prepared responses to all comments received and they have been included in the Final EIR; and

**WHEREAS**, the EIR concerning the proposed World Logistics Center Project was prepared and processed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA; and

**WHEREAS**, a Mitigation Monitoring Program has been completed and is included in the FEIR and will be used to ensure that all of the mitigation measures will be implemented, and

**WHEREAS**, on June 11, 2015 the Planning Commission of the City of Moreno Valley held a public hearing to consider the entitlement applications, including consideration of the Environmental Impact Report prepared for the Project, and to provide recommendations on the applications and Environmental Impact Report to the City Council; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE**, the Planning Commission of the City of Moreno Valley does hereby resolve as follows:

1. The Planning Commission hereby recommends that the City Council certify the final Environmental Impact Report (EIR) for the World Logistics Center Project on file with the Community Development Department, incorporated herein by this reference. It has been determined that the document has been completed in compliance with the California Environmental Quality Act, the Planning Commission reviewed and considered the information contained in the final EIR and the final EIR reflects the City's independent judgment and analysis;
2. The Planning Commission recommends that the City Council hereby adopt the Findings and Statement of Overriding Considerations regarding the Final EIR for the World Logistics Center project, attached hereto as Exhibit A; and
3. The Planning Commission recommends that the City Council hereby approve the Mitigation Monitoring Program included with the final EIR for the proposed World Logistics Center project, attached hereto as Exhibit B.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Brian Lowell  
Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
Richard J. Sandzimier, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attachments: Findings and Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program

**Facts, Findings and Statement of Overriding Considerations  
Regarding the Environmental Effects and the Approval of the  
World Logistics Center Specific Plan  
(State Clearinghouse No. 2012021045)**

Attachment: PC Resolution 2015-12 EIR (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a Change of

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## **I. INTRODUCTION**

The City Council of the City of Moreno Valley (this “Council”), in certifying the EIR for the World Logistics Center (WLC) Specific Plan authorizing the construction of up to approximately 40.4 million square feet of “high-cube logistics” warehouse distribution uses classified as Logistics Development (LD) and 200,000 square feet of warehousing-related uses classified as “Light Logistics” (LL) on 2,610 acres within the WLC Specific Plan. (the “Project”), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report (“EIR”) was prepared by the City of Moreno Valley (“City”) acting as lead agency pursuant to the California Environmental Quality Act (“CEQA”). Hereafter, unless specifically identified, the Notice of Preparation (“NOP”), Notice of Availability & Completion (“NOA/NOC”), Draft EIR (“DEIR”), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR (“FEIR”), and the Mitigation Monitoring and Reporting Program (“MMRP”) will be referred to collectively herein as the “EIR.” These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

## **II. PROJECT SUMMARY**

### **A. PROJECT DESCRIPTION**

#### **1. Site Location**

The Project is located in “Rancho Belago,” the eastern portion of the City of Moreno Valley, in northwestern Riverside County. The Project site is immediately south of State Route 60 (SR-60), between Redlands Boulevard and Gilman Springs Road (the easterly city limit), extending to the southerly city limit. The major roads that currently provide access to the Project site are Redlands Boulevard, Theodore Street, Alessandro Boulevard, and Gilman Springs Road.

The WLC Project area is located in portions of Sections 1, 12, and 13 of Township 3 South, Range 3 West; and portions of Sections 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21 of Township 3 South, Range 2 West, as depicted on the U.S. Geological Survey (USGS) 7.5-minute series Sunnymead and El Casco, California quadrangles.

#### **2. Project Description**

The Project covered by the EIR includes 3,714 acres of land, which is the subject of various entitlements, plus 104 acres of land affected by off-site improvements needed to support the

development. A General Plan Amendment, covering 3,714 acres, redesignates approximately 71 percent of the area (2,610 acres) for logistics warehousing and the remaining 29 percent (1,104 acres) for permanent open space and public facilities.

The World Logistics Center Specific Plan covers 2,610 acres of the 3,714 acres and proposes a maximum of 40.6 million square feet of “high-cube logistics” warehouse distribution uses classified as “Logistics Development” (LD) and 200,000 square feet (approximately 0.5%) of warehousing-related uses classified as “Light Logistics” (LL). The lands within the WLC Specific Plan that are designated LL are existing rural lots, some containing residential uses, that will become “legal, non-conforming uses” once the WLC Specific Plan is approved. In addition, the LD designation includes land for two special use areas; a fire station and a “logistics support” facility for vehicle fueling and sale of convenience goods (3,000 square feet is assumed for planning purposes for the “logistics support”).

The California Department of Fish and Wildlife (CDFW) Conservation Buffer Area is a 910-acre parcel owned by the State of California as part of the San Jacinto Wildlife Area (SJWA). This land is within the City of Moreno Valley and is included in the approved Moreno Highlands Specific Plan. That plan designates this property for a broad mix of urban uses including suburban residential, schools, parks, and roads. This land was purchased by the State in 1991 as additional upland habitat for the SJWA and also to act as a buffer between the sensitive biological resources of the SJWA and the future urban development under the Moreno Highlands Specific Plan. This land has been actively farmed for many decades and most of it remains in active production. The southwestern portion contains areas of non-native grasslands, although aerial photographs show that this area has been intermittently tilled over the last 80 years. This property is included in the General Plan Amendment and the Zone Change to replace the current urban land uses that are permitted and to replace them with Open Space and Public Facility designations. This property is not within the World Logistics Center Specific Plan (i.e., not in the area planned for development).

The San Diego Gas & Electric Company (SDG&E) and the Southern California Gas Company (SCGC) own a total of 194 acres of land immediately south of the Specific Plan site. These properties are included in the General Plan Amendment and the Zone Change to designate them for Open Space and Public Facilities uses. These designations are consistent with present uses. These properties are not within the World Logistics Specific Plan. Approximately 174 acres of

the land owned by SDG&E will be designated as Open Space. Nineteen acres of SDG&E land and one acre of SCGC land will be designated as Public Facilities.

### 3. Actions Covered by the EIR

The EIR will support the following discretionary and non-discretionary approvals:

- Approval of the World Logistics Center Specific Plan - The World Logistics Center Specific Plan is a master plan for a 2,610 acre site for the development of up to 40.6 million square feet of modern high-cube logistics and related warehouse distribution facilities defined as Logistics Development and Light Logistics. The Specific Plan establishes the master plan of development for the Project area, including development standards and use regulations, a master plan for circulation, infrastructure, architectural, landscape and design guidelines and sustainability goals - all of which will be applicable to all development within the area covered by the Specific Plan.
- General Plan Amendment (GPA) proposes a revision to the City General Plan land use designations for 3,714 acres. The GPA will replace the current Moreno Highland Specific Plan/General Plan Designations west of Gilman Springs Road with the following land use designations: (a) 2,610 acres for high cube logistics development; (b) 1,084 acres of Open Space; and (c) 20 acres for Public Facilities. The General Plan land use designation for the site would become Business Park/Light Industrial (BP).

The General Plan Amendment also includes amendments to several other elements, including the Community Development Element, the Parks, Recreation and Open Space Element, the Circulation Element, the Environmental Safety Element, and the Conservation Element to make them consistent with the Project.

- Change of Zone to establish the World Logistics Center Specific Plan, which will replace the Moreno Highlands Specific Plan west of Gilman Springs Road and rezone several other contiguous properties. The WLC Specific Plan will become the regulatory land use document for the entire 2,610 acre Specific Plan area. The project includes a Zone Change covering, 3,714 acres, which will designate 1,084 acres of land for Open Space (CDFW and SDG&E properties), 20 acres for Public Facilities (SDG&E and SCGC properties), and 2,610 acres for the World Logistics Center Specific Plan. The specific land use zones would be Logistics Development (LD) and Light Logistics (LL).
- Approval of the World Logistics Center Specific Plan EIR.

- Approval of the Development Agreement between the Project applicant, Highland Fairview, and the City of Moreno Valley in order to provide certainty for the future development of the Project for those parcels owned by Highland Fairview.
- Approval of a Tentative Parcel Map subdividing a portion of the Project site into large parcels. This map is for financing purposes only and does not create any development rights for the subdivided properties. Subsequent subdivision applications will be required prior to the development of any buildings on the site.
- Approval of the annexation for an 85-acre parcel located on the north side of Alessandro Boulevard at Gilman Springs Road. The Project includes pre-annexation General Plan land use designations to Specific Plan and pre-zoning Logistics Development (LD) for this parcel.

Approvals and permits required by other agencies include:

#### **County of Riverside**

- Local Agency Formation Commission (LAFCO): Annexation of 85-acre parcel.
- Flood Control and Water Conservation District: Amend Storm Drain Master Plan.

#### **Other Affected Agencies**

- Western Riverside Council of Governments: Transportation Uniform Mitigation Fee (TUMF) Contributions.
- Eastern Municipal Water District: Water Service Agreements.
- Developer will make “fair share” contributions to established development impact fee programs in the cities of Riverside, Perris, and Redlands for local road and intersection improvements identified in the programmatic Traffic Impact Assessment (TIA) included with the EIR (Final EIR Volume 3 Appendix L-1). This item is subject to review and approval by the City Transportation Division.

#### **State of California**

- Regional Water Quality Control Board: Water Quality Permitting.

- Department of Transportation (Caltrans): Encroachment Permits for SR-60 and adopt fair share contribution programs for future development within the WLCSP to contribute funds for local road and intersection improvements identified in the programmatic Traffic Impact Assessment (TIA) included with the EIR (Final EIR Volume 3 Appendix L-1).
- California Department of Fish and Wildlife: Streambed Alteration Agreements.

### **Federal Agencies**

- U.S. Army Corps of Engineers: Clean Water Act Permitting.

## **B. PROJECT OBJECTIVES**

The Project Objectives include the following:

- Create substantial employment opportunities for the citizens of Moreno Valley and surrounding communities.
- Provide the land use designation and infrastructure plan necessary to meet current market demands and to support the City's Economic Development Action Plan.
- Create a major logistics center with good regional and freeway access.
- Establish design standards and development guidelines to ensure a consistent and attractive appearance throughout the entire project.
- Establish a master plan for the entire project area to ensure that the project is efficient and business-friendly to accommodate the next-generation of logistics buildings.
- Provide a major logistics center to accommodate a portion of the ever-expanding trade volumes at the Ports of Los Angeles and Long Beach
- Create a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity.
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner.
- Encourage new development consistent with regional and municipal service capabilities.

- Significantly improve the City’s jobs/housing balance and help reduce unemployment within the City.
- Provide thousands of construction job opportunities during the Project’s buildout phase.
- Provide appropriate transitions between on-site and off-site uses.

### III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the Notice of Preparation, then through the circulation of the DEIR, and through the circulation of the FEIR. The following is a summary of the environmental review of this Project:

- On February 25, 2012, the City circulated a Notice of Preparation (“NOP”) that identified the environmental issues that the City anticipated would be analyzed in the Project’s DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On March 12, 2012, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from February 25, 2012 to March 26, 2012. Written comments on the NOP were received from 27 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with:
  - Aesthetics
  - Air Quality
  - Alternatives
  - Biological Resources
  - Cultural Resources
  - Greenhouse Gases
  - Geology & Soils
  - Hazards
  - Hydrology
  - Land Use
  - Noise
  - Population & Housing
  - Public Services
  - Traffic
  - Utilities

Based on the comments received pursuant to the NOP, it was determined that all environmental issues needed to be addressed in depth in the DEIR.

- As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2012021045 for the WLC Project was filed with the State Clearinghouse on July 17, 2012, and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on July 18, 2012.
- The Draft EIR was circulated for public review for a period of 63 days, from February 4, 2013 to April 8, 2013. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet. A total of one-hundred and forty-four (144) comment letters were received during the public review period commenting on the EIR and WLC Project. Twenty-three (23) of the comment letters received were from Federal, State, regional, or local agencies. Fifteen (15) comment letters were received from private organizations or conservation groups, and one-hundred and six (106) letters were received from individuals. In addition, several letters/emails from individuals and one letter from the City of Redlands were received well after the close of the public review period. The City prepared specific responses to all comments. The responses to comments are included in FEIR, Volume 1.
- On May 1, 2015 in accordance with *Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.
- On May 1, 2015, set forth the City circulated the FEIR for 45 days
- On May 1, 2015 and May 4, 2015, the Notice of the Planning Commission hearing to consider the project was provided in the following newspaper(s) of general and/or regional circulation:  
  
Press Enterprise
- On \_\_\_\_\_, hearings held by the Planning Commission and its recommendations were \_\_\_\_\_
- On \_\_\_\_\_, Notice of the City Council hearing to consider the Project was



provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise. On (date), this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project (collectively the “Approvals”).

#### IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of LSA Associates, Inc. (“LSA”) to prepare the EIR for the Project. LSA has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review by Dr. Timothy Krantz, University of Redlands and Fehr & Peers for the Traffic Impact Analysis. The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Further, based on the review of the EIR conducted by Dr Krantz and Fehr & Peers, the City Council has determined that the analyses contained in the EIR have consistently been based on conservative assumptions and estimates of potential environmental impacts which are likely to result from the construction and operation of the World Logistics Center.

**Finding:** The EIR for the Project reflects the City’s independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

##### A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted

Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

**Finding:** Unless specifically stated to the contrary in these findings, it is this Council’s intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

## V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings, and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City’s environmental determination.

The detailed analysis of potentially significant environmental impacts and mitigation measures for the Project is presented in Section 4.0 of the DEIR and FEIR Volumes 1 and 2. Responses to comments on the DEIR, along with copies of the comments, are provided in FEIR Volume 1.

The EIR evaluated fourteen major environmental categories for potential impacts including Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Population and Housing, Public Services and Facilities (including Recreation), Transportation, Utilities and Service Systems, and Greenhouse Gases and Global Climate Change. Both Project-specific and cumulative impacts were evaluated. Of these fourteen major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V.B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

## A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

### 1. Agricultural and Forestry Resources

#### a. Forest Land Zoning

**Potential Significant Impact:** Whether the Project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

**Findings:** Potential impacts of the Project related to forest land zoning are discussed in detail in Section 4.2 of the Final Environmental Impact Report Volume 3 Revised Draft Environmental Impact Report (FEIR Volume 3). Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to forest land and timberland; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the FEIR Volume 3 and the California Department of Forestry and Fire Protection, there are no areas designated as forest land or timberland on the Project site. Therefore, no significant impacts would occur from the implementation of the Project. (FEIR, Volume 3 pg. 4.2-16).

#### b. Loss or Conversion of Forest Land

**Potential Significant Impact:** Whether the Project would result in the loss of forest land or conversion of forest land to non-forest use.

**Findings:** Potential impacts of the Project related to conversion of forest land are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the conversion of forest land; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the FEIR Volume 3 and the California Department of Forestry and Fire Protection, there are no areas designated as forest land on the Project

site. Therefore, no significant impacts would occur from the implementation of the Project (FEIR, Volume 3 pg. 4.2-16).

### c. Existing Zoning and Williamson Act

**Potential Significant Impact:** Whether the Project would conflict with existing zoning for agricultural use or a Williamson Act contract.

**Findings:** Potential impacts of the Project related to conflicts with existing zoning for agricultural uses or Williamson Act properties are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in conflicts with existing agricultural zoning or an existing Williamson Act; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the FEIR Volume 3, while some portions of the 3,714-acre Project site are currently used for agriculture, there are no Williamson Act contracts on either the Project site or any adjacent properties. The City's General Plan Land Use Map identifies that there are no agricultural zones identified on the Project site or on any of the surrounding properties. Because the Project would not conflict with any Williamson Act contracts or lands zoned for agriculture, the impacts related to this issue would be less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.2-17).

## 2. Air Quality

### a. Odors

**Potential Significant Impact:** Whether the Project would create objectionable odors affecting a substantial number of people.

**Findings:** Potential impacts of the Project related to odors are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to odors; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.3 of the FEIR Volume 3, diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Diesel exhaust would also be emitted during operation of the Project from the long-haul trucks that would visit the Project site. However, the concentrations would not be at a level to result in a negative odor response at nearby sensitive or worker receptors. In addition,

modern emission control systems on diesel vehicles since 2007 virtually eliminate diesel's characteristic odor.

During blow-down maintenance activities, natural gas odors will be present around the SDG&E Compressor Plant located on the Project site. When this portion of the WLC Specific Plan is developed, these odors will occasionally be detectable from the industrial warehouse properties adjacent to the SDG&E facility. These odors will be infrequent and odorized natural gas will not be present in high concentrations. Therefore, potential odor impacts from on-site natural gas operations are considered to be less than significant and do not require mitigation.

SCAQMD Rule 402 dictates that air pollutants discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the Project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

SCAQMD Rule 1108 sets limitations on ROG (reactive organic gases), which are similar to and interchangeable with volatile organic compounds (VOC) content in asphalt. This rule is applicable to any person who supplies, sells, offers for sale, or manufactures any asphalt materials for use in the South Coast Air Basin. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future. Compliance with Rule 1113 means that architectural coatings used during construction would have VOC emissions that comply with these limits.

Adherence to applicable provisions of these rules is standard for all development within the Basin. In addition, conditions for the design of waste storage areas on the site would be established through the permit process to ensure enclosures are appropriately designed and maintained to prevent the proliferation of odors. Solid waste generated by the on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site uses would be adequately managed. Therefore, impacts associated with this issue would be less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.3-67 to 4.3-69).

### b. Long-Term Microscale (CO Hot Spot Emissions)

**Potential Significant Impact:** Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

**Findings:** Potential impacts of the Project related to long-term microscale (CO Hot Spot) emissions are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to long-term microscale (CO Hot Spot) emissions; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.3 of the FEIR Volume 3, vehicular trips associated with the development of the Project could contribute to congestion at intersections and along roadway segments in the Project vicinity resulting in potential local CO “hot spot” impacts. A CO hot spot is a localized concentration of CO that is above the State or Federal 1-hour or 8-hour CO ambient air standards. Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. To provide a worst-case scenario, CO concentrations are estimated at Project-impacted intersections where the concentrations would be the greatest.

For this Project analysis, the top five intersections with the highest traffic volumes and the LOS E or F before mitigation were identified for 2022 using information from the table in the traffic study “Intersection LOS under 2022 Plus Project Phase 1 Conditions.” The five intersections with the greatest LOS before mitigation were also identified for 2035 using information from the table in the traffic study “Intersection LOS under 2035 Plus Build-out Conditions. The estimated 1-hour and 8-hour average CO concentrations from Project-generated and cumulative traffic plus the background concentrations are below the State and Federal standards. No CO hot spots are anticipated because of traffic-generated emissions by the Project in combination with other anticipated development in the area. Therefore, the mobile emissions of CO from the Project are not anticipated to contribute substantially to an existing or projected air quality violation of CO. Therefore, according to this criterion, air pollutant emissions during operation would result in a less than significant impact. No mitigation is required (FEIR, Volume 3 pgs. 4.3-69 to 4.3-70).

**c. Acute and Chronic Non-Cancer Health Risk Emission Impacts**

**Potential Significant Impact:** Whether the Project would expose sensitive receptors to substantial pollutant concentrations resulting in acute and chronic non-cancer health risk impacts.

For non-cancer health risk hazard index (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

**Findings:** Potential impacts of the Project related to acute and chronic non-cancer health risk emission impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to acute and chronic non-cancer health risks related to Project emissions; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.3 of the FEIR Volume 3, the construction and operation of the Project would not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with State and Federal handling regulations will bring these emissions to below a level of significance.

Exposure to diesel exhaust can have immediate (acute) health effects, such as irritation of the eyes, nose, throat, and lungs, and can cause coughs, headaches, light headedness, and nausea. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (CARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. The analysis, however, does derive an estimate of acute non-cancer risks by examining the acute health effects of the various toxic components that comprise diesel and gasoline emissions. There is specific guidance for estimating the acute non-cancer hazards from these toxic components which was used in the revised analysis to determine the Project's acute non-cancer hazards.

To determine the Project's *chronic* hazard impact, the highest annual diesel PM concentration was determined covering the years 2015 (the commencement of Project construction) to 2031 (the first year with full build out of the Project). In this regard, the highest annual average diesel PM concentration determined through air dispersion modeling was 1.04 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) in 2021, at an existing residence located within the Project boundaries. This diesel PM concentration was due to the impacts of diesel PM emissions from the off-road construction equipment active during 2021. This level



of diesel PM impact results in a chronic non-hazard index of 0.21. This hazard index is less than the South Coast Air Quality Management District (SCAQMD) significance level of 1.0, and is, therefore, less than significant.

The estimation of the *acute* non-cancer hazard index requires the estimation of the maximum 1-hour impacts of total organic gases (TOG). Estimates of the Project's maximum 1-hour TOG emissions were derived from the Project's peak hour traffic data along the nearly 500 roadway segments contained within the assessment and then broken down into the various toxic air contaminant components by fuel type, gasoline and diesel. The acute non-cancer hazard index was determined for a worst-case condition that assumed the Project would be completely built out in 2012 with the Project's attendant traffic and emission estimates as they would exist in 2012. This condition is the same as the Project Phase 1 and Phase 2 Full Build Out (2021) condition assumed in the Localized Significance Threshold (LST) assessment provided earlier. Based on this information, the maximum acute non-cancer hazard index found at any receptor within the model domain was 0.05, which is less than the SCAQMD's non-cancer hazard index of 1.0, and, therefore, is less than significant.

Therefore, the potential for short-term acute and chronic exposure from diesel exhaust are considered to be less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.3-103 to 4.3-104).

**d. Cancer Risks – Onsite and Offsite Workers (25-year)**

**Potential Significant Impact:** Whether the Project would expose onsite and offsite workers including school staff to substantial pollutant concentrations resulting in cancer risk impacts.

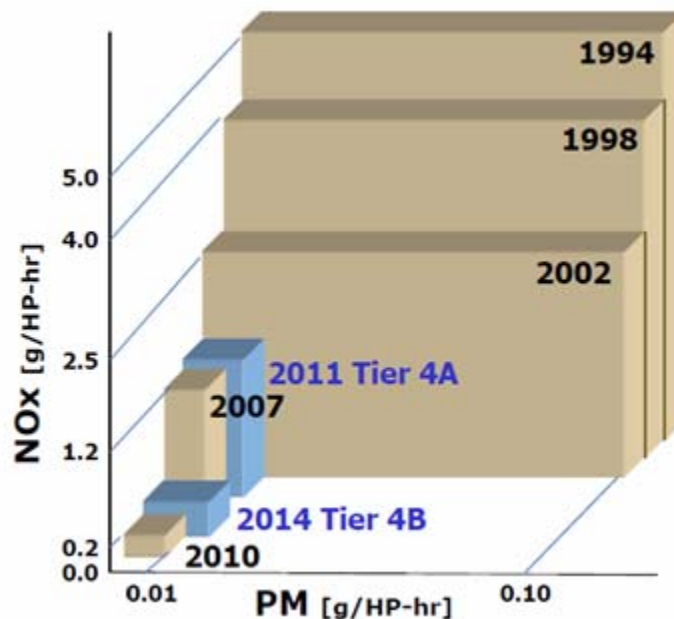
**Findings:** Potential impacts of the Project related to cancer risk impacts on onsite and offsite workers are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to cancer risk impacts on expose onsite and offsite workers including school staff related to Project emissions; therefore, no mitigation is required.

**Facts in Support of the Findings:** In January 2015, the results of a 5½-year study, led by the Health Effects Institute (HEI), were published regarding the health effects of new technology diesel exhaust and particularly the risk of cancer from exposure to diesel exhaust. The study found that new technology diesel exhaust does not cause cancer.

The HEI study distinguishes between older Traditional Diesel Engines (TDE) (exhaust from engines that are older than model year 2007) and new technology diesel exhaust (NTDE) (exhaust from engines that

model year 2007 or newer), which is 90-99% cleaner than TDE. The revised mitigation measures require that all diesel trucks accessing the project during operation be model year 2010 or newer and that all off-road equipment be Tier 4. The principal implication of the HEI study results to the WLC are that the project mitigation requiring the application of Model Year 2010 engines as well as the use of Tier 4-compliant off-road construction equipment are not expected to result in emissions that would be associated with the formation of cancer in exposed individuals. The results of the HEI study indicate that the project mitigation requiring the application of Model Year 2010 engines as well as the use of Tier 4-compliant off-road construction equipment are not expected to result in emissions that would be associated with the formation of cancer in exposed individuals.

The HEI announced the results of the final phase of its Advanced Collaborative Emissions Study (ACES), the first comprehensive evaluation of lifetime exposures of rats to exhaust from diesel engines designed to meet the strict USEPA emission regulations enacted in 2007. Phase 3 of ACES evaluated whether emissions from new technology diesel engines cause cancer or other adverse health effects. Specifically, it evaluated the health impacts of a 2007-compliant engine equipped with a diesel particulate filter. HEI found that lifetime exposure to new technology diesel exhaust (NTDE) did not cause carcinogenic lung tumors. The study also confirmed that the concentrations of particulate matter and toxic air pollutants emitted from NTDE are more than 90% lower than emissions from traditional older diesel engine.



Changes in U.S. Heavy-Duty Diesel NOx and PM Emission Standards

The HEI study clearly demonstrates that the application of new emissions control technology to diesel engines have virtually eliminated the adverse health impacts of diesel exhaust.

Mitigation Measures 4.3.6.2A and 4.3.6.3B require that access to the site be limited to 2010-compliant trucks for operation and that Tier 4 equipment be used for construction, both of which rely on diesel particulate filters similar to those tested in the HEI study. As a result of the very low emissions from new technology diesel engines and the research conducted by HEI, it is projected that the proposed project would not result in any new cancer risks from the project's diesel emissions. Therefore, the project would have a less than significant health risk impact.

For comparison to the DEIR, the following discussion analyzes the health risks which would occur if NTDE could cause cancer, which, as noted above, it does not. This is only for informational purposes and does not reflect the health risks associated with the World Logistics Center project.

According to Section 4.3 of the FEIR Volume 3, estimates of worker exposures were prepared based on the assumption of a 25-year exposure duration for 50 weeks per year and 8 hours per day. For reference, a risk level of 1 in a million implies a likelihood that up to one person, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the specific concentration of diesel PM over 25 years. This risk would be an excess cancer risk that is in addition to any cancer risk borne by a person not exposed to these air toxics. The highest worker cancer risk estimates prior to the application of mitigation are greater than the SCAQMD cancer risk threshold of 10 in a million at 10.1 in a million inside the project boundaries and 4.1 in a million outside the project boundaries (FEIR, Volume 3 pg. 4.3-105 to 4.3-106).

#### e. Cancer Risks – Schools

**Potential Significant Impact:** Whether the Project would expose schools (students) to substantial pollutant concentrations resulting in cancer risk impacts.

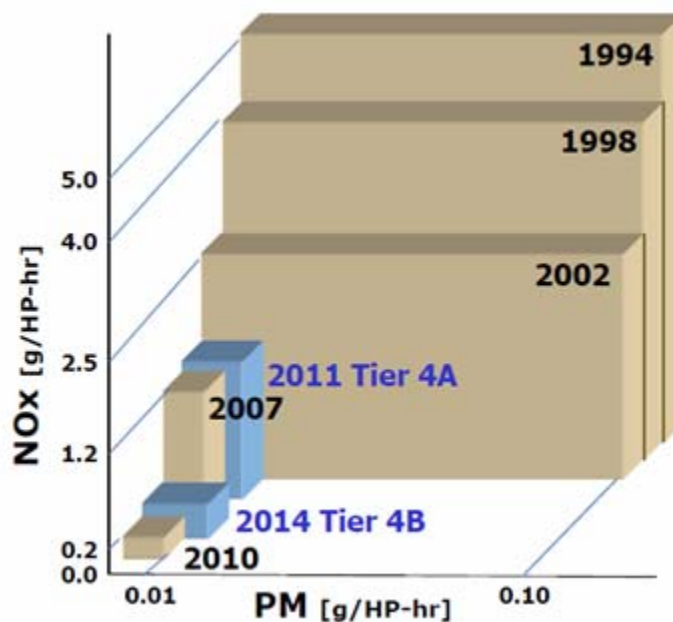
**Findings:** Potential impacts of the Project related to cancer risk impacts on school children are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to cancer risk impacts on school children related to Project emissions; therefore, no mitigation is required.

**Facts in Support of the Findings:** In January 2015, the results of a 5½-year study, led by the Health Effects Institute(HEI), were published regarding the health effects of new technology diesel exhaust and

particularly the risk of cancer from exposure to diesel exhaust. The study found that new technology diesel exhaust does not cause cancer.

The HEI study distinguishes between older Traditional Diesel Engines (TDE) (exhaust from engines that are older than model year 2007) and new technology diesel exhaust (NTDE) (exhaust from engines that model year 2007 or newer), which is 90-99% cleaner than TDE. The revised mitigation measures require that all diesel trucks accessing the project during operation be model year 2010 or newer and that all off-road equipment be Tier 4. The results of the HEI study indicate that the project mitigation requiring the application of Model Year 2010 engines as well as the use of Tier 4-compliant off-road construction equipment are not expected to result in emissions that would be associated with the formation of cancer in exposed individuals.

The HEI announced the results of the final phase of its Advanced Collaborative Emissions Study (ACES), the first comprehensive evaluation of lifetime exposures of rats to exhaust from diesel engines designed to meet the strict USEPA emission regulations enacted in 2007. Phase 3 of ACES evaluated whether emissions from new technology diesel engines cause cancer or other adverse health effects. Specifically, it evaluated the health impacts of a 2007-compliant engine equipped with a diesel particulate filter. HEI found that lifetime exposure to new technology diesel exhaust (NTDE) did not cause carcinogenic lung tumors. The study also confirmed that the concentrations of particulate matter and toxic air pollutants emitted from NTDE are more than 90% lower than emissions from traditional older diesel engine.



Changes in U.S. Heavy-Duty Diesel NOx and PM Emission Standards

The HEI study clearly demonstrates that the application of new emissions control technology to diesel engines have virtually eliminated the adverse health impacts of diesel exhaust. Mitigation Measures 4.3.6.2A and 4.3.6.3B require that access to the site be limited to 2010-compliant trucks for operation and that Tier 4 equipment be used for construction, both of which rely on diesel particulate filters similar to those tested in the HEI study. These vehicles reduce emissions by 90% when compared to 2006 vehicles and by 99% when compared to uncontrolled diesel engines. As a result of the very low emissions from new technology diesel engines and the research conducted by HEI, it is projected that the proposed project would not result in any new cancer risks from the project's diesel emissions. Therefore, the project would have a less than significant health risk impact.

For comparison to the DEIR, the following discussion analyzes the health risks which would occur if NTDE could cause cancer, which, as noted above, it does not. This is only for informational purposes and does not reflect the health risks associated with the World Logistics Center project.

According to Section 4.3 of the FEIR Volume 3 and Appendix D, there are several schools located within eight miles to the west of the project. Students actually spend a limited time at a given school or nearby schools during the course of their education. Despite the findings of the HEI report that found no cancer risk from NTDE, the FEIR also presented the results using the Current OEHHA methodology. Accordingly, student exposures were calculated based on a student presence of 8 hours/day, 180 days per year for 9 years, which captures the potential impacts of exposures to school-age children. The OEHHA methodology assumes that school age children may be more susceptible to the impacts of toxic air contaminants because of their rapidly developing physiology and their greater respiratory rates compared to their body weight compared to adults. The estimated cancer risks for school-age children were multiplied by an age sensitivity factor (ASF) as contained in the Current OEHHA Guidance to estimate cancer risks to school age children for informational purposes. (FEIR, Volume 2, Appendix D-1 pgs. 177-178) The highest risk noted at any school site was 3.2 in a million. Impacts at schools are less than the 10 in one million significance threshold and are therefore, less than significant. (FEIR, Volume 3 pg. 4.3-105).

#### **f. Cumulative CO Hot Spot Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have an incremental impact on CO hot spots.

**Findings:** Potential impacts of the Project related to cumulative CO hot spot impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that

no significant cumulative impacts related to CO hot spot impacts will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.3 of the FEIR Volume 3, no significant CO hot spot impacts would occur. It is anticipated that CO emissions in the future will decrease with advances in technology. As previously identified, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions. Based on the analysis, because no CO hot spot impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur. (FEIR, Volume 3 pg. 4.3-112).

#### **g. Cumulative Cancer Risks – Worker Exposure**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have an incremental impact cancer risks for on-site workers.

**Findings:** Potential impacts of the Project related to cumulative cancer risks for on-site workers are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to cancer risks for on-site workers will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.3 of the FEIR Volume 3, an analysis of onsite worker found no exceedances of the SCAQMD threshold (FEIR, Volume 3 pg. 4.3-154).

In addition, the risks will be less than significant based on the new health research results from the Health Effects Institute (HEI) that evaluated the health effects of diesel PM emissions from new technology diesel engines such as those that are required as a mitigation measure for this project (Mitigation Measure 4.3.6.3B) that requires that all diesel fueled trucks must be compliant with Model Year 2010 truck emission standards. The HEI study clearly demonstrates that the application of new emissions control technology to diesel engines have virtually eliminated the health impacts of diesel exhaust that were identified when it was designated a toxic air contaminant by CARB in 1998.

#### **h. Cumulative Non-Cancer Acute and Chronic Hazard Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have an incremental impact on non-cancer acute and chronic hazard impacts.

**Findings:** Potential impacts of the Project related to cumulative non-cancer acute and chronic hazard impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to non-cancer acute and chronic hazard impacts will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.3 of the FEIR Volume 3, the maximum non-cancer chronic hazard index and acute non-cancer hazard index from the operation of the Project are estimated to be less than 0.05 at any location outside of the boundaries of the Project. This index value is less than the SCAQMD's non-cancer hazard index significance threshold of 1.0. Therefore, the Project would also have a less than significant cumulative non-cancer hazard impact. (FEIR, Volume 3 pg. 4.3-122).

### 3. Biological Resources

#### a. Adopted Policies and Ordinances

**Potential Significant Impact:** Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

**Findings:** Potential impacts of the Project related to adopted policies and ordinances are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in conflict with local policies or ordinances and, therefore, no mitigation is required.

**Facts in Support of the Findings:** As detailed in Section 4.4 of the FEIR Volume 3, City policies or ordinances identified in the General Plan protecting biological resources are summarized in Table 4.4.E: General Plan and Municipal Code Biological Resource Policies (FEIR, Volume 3, pg. 4.4-72) As detailed in Table 4.4.E, the Project is consistent with local policies and ordinances protecting biological resources that apply to the Project area. Compliance with State and Federal regulations to ensure protection and preservation of significant biological resources, and the implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) are the applicable policies/programs that the Project must implement. As there are no other local policies or ordinances regarding the protection of biological resources identified by the City or other local jurisdiction applicable to the Project site, no impact would occur and no mitigation is required. (FEIR, Volume 3 pgs. 4.4-72 to 4.4-73).



## b. Habitat Fragmentation/Wildlife Movement

**Potential Significant Impact:** Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

**Findings:** Potential impacts of the Project related to habitat fragmentation/wildlife movement are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in habitat fragmentation or interfere with wildlife movement; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.4 of the FEIR Volume 3, the Project area contains no significant cover of native plant communities and currently experiences heavy disturbance associated with agricultural activities. Additionally, the Project area is adjacent to State Route 60 (SR-60) and Gilman Springs Road on the north and east and is bordered by urban development on the west. The nearest linkage area as identified under the MSHCP is Proposed Linkage 5 and is located approximately 3 miles north of the Project and approximately 3.6 miles south of the Project is Proposed Constrained Link 20. The development of the Project area will not impede the movement of any wildlife; therefore, the Project will not affect any wildlife movement corridor.

The 910-acre Conservation Buffer Area located in the southern portion of the Project area is owned by the CDFW and currently regularly disked as part of the San Jacinto Wildlife Area (SJWA) agricultural operations. It currently provides foraging habitat for various resident and migratory wildlife species. The portion of the Project area adjacent to the SJWA lands has been actively farmed for decades and is regularly disked. The Conservation Buffer Area is designated as open space in the Project and no development is proposed for this area.

Although the Project area does not contain any designated wildlife movement corridors or MSHCP linkages (i.e., MSHCP, City General Plan, etc.) it is likely that wildlife moves through adjacent properties such as the SJWA and the Mystic Lake area to the south, the Badlands area to the east and the Lake Perris State Recreation Area to the southwest. The Project biological report concluded that development of the Project as proposed would not have any significant impact on wildlife movement in the area, and would not fragment habitat or adversely affect wildlife movement through the surrounding areas. In addition, Drainage 12 is being designed to allow for wildlife movement between the Badlands and the SJWA (e.g., relatively natural channel conditions with 50-foot setbacks on either side of the channel through the WLC

Specific Plan property. Therefore, impacts related to wildlife movement are less than significant, and no mitigation is needed. (FEIR, Volume 3 pg. 4.4-73 to 4.4-74).

#### 4. Cultural Resources

##### a. Human Remains

**Potential Significant Impact:** Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

**Findings:** Potential impacts of the Project related to human remains are discussed in detail in Section 4.5 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts to human remains; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.5 of the FEIR Volume 3, the Project site is currently undeveloped. No evidence suggesting the Project site has been utilized in the past for human burials has been identified. In the unlikely event that human remains are discovered during grading or construction activities within the Project site, compliance with State law (Health and Safety Code § 7050.5) (HSC § 7050.5) would be required. State law requires that no further disturbance shall occur until the County Coroner has made determination of the origin and disposition pursuant to Public Resources Code 5097.98. Because adherence to provisions of Health and Safety Code §7050.5 is required of all development projects, and because adherence to the requirements in State law sufficiently mitigates for potential impacts to human remains, no significant impact related to this issue will occur. Because potential impacts associated with this issue are less than significant, no mitigation is required. (FEIR, Volume 3 pgs. 4.5-16 to 4.5-17).

#### 5. Geology and Soils

##### a. Landslides and Rockfalls

**Potential Significant Impact:** Whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

**Findings:** Potential impacts of the Project related to landslides and rockslides are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to landslides and rockslides that may result in loss, injury or death; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR Volume 3, a large older landslide has been mapped primarily off site on the north easterly flanks of Mount Russell, near the

southwest portion of the property. The landslide appears to have originated on the higher slopes off site, and moved northeast, partially onto the subject property. The Specific Plan designates 74.3 acres in the southwestern portion of the property as open space. This 74.3 acres includes the steepest slopes on site (i.e., the Mount Russell foothills), which will reduce the potential for significant landslide or rockfall impacts on the Project to less than significant levels; therefore, no mitigation is required. (FEIR, Volume 3 pg. 4.6-13)

#### b. Soil Erosion or Loss of Top Soil

**Potential Significant Impact:** Whether the Project would result in substantial soil erosion or the loss of topsoil.

**Findings:** Potential impacts of the Project related to soil erosion or loss of topsoil are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to soil erosion or loss of topsoil; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR Volume 3, development of the site would require the movement of on-site soils. Portions of the site have been and are being used for dry farming, and several rural residences are present. Prior to the issuance of grading permits, the Project proponent will be required to prepare and submit detailed grading plans as each phase is developed. These plans will be prepared in conformance with applicable standards of the City's Grading Ordinance. Construction of off-site utility and roadway improvements will also result in the movement of soil. Plans are not available at this time for off-site improvements but that construction will be subject to the same permitting and plan checking processes.

Development of the site and related off-site improvements would involve the disturbance of more than one acre; therefore, the Project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) will also be required to address erosion and discharge impacts associated with the proposed on-site grading. Compliance with storm water regulations include minimizing storm water contact with potential pollutants by providing covers and secondary containment for construction materials, designating areas away from storm drain systems for storing equipment and materials and implementing good housekeeping practices at the construction site.

Additionally, a preliminary Water Quality Management Plan (WQMP) was prepared for the WLC Specific Plan and contains the post-construction measures, which will help reduce potential impacts to soil erosion to less than significant levels and identifies measures to treat and/or limit the entry of

contaminants into the storm drain system. The WQMP is incorporated by reference and/or attached to the Project's SWPPP as the Post-Construction Management Plan.

As soils covering the Project site have a slight-to-high erosion hazard potential and because the Project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP and a WQMP, construction and operational impacts associated with soil erosion hazards are considered to be less than significant, and no mitigation is required.

Grading for off-site improvements would require subsequent grading permits or related approvals from both the City and County of Riverside, depending on the improvement and its location. Most roadway and intersection improvements will occur within existing rights-of-way or on land that has been previously disturbed. The SWPPP and the WQMP establish performance standards for future development, and implementation the identified measures in those plans will reduce potential erosion impacts to less than significant levels. (FEIR, Volume 3 pgs. 4.6-13 to 4.6-16).

#### c. Septic Tanks

**Potential Significant Impact:** Whether the Project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

**Findings:** Potential impacts of the Project related to septic tanks are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to soils that may be incapable of supporting septic tanks or alternative wastewater disposal systems; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR Volume 3, all buildings within the Project will be connected to existing wastewater facilities (sewer) owned and operated by the Eastern Municipal Water District. Septic tanks will not be used anywhere within the Project; therefore, no mitigation is required. (FEIR Volume 3 pg. 4.6-16).

#### d. Seismic-Related Ground Failure

**Potential Significant Impact:** Whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic ground failure.

**Findings:** Potential impacts of the Project related to seismic-related ground failure are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that

development of the Project will not result in significant impacts related to seismic-related ground failure; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR Volume 3, the Project site is located within Seismic Zone 4 as defined by the Uniform Building Code (UBC). Exhibit S4 of the Safety Element of the City's General Plan indicates that the Project site is not located in an area susceptible to landslides or slope instability. The Project site lies on relatively flat terrain ( $\pm 2\%$  grade) and no landslide areas or mass movement were observed onsite. The only steep topographical features are located in the southwest corner of the Project area. This area is designated for Open Space uses and is not proposed for development.

The Project does not propose any activity known to cause damage by subsidence (e.g., oil, gas, or groundwater extraction). Settlement generally occurs within areas of loose, granular soils with relatively low density. The Project site is underlain by relatively dense alluvial and dense sedimentary bedrock materials at depth and the potential for settlement is considered low. Because the Project site does not exhibit characteristics of a high potential for subsidence or settlement, impacts are considered less than significant. No mitigation is required.

The potential for liquefaction generally occurs during strong ground shaking within relatively cohesionless loose sediments where the groundwater is typically less than 50 feet below the surface. Because the Project site does not exhibit characteristics of a high potential for liquefaction induced settlement (i.e., relatively dense soils with groundwater levels in excess of 100 feet), impacts are considered less than significant. No mitigation is required. (FEIR, Volume 3 pg. 4.6-16).

#### e. Cumulative Geology Impacts

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have a cumulative significant impact on geologic resources.

**Findings:** Potential cumulative impacts of the Project related geologic resources are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to geologic resources; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR Volume 3, the cumulative area for geologic issues is the City of Moreno Valley and western Riverside County, within the larger context of southern California due to regional seismicity. The Project area has potential geotechnical and soils

constraints, as the entire southern California area contains a number of major regional and local faults, including the San Andreas, San Jacinto, and Elsinore Faults.

The presence of regional faults creates the potential for damage to structures or injury to persons during seismic events. However, City, County, and State regulations provide guidelines for development in areas with geologic constraints and ensure that the design of buildings is in accordance with applicable California Building Code standards and other applicable standards, which reduces potential property damage and human safety risks to less than significant levels. Anticipated development in the City and surrounding area in general will not have a cumulatively considerable impact on earth resources, nor will regional geotechnical constraints have a cumulatively considerable impact on the WLC Project or cumulative projects, as long as proper design and engineering are implemented based on available seismic and other geotechnical data. The WLC Project represents an incremental portion of this potential impact, so the Project will not have cumulatively significant impacts in this regard.

Because it is reasonable to conclude that all development within seismically active areas will be required to adhere to applicable State regulations, California Building Code standards, and the design and siting standards required by local agencies, a less than significant cumulative impact would occur with implementation of the WLC Project. (FEIR, Volume 3 pgs. 4.6-23).

## 6. Greenhouse Gas Emissions

### a. Cumulative Greenhouse Gas Emissions Impacts

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have a cumulative significant impact from greenhouse gas emissions.

**Findings:** Potential cumulative impacts of the Project related greenhouse gas emissions are discussed in detail in Section 4.7 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to greenhouse gas emissions therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.7 of the FEIR Volume 3, while it is not possible for any one development project to have a significant impact on global warming or climate change, the project will contribute to cumulative GHG emissions in California. Cumulatively, the buildout of the project would contribute approximately from 12,000 metric tons of CO<sub>2</sub>e in its first year of construction up to 386,000 mt CO<sub>2</sub>e per year at buildout (with mitigation). Of those emissions at buildout, the majority, 98 percent, are within the AB 32 cap meaning that total emissions will not increase due to the cap-and-trade program. The remainder, 6,000 mt CO<sub>2</sub>e, per year at buildout represents an increase in

uncapped emissions, which is 0.001 percent of California's total emissions of 458.68 million mt of CO<sub>2</sub>e in 2012 for the entire State. Comparing the state inventory to the project's inventory is not a straightforward comparison because different methods are utilized in each inventory. The mitigation measures discussed above will reduce the project's emissions of GHGs to below significance. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions, but there are as yet no adopted numerical or quantifiable standards for assessing the significance of cumulative impacts from projects in the South Coast Air Basin.

Cumulatively, the emissions from electricity production (which are capped under the requirements of AB 32) would comprise approximately 26 percent of the project's total CO<sub>2</sub>e emissions. Water usage and solid waste disposal emissions comprise approximately 2 percent of the project's total CO<sub>2</sub>e emissions while the emissions from vehicle exhaust would comprise approximately 70 percent of the project's total CO<sub>2</sub>e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO<sub>2</sub>e emissions are primarily associated with building systems. The project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy-efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. In addition, emissions not covered or capped by AB 32 are below the significance threshold. Therefore, cumulative greenhouse gas emissions impacts are less than significant. (FEIR, Volume 3 pgs. 4.7-60 to 4.7-61).

## 7. Hazards and Hazardous Materials

### a. Within Two Miles of a Public Airport or Within an Airport Land Use Plan or Within Two Miles of a Private Airport

**Potential Significant Impact:** Whether the Project would result in a safety hazard for people residing or working in the Project area or be located within an airport land use plan or where such a plan has not been adopted within two miles of a public airport or public use airport, resulting in a safety hazard for people residing or working in the Project area.

**Findings:** Potential impacts of the Project related to safety hazards associated with proximity to public and private airports are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire



record before us, this Council finds that development of the Project will not result in significant impacts related to airport safety hazards; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, the nearest airport to the Project area is March Air Reserve Base (MARB), approximately 5.5 miles to the southwest. The airfield is operated by two entities, MARB (military) and March Inland Port Airport Authority (quasi-governmental/private). In addition, Perris Valley Airport is located approximate 15 miles southwest of the Project area. Perris Valley Airport is a private airport that is open to the public, and is utilized for skydiving and ballooning activities. The WLC Project area is not located within the Airport Influence Area for either airport. Given the distance of the WLC Project area to both airports in the vicinity, the development of the WLC Project area as proposed would not result in private airport safety hazards for people working in the WLC Project area. No impacts associated with this issue would occur and no mitigation is required. (FEIR, Volume 3 pg. 4.8-15).

#### b. Existing or Proposed Schools

**Potential Significant Impact:** Whether the Project would create hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

**Findings:** Potential impacts of the Project related to existing or proposed schools are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant hazardous materials impacts related to existing or proposed schools; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, there are no existing school facilities within one-quarter of a mile of the Project area. The nearest existing school is Calvary Chapel Christian School which is located approximately 1.17 miles northwest of the Project. There is one proposed elementary school site that is located within one-quarter mile of the WLC Project area. The site for proposed Wilmot Elementary School is located on Bay Avenue at Wilmot Street, approximately 0.25 mile west of the Project area.

The amount and type of materials that would be used during Project construction (building and infrastructure) or stored in the high-cube logistics distribution center after construction is unknown at this time. While the warehouse facilities themselves are not expected to utilize acutely hazardous materials, the possibility exists that such materials could be stored or transported to and from the Project site. For the purposes of this analysis, it is assumed that the Project will handle substances that may be acutely hazardous. The handling of hazardous materials or emission of hazardous substances in accordance with

the Hazardous Materials Business Emergency Plan (HMBEP) as required by applicable local, State, and Federal standards, ordinances, and regulations will ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials or emissions of hazardous substance near existing or proposed schools are less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.8-15 through 4.8-16).

**c. Routine Transport, Use, or Disposal of Hazardous Materials and Reasonable Foreseeable Upset and Accident Conditions**

**Potential Significant Impact:** Whether the Project would create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident. Whether the Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Findings:** Potential impacts of the Project related to the routine transport, use, or disposal of hazardous materials and reasonable foreseeable upset and accident conditions are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the routine transport, use, or disposal of hazardous materials and reasonable foreseeable upset and accident conditions; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, exposure to hazardous materials during the operation of the on-site uses may result from (1) the improper handling or use of hazardous substances; (2) transportation accidents; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type and amount of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

*Truck-Related Risks.* The regulation of the transport of hazardous materials on State highways is governed by the United States Department of Transportation (USDOT), as described in Title 49 of the Code of Federal Regulations and by Title 13 of the California Code of Regulations. Appropriate documentation for all hazardous waste that is transported in connection with Project site activities would be provided as required by hazardous materials regulations. Hazardous waste produced on site is subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste

to a permitted facility for treatment, storage, recycling, or disposal. Compliance with applicable regulations would reduce impacts associated with the use, transport, storage, and sale of hazardous materials. The enforcement of applicable local, State, and Federal standards, ordinances, and regulations will ensure that potential impacts associated with environmental and health hazards related to an accidental release of hazardous materials are less than significant and no mitigation is required.

*Freeway Accident Risks.* According to the California Department of Transportation's Traffic Accident Surveillance and Analysis System (TASAS) report, there are approximately 105 accidents per year along a 3.75-mile stretch of SR-60 between Nason Street and Gilman Springs Road in the general vicinity of the Project area. The data were derived for the three-year span of January 1, 2008, to December 31, 2010. During this period, there were 316 accidents (average of 105 per year) along SR-60 (both westbound and eastbound). Of the 316 accidents, approximately 15.8 percent involved trucks (tractor/trailer). There were 127 eastbound accidents (19 or 15% involving trucks) and 189 westbound accidents (31 or 16.4% involving trucks). It is possible that congestion on the freeway might result in some WLC Specific Plan-related trucks exiting the freeway at off-ramps other than Theodore Street, or attempting to enter the freeway at on-ramps if the drivers see or hear on their radios that the freeway is congested. In most instances, drivers will use the shortest route indicated on GPS system maps or the route(s) they have used previously, regardless of traffic conditions at the time. In addition, due to the type of uses planned within the WLC Specific Plan, much of the Project-related traffic will be accessing the WLC site during off-peak times, so the chances of congestion or accidents occurring during the time they are accessing the site would be reduced. The accident database contains no information on whether the truck was the cause of a particular accident or the time of day, the vehicles involved, if hazmat spills occurred, if trucks or other vehicles detoured off the freeway, etc. Without these data, it is overly speculative to extrapolate any particular conclusions. Despite the lack of specific evidence regarding freeway accidents, it is reasonable to conclude that potential environmental impacts in this regard will be less than significant given the regulation of truck traffic on freeways according to State and Federal laws, and truck restrictions on local streets according to the City's Municipal Code (i.e., truck route enforcement) and no mitigation is necessary.

*Land Use-Related Hazmat Risks.* Both the Federal Government and the State of California require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials, to submit an Hazardous Materials Business Emergency Plan (HMBEP) to the local Certified Unified Program Agency (CUPA). The CUPA with responsibility for the City of Moreno Valley is the County of Riverside Community Health Agency, Department of Environmental Health. The HMBEP must include an inventory of the hazardous materials used in the facility, and emergency response plans

and procedures to be used in the event of a significant or threatened significant release of a hazardous material. The HMBEP must also include the Material Safety Data Sheet for each hazardous and potentially hazardous substance used. The Material Safety Data Sheets summarize the physical and chemical properties of the substances and their health impacts. The plan also requires immediate notification to all appropriate agencies and personnel of a release, identification of local emergency medical assistance appropriate for potential accident scenarios, contact information of all company emergency coordinators of the business, a listing and location of emergency equipment at the business, an evacuation plan, and a training program for business personnel.

HMBEPs are designed to be used by responding agencies, such as the Moreno Valley Fire Department, to allow for a quick and accurate evaluation of each situation for an appropriate response. HMBEPs are also used during a fire to quickly assess the types of chemical hazards that firefighting personnel may have to deal with, and to make decisions as to whether or not the surrounding areas need to be evacuated. Compliance with existing law will ensure that no significant impacts pertaining to the creation of hazards affecting the public will occur. The handling of hazardous materials in accordance with the HMBEP as required by applicable local, State, and Federal standards, ordinances, and regulations will ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials are less than significant and no mitigation is required.

Though the uses in the Project area are not expected to utilize acutely hazardous materials in their daily operation, a potential for an accidental release of hazardous materials into the environment is present at the Project site as it is at any commercial, retail, or industrial site. Compliance with the identified State and Federal transportation safety standards will govern the handling of hazardous materials during truck and freight transfer operations. These standards include procedures to contain, report, and remediate any accidental spill or release of hazardous materials. The handling of hazardous materials in accordance with all applicable local, State, and Federal standards, ordinances, and regulations will ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials at the Project site will be less than significant and no mitigation is required.

*Hazardous On-site Facilities.* The Project site contains a regional natural gas compressor station operated by SDG&E. At present, the plant occupies a 19-acre site, surrounded by 174 acres of SDG&E-owned open space. There is additional open space around the plant, consisting of land owned by the CDFW as part of the SJWA. There are no plans to expand or otherwise modify the plant and/or its open space zone, which is considered adequate at this time to protect public health and safety, including users of the SJWA and new employees and users of the new warehouses associated with the WLC Specific Plan.

There will be sufficient setback from the plant to future warehouse uses (e.g., 1,000 feet). No development or change in operation has been announced for the property within the SJWA. Existing safety conditions will continue relative to the gas facility as it relates to the SJWA. Compliance with established safety laws and regulations regarding the natural gas facilities will reduce the potential impact to a less than significant level and no mitigation is required.

The Southern California Gas Company (SCGC) operates a natural gas metering station on a one-acre site located one-quarter mile north of the Moreno Compressor Plant. The land plan will provide 1,000 feet setback from the SCGC station as an additional setback between these uses. These setbacks appear sufficient to protect future uses/users within the WLC Specific Plan if upset conditions were to occur at this station. Compliance with established safety laws and regulations regarding natural gas plants is expected to reduce this potential impact to a less than significant level and no mitigation is required.

The site also contains two natural gas lines that cross the central and southern portions of the site in an east-west direction. They range in size from 16 to 36 inches in diameter and carry natural gas under medium and high pressure. As development occurs in areas with buried natural gas lines, the Project proponent will be required to negotiate with the involved utility provider as to whether these pipelines can be relocated or need to be protected in place. Future development is required to maintain clearance for pipelines depending on their contents and size, in consultation with the serving utility provider. As long as these design restrictions are implemented during the site design and construction process, no significant impacts are expected. However, if a catastrophic accident were to occur involving one or more natural gas lines on site, there could be property damage and loss of life. While the chance of occurrence is low, there are potential safety risks, mainly to Project employees, if such an accident were to occur. Compliance with established safety laws and regulations regarding pipelines is expected to reduce this potential impact to a less than significant level and no mitigation is required.

*Off-site Improvements.* A number of off-site improvements will be needed to serve the Project, including three reservoirs, various water, sewer, and drainage improvements within existing rights-of-way, and the SR-60/Theodore Street interchange. None of these facilities is expected to create significant hazards or risks to public health or safety. These facilities will require standard improvement plan approvals through the City of Moreno Valley and/or County of Riverside. Based on these plan reviews, no significant hazard-related impacts are expected and no mitigation is required.

*Hunting Accidents.* Immediately south of the Project area is the SJWA, where limited hunting is permitted. Hunting in these areas requires a hunting license issued by the State. The Fish and Game Code provides strict regulations on hunting, including limits on hours, time of year, quantity, and firearms.

Hunting on State lands, such as the SJWA, can only be done with shotguns that are smaller in size (higher in gauge) than 10-gauge shotguns. In addition, Federal law allows no more than three shells in the chamber of the shotgun at any given time during hunting. The SJWA is patrolled by CDFW wardens to ensure that all hunting rules and regulations are followed. The private hunt clubs are also governed by similar rules and regulations to ensure the safety of their members and the general public.

Given the proximity of the Project area to the nearby hunting areas, it is appropriate to consider the possibility of stray gunfire as a possible risk to future employees, visitors, and facilities on the Project site. Accident conditions that could arise from the nearby hunting activities are expected to be less than significant for the following reasons: the most intensive operations at the high-cube logistics center would be during off-peak hours when there is no hunting; the hunting on the adjacent areas to the south of the WLC Project area is in accordance with all applicable local, State, and Federal standards and regulations; and the range for the allowed firearms (shotguns smaller than 10-gauge) would be 60 yards or less providing a safe distance for development to occur in the WLC Project area, which would be a safe distance from the actual hunting areas. It should also be noted that the Specific Plan provides for a minimum 250-foot setback along the southern boundary of the Specific Plan property, which is greater than the minimum safe distance described above. Impacts are less than significant and no mitigation is required.

*Valley Fever.* During processing of the Highland Fairview Corporate Park EIR, a local resident expressed concern regarding Valley Fever (*Coccidiomycosis*), a disease caused by fungus spores (*Coccidioides immitis*). The WLC Specific Plan site is adjacent to the Highland Fairview Corporate Park site. These fungal spores most typically lie dormant in relatively undisturbed soil with native vegetation cover in the Central Valley of California.

The likelihood of these spores to occur at this site is remote. The soil at the Project site is not undisturbed and has little, if any, native vegetation cover. The site consists primarily of disturbed agricultural soils (i.e., regularly tilled and occasionally irrigated) and had virtually no native vegetative cover. The local soils will be extensively disturbed during grading and would be regularly watered to control dust. Erosion control measures will be implemented immediately following grading. Under these conditions, it is unlikely that *Coccidioides immitis* spores would survive in the soil. This potential impact appears minimal and no mitigation is required. (FEIR, Volume 3 pgs. 4.8-16 to 4.8-20).



**d. Located on a List of Hazardous Materials Sites**

**Potential Significant Impact:** Whether the Project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

**Findings:** Potential impacts of the Project related to being located on a hazardous materials site is discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to development occurring on a hazardous materials site; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, the Project area is not listed in any of the searched regulatory databases provided by Environmental Data Resources (EDR). This included a review of Federal, State, and local environmental databases for information pertaining to documented and/or suspected contaminated sites, known handlers or generators of hazardous waste, waste disposal facilities, releases of regulated hazardous substances and/or petroleum products within specified search distances. Analysis of soil samples obtained during the limited site characterizations conducted as part of the Phase I Environmental Site Assessments (ESAs) indicated there were trace concentrations of pesticides present in near surface soils at some of the sample locations. However, the pesticide concentrations were below the EPA's Preliminary Remediation Goals, for residential properties. No further sampling was deemed necessary and unrestricted use of the property is warranted. Since neither the Project site nor areas in the vicinity of the Project site are listed on any of the hazardous materials sites as defined by Government Code Section 65962.5, there would be a less than significant impact and no mitigation is required. (FEIR, Volume 3 pg. 4.8-20)

**e. Conflict with Emergency Response Plans**

**Potential Significant Impact:** Whether the Project would impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation

**Findings:** Potential impacts of the Project related to emergency response plan conflicts are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to emergency response plan conflicts; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, the City of Moreno Valley adopted its Local Hazard Mitigation Plan (LHMP) on October 4, 2011. This document identifies



known hazards throughout the community and identifies strategies for which to prepare for and respond to these hazards if and when it is necessary. Figure 12-2 of the LHMP maps primary and alternative evacuations routes out of Moreno Valley. There are three (3) routes that either run through or along the Project area that are identified as primary evacuation routes: Redlands Boulevard, Theodore Street, and Alessandro Boulevard. The Project will be designed, constructed, and maintained in accordance with applicable standards associated with vehicular access, ensuring that adequate emergency access and evacuation will be provided. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Compliance with existing regulations for emergency access and evacuation will ensure that impacts related to this issue are less than significant and no mitigation is required. (FEIR, Volume 3 pg. 4.8-21)

#### f. Wildland Fire Risk

**Potential Significant Impact:** Whether the Project would expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

**Findings:** Potential impacts of the Project related to wildland fire risk are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildland fire risk; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, The City of Moreno Valley is subject to both wildland and urban fires. Wildfires in particular pose a threat to the northern and eastern portions of the City, near the WLC Project area. Moreno Valley's LHMP documents that three wildland fires have occurred within the WLC Project area since 2003. Although the Project area is not within a mapped fire hazard area, the Badlands directly east of the Project area are considered a High Fire Hazard Area. Development of the eastern portion of the Project could expose persons or property to wildland fire risks given the proximity of the Project area adjacent to a High Fire Hazard Area. Regardless of this proximity, all new structures in the Project area must be constructed in compliance with Title 24 of the California Code of Regulations to safeguard life and property from fire hazards, including the installation of automated fire suppression systems. Compliance with these standards would be enforced during building permit review and the construction inspection period. In addition, no development will be allowed within the San Jacinto Fault Zone, which runs parallel and just west of

Gilman Springs Road; this area of limited development will provide a fuel or fire break to help protect future occupied uses within the WLCSP.

Six fire stations presently serve the City of Moreno Valley. Station No. 58, the Moreno Beach station, is the closest station to the Project area (approximately a quarter of a mile directly west). Given the proximity of Station No. 58 and with all new structures constructed in compliance with Fire and Building code regulations, the susceptibility and exposure of the Project to wildland fires would be limited. (FEIR, Volume 3 pg. 4.8-21)

**g. Cumulative Hazards and Hazardous Materials Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have a cumulative hazards and hazardous materials significant.

**Findings:** Potential cumulative impacts of the Project related hazards and hazardous materials are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to hazards and hazardous materials; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR Volume 3, the cumulative impact analysis considers development of the Project in conjunction with other development in the City and this portion of Riverside County. Significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials would occur as the Project would increase the amount of truck traffic in the area as well as the number of trucks potentially transporting hazardous materials. The Project, in combination with other projects of a similar nature, has the potential to create a significant cumulative impact related to this issue. Some of these risks are site-specific and localized, such as businesses that handle hazardous materials within their facilities (i.e., on site); these types of hazmat impacts are generally limited to the Project site. It is also possible there will be incrementally increased impacts by the transport and disposal of hazardous materials related to warehouse operations on the Project site. For example, the substantial increase in trucks in and around the WLC site would incrementally increase the risks of accidents involving truck-related fuels (e.g., fire or explosion). However, the number of trucks containing hazardous materials on the road in a given area at any given time would be difficult if not impossible to calculate, and it would be likewise difficult to estimate the number and/or location of accidental spills and leaks, which, by their nature, are accidental or unplanned occurrences, it would be impossible to predict the specific occurrence of such events on the Project site.

Despite these uncertainties, it is reasonable to assume that with an increase in vehicles transporting hazardous materials would incrementally increase the potential for accidents on a regional basis.

As anticipated in the City's General Plan, demographic increases, and the availability of vacant property in the City would lead to the new industrial development in the City and surrounding area. While the project-specific hazardous material impacts of individual development projects will be addressed separately in future CEQA documents, anticipated future development will contribute, through increases in population and the number of outlets that transport, or dispose of hazardous materials, to a cumulative increase in risk for hazardous material incidents. Although each project has unique hazardous materials considerations, it is anticipated that future cumulative projects would comply with the local, State, and Federal regulations and requirements as these are required for all development projects. As a result, cumulative impacts associated with hazardous materials would be less than significant.

Cumulative impacts involving wildfires consists of future development adjacent to a High Fire Hazard Area. The risk to each future project is based on the location and interface between urbanized area and wildland areas. The risks associated with development in these area can only be reduced through conformance with Fire and Building Code regulations, it is anticipated that cumulative development within the Project area would not create a significant and cumulative impact associated with wildland fire hazards. (FEIR, Volume 3 pgs. 4.8-23 through 4.8-24)

## 8. Hydrology, Drainage, and Water Quality

### a. Seismic Flooding-Related Impacts

**Potential Significant Impact:** Whether the Project would expose people or structure to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

**Findings:** Potential impacts of the Project related to seismic flooding-related impacts are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to seismic flooding-related impacts; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR Volume 3, the Project's off-site improvement areas are not identified as being located within the City's mapped dam inundation area; therefore, the Project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of either the Poorman Reservoir (Pigeon Pass Dam) or Lake Perris Dam. Impacts related to this issue would be less than significant, and no mitigation is required. (FEIR, Volume 3 pg. 4. 9-27 to 4.9-28)

## b. Seismic-Related Impacts

**Potential Significant Impact:** Whether the Project would expose people or structure to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow.

**Findings:** Potential impacts of the Project related to seismic-related impacts are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to loss, injury, or death involving inundation by seiche, tsunami, or mudflow; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR Volume 3, the Project area is not at risk of inundation by a tsunami as it is located approximately 56 miles from the Pacific Ocean. The Project area is located approximately 2.5 miles northeast of Lake Perris. Lake Perris is an enclosed body of water and could be subject to a seiche during a seismic event. However, a seiche event would not affect the Project area because water levels in the lake are not high enough to overtop the Perris Dam in the event of a seiche.<sup>1</sup> The Perris Dam has been designed to prevent seiche phenomena due to the region's high seismicity. In addition, the topography between the Specific Plan area and Lake Perris has multiple hills and valleys. Given these factors, impacts associated with seiche events are less than significant for the WLC Project.

Except for the far southwest corner, the Project site is located in a gently sloping area where landslides and mudslides would not occur. No development is proposed on the steep slopes of Mount Russell in the southwesterly portion of the property, which is included in the 74.3 acres of open space designated within the WLC Specific Plan. Therefore, a less than significant impact associated with exposure of people or structure to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow would occur, and no mitigation is required. (FEIR, Volume 3, pgs. 4.9-28).

## c. Groundwater

**Potential Significant Impact:** Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

**Findings:** Potential impacts of the Project related to groundwater impacts are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that

<sup>1</sup> The existing earthen wall is approximately 128 feet high with the highest elevation at 1,628 feet. Normal operating water levels for Lake Perris are at 1,588 feet (leaving 40 feet of excess height between the water level and the top of the dam). Restricted operating water levels for Lake Perris are at 1,563 feet (leaving 65 feet of excess height between the water level and the top of the dam).

development of the Project will not result in significant impacts related to interference with groundwater recharge resulting in a net deficit in aquifer volume or lowering of the local groundwater table; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR Volume 3, based on the Water Supply Assessment (WSA) prepared for the Project by the Eastern Municipal Water District (EMWD), water demand for the proposed on-site uses would total approximately 1,991.25 acre-feet per year (AFY).<sup>2</sup> The EMWD considers this a worst-case estimate based on the total acres and amount of square footage of high cube logistics uses proposed by the Project. This estimate does not take into account the Project landscaping design with xeriscape drought-tolerant landscaping and on-site collection of runoff and channeling it to landscaped areas to minimize irrigation on the interior of the Project site. The Project will obtain water service from the EMWD. It is anticipated that the Project would primarily utilize imported water purchased from Metropolitan. In the event that the supply of imported water is reduced, it would be supplemented with new local supply projects during multiple dry years, if needed. The WSA prepared for the Project indicates that development of the Project will not include groundwater for water supply. Rather, this Project, as well as other new developments in the EMWD's service area, will be supplied exclusively with imported water provided by Metropolitan. The imported water may be treated by Metropolitan, provided by Metropolitan as untreated water and subsequently treated by the EMWD, or recharged into the basin for later withdrawal.

The Project will not substantially interfere with groundwater recharge due to the Project implementation of bioretention areas and detention basins with infiltration capacity that mitigates the impact of reduced pervious areas. Bioretention areas and detention basins will be implemented in addition to the remaining impervious areas. The only use of groundwater may be to support continued agriculture on portions of the WLC Specific Plan property that have not yet been developed. The EMWD developed the West San Jacinto Groundwater Basin Management Plan (Plan) to help ensure that local groundwater resources are conserved and groundwater overdraft does not occur, based on projections of future growth and expected water supply conditions. The Plan projects the water consumption demands of existing and future development based on rates of growth assumed by regional planning organizations (i.e., SCAG and WRCOG) and estimates water demand versus available supply under different water supply scenarios (e.g., multiple dry years).

<sup>2</sup> *Water Supply Assessment Report for the World Logistics Center Specific Plan in Moreno Valley*, Eastern Municipal Water District, March 21, 2012.

Based on the State Water Supply analysis provided in the EIR, the WLC Project is not expected to interfere with groundwater recharge activities or groundwater supplies. Impacts associated with this issue are less than significant, and no mitigation is required. (FEIR Volume 3 pg. 4.9-28 to 4.9-31).

#### d. 100-Year Flooding Impacts

**Potential Significant Impact:** Whether the Project would place within a 100-year flood hazard area structures that would impede or redirect flood flows or place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map .

**Findings:** Potential impacts of the Project related to 100-year flood events are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to 100-year flooding events; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR Volume 3, the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.<sup>3</sup> Based on these FIRM maps, the Project site does not fall within a 100-year flood zone.<sup>4</sup> Because the Project site does not lie within a 100-year floodplain impacts related to this issue are less than significant. No mitigation is required. (FEIR Volume 3 pg. 4.9-31 to 4.9-32).

#### e. Hydrology and Water Quality Cumulative Impacts

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have significant cumulative impacts on hydrology and water quality.

**Findings:** Potential impacts of the Project related to cumulative hydrology and water quality impacts are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts to hydrology and water quality and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.9 of the DEIR, increases in the amount and extent of development in the City and surrounding areas will increase the potential for pollutants in runoff, which in turn would affect water quality. The Project's water quality impacts will be mitigated through on-site detention/sedimentation basins and other water pollution control mechanisms such as

<sup>3</sup> The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.

<sup>4</sup> FEMA DFIRM Data, 2008.

vegetated swales, sand filters, and storm drain inlet filters. Similar requirements will be placed on all other development in the Project vicinity by the City and the RWQCB, further reducing the potential for cumulative impacts. Since all development within the City is required to account and mitigate for their individual water quality impacts before runoff leaves each individual site, it is reasonable to conclude that water quality would be maintained throughout the cumulative area. Adherence to NPDES, SWPPP, and WQMP requirements will reduce any such cumulative water quality impact to a less than significant level.

Groundwater recharge policies and practices implemented by the RWQCB and local agencies will ensure groundwater supplies are maintained at appropriate levels. As such, no significant cumulative groundwater supply impacts are anticipated to occur with the development of the Project.

The drainage system for the Project would be designed so that runoff from the Project site after Project development is directed to on-site treatment BMPs and flow volumes would be equal to or less than historic conditions at any given discharge location. This same requirement will be placed on all other development in the vicinity of the Project site by the City of Moreno Valley. Therefore, the Project will not make a significant contribution to any cumulatively considerable impacts related to drainage or water quality and no mitigation is required. (DEIR Volume 3, pgs. 4.9-65)

## 9. Land Use and Planning

### a. Conflict with Any Applicable Habitat or Natural Community Conservation Plan

**Potential Significant Impact:** Whether the Project would conflict with any applicable habitat conservation plan or natural community conservation plan.

**Findings:** Potential impacts of the Project related to the conflict with any applicable habitat conservation plan are discussed in detail in Section 4.10 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to a conflict with any applicable habitat or natural community conservation plan; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.10 in the FEIR Volume 3, the Project site is located within the MSHCP area, Mead Valley and Reche Canyon/Badlands Plan Area.<sup>5</sup> Portions of the Project area occur in 14 criteria cells of the MSHCP. The Project site is not located within any special linkage areas identified by the MSHCP. The Project applicant, the City, and the County<sup>6</sup> are required to

<sup>5</sup> *Multiple Species Habitat Conservation Plan Compliance Report*, Michael Brandman Associates. April 23, 2012.

<sup>6</sup> Western Riverside County Regional Conservation Authority (RCA)



use the Joint Project Review (JPR) process established in the MSHCP to identify and acquire habitat as part of the development review process. The JPR process involves negotiations between a landowner and the Western Riverside County Regional Conservation Authority (RCA) so the County can acquire land with important habitat or other biological resources while providing fair compensation and/or reasonable development opportunities on the remaining land for the landowner.

The Project site is located within areas requiring burrowing owl surveys, within the MSHCP Criteria Area Species Survey Area (CASSA), and Narrow Endemic Plant Species Survey Area (NEPSSA). Because the Project site is within an MSHCP CASSA and is considered to be a covered activity, the Project is subject to provisions of the MSHCP. In particular, the Project proponent will be required to provide payment of mitigation fees and adhere to the Best Management Practices found in Appendix C of the MSHCP. Pursuant to agreements with the U.S. Fish and Wildlife Service (USFWS) and the CDFW, the payment of the mitigation fees and compliance provisions of the MSHCP provides full mitigation under CEQA, the Federal Endangered Species Act (FESA), and the California Endangered Species Act (CESA) for impacts to the species and habitats covered by the MSHCP. Since the City has adopted the MSHCP and its requirements and provisions, and since the Project is within Moreno Valley, the WLC Project would be required to adhere to applicable MSHCP requirements and fees. Therefore, the WLC Project was determined to be consistent with the MSHCP. (FEIR Volume 3 pgs. 4.10-11 to 4.10-12)

**b. Conflict with Applicable Land Use Plans, Policies, or Regulations (Regional)**

**Potential Significant Impact:** Whether the Project would conflict with any applicable regional land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**Findings:** Potential impacts of the Project related to the conflict with any applicable land use plans, policies, or regulations are discussed in detail in Section 4.10 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to a conflict with any applicable regional land use plan, policies, or regulations; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.10 in the FEIR, Volume 3, pursuant to *CEQA Guidelines* Section 15125 (d), the Project's EIR includes an evaluation of the consistency of the WLC Project with pertinent goals and policies of relevant adopted local and regional plans. The analysis

evaluates the Project against all the applicable regional planning documents and processes which include: airport regulations associated with MARB and Riverside County Airports; Southern California Council of Governments' (SCAG) 2008 Regional Comprehensive Plan (RCP), Regional Transportation Plan (RTP), and Compass Growth Vision; SCAG's 2012 RTP and Sustainable Communities Plan, Santa Ana Water Quality Control Plan (Basin Plan; Riverside County Drainage Area Management Plan (DAMP); and EMWD's Urban Water Management Plan (UWMP).

The analysis in the EIR demonstrates that the Project is generally consistent with the goals of SCAG's Regional Comprehensive Plan, Compass Plan and Regional Transportation Plan in that it seeks to add employment in an area that has historically been "jobs poor," which will help reduce worker commute trips from Moreno Valley over the long term. The WLC Specific Plan Project is generally consistent with these plans because the WLC Specific Plan will generate fewer emissions than the currently approved Moreno Highland Specific Plan, and it will provide for a better balance of jobs versus housing in Moreno Valley, which will incrementally improve regional commuting directions and distances by providing almost 24,000 new jobs (direct, indirect and induced) in an area currently planned for housing. No other conflicts with the applicable plans were identified. (FEIR Volume 3 pgs. 4.10-12 to 4.10-26).

**c. Conflict with Applicable Land Use Plans, Policies, or Regulations  
(Local)**

**Potential Significant Impact:** Whether the Project would conflict with any applicable local land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**Findings:** Potential impacts of the Project related to the conflict with any applicable local land use plans, policies, or regulations are discussed in detail in Section 4.10 of the FEIR Volume 3. The Project will advance many of the goals, objectives and policies contained in the various elements of the City's General Plan. It will add significant employment opportunities, facilitate significant economic growth, establish well-planned attractive new development, establish a broader and more stable tax base for the City, expand recreational trail systems, increase permanent open space, provide for alternative forms of transportation, implement extensive sustainable design features and advance the progress of the City's annexation program. These are specifically identified and discussed in the Findings and Statement of Overriding Considerations (Section VI of this document) including statements about how the Project helps the City to achieve these goals, objectives and policies.

**Facts in Support of the Findings:** According to Section 4.10 in the FEIR Volume 3, the Project proposes to amend the existing City of Moreno Valley General Plan Land Use Plan for the Project area. By definition, the Project is inconsistent with the existing General Plan and approval of the Project would correct the inconsistency by amending the General Plan Land Use and other Elements to be consistent with the WLC Project and Specific Plan.

In summary, the Project is consistent with the goals, objectives, and policies of the City of Moreno Valley General Plan, except Objective 2.1 and Community Development Policy 2.5.2. As proposed, the Specific Plan represents a fundamental land use change for the Rancho Belago area, the eastern portion of Moreno Valley.

The land is currently planned for a mixed-use residential community, but the WLC Project will introduce 40.6 million square feet of logistics warehousing onto existing agricultural land that is adjacent to existing residential uses to the west and the San Jacinto Wildlife Area to the south.

*Housing Element.* During the NOP period, several group representatives expressed concern that the WLC Specific Plan would eliminate 7,700 housing units in the Moreno Highlands Specific Plan that would have to be replaced elsewhere in the City. The City adopted an updated Housing Element in February 2011 identifying the Moreno Highlands area as a potential location for future jobs-producing land uses rather than housing (affordable or otherwise).

The 2011 Housing Element update indicated the Moreno Highlands area would likely be rezoned to support employment-generating uses rather than housing. It also stated that “pursuing any land use changes with the Moreno Highlands Specific Plan area will not hinder the City’s ability to meet its Regional Housing Needs Allocation (RHNA) obligations.” The term RHNA refers to the Regional Housing Needs Allocation (affordable housing allocations) from the SCAG. The State Department of Housing and Community Development (HCD) certified the City’s Housing Element on May 31, 2011.

In April 2011 and April 2013, the City adopted its Economic Development Action Plan, which also identified the eastern part of the City as a potential area for major job-producing land uses. The *Fiscal and Economic Impact Study World Logistics Center Moreno Valley, California* (“Study”) prepared by David Taussig & Associates, Inc., in 2014 concluded that the WLC Project would generate 24,000 jobs/employees to the area, which includes the creation of direct, indirect, and induced jobs/employees to the City. (FEIR, Volume 3, Appendix O)

The City’s 2006 Housing Element identified the Moreno Highlands Specific Plan as a potential source of vacant land that could accommodate possible future residential growth in the City. However, in 2011 the

City updated its Housing Element and (i) anticipated possible land use changes from mixed use and residential to jobs producing warehouses in the eastern part of the City, and (ii) concluded that redesignating the entire land east of Redlands to the eastern City border for warehouse uses would not impede the City's Housing Element Objectives. The HCD certified the City's Housing Element as compliant with State law on May 31, 2011. In February 2014, the Housing Element was updated again, however this update did not include any changes relating to the Moreno Highlands property. This means that approval of Project will not impede the City's housing goals as set forth in its Housing Element, and no mitigation is required. (FEIR Volume 3 pgs. 4.10-27 to 4.10-35).

#### **d. Cumulative Land Use Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and foreseeable future projects would result in cumulative land use impacts.

**Findings:** Potential impacts of the Project related to cumulative land use impacts are discussed in detail in Section 4.10 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to land uses; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.10 of the FEIR Volume 3, the WLC Project would not have significant Project-related impacts related to conflicts with applicable land use plans, policies, or regulations with approval of the General Plan Amendment, or conflict with an approved habitat conservation plan. While the Project would represent a shift in land use policy for the eastern portion of the City, this policy shift does not represent a significant cumulative land use impact under CEQA. The EIR determined the Project would have significant land use impacts on existing rural residences ("dividing an established community"), but this conflict does not rise to the level of a cumulative impact since the potential land use impacts to all adjacent residences will be less than significant. (FEIR Volume 3 pg. 4.10-36 and 4.10-37).

### **10. Mineral Resources**

#### **a. Loss of Statewide, Regional, or Locally Important Mineral Resources**

**Potential Significant Impacts:** Whether the Project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans.

**Findings:** Potential impacts of the Project relating to mineral resources are discussed in detail in Section 4.11 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to mineral resources will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.11 of the FEIR Volume 3, lands within the City of Moreno Valley and its Sphere of Influence are designated Mineral Resources Zone-3 (MRZ-3) and MRZ-4, which are not defined as significant mineral resource areas. No sites have been designated as locally-important mineral resource recovery sites on any local plan.<sup>7</sup> In addition, Figure OS-5 of the Riverside County General Plan shows that the Project area is also located within MRZ-3. The development of the Project site would not result in the loss of identified regional or local mineral resources, conversion of an identified mineral resource use, or conflict with existing mineral resource extraction activities. Therefore, the development of the Project site would not result in a loss of statewide, regional, or locally important mineral resources. No impacts associated with this issue would occur and no mitigation is required. (FEIR Volume 3 pg. 4.11-3).

#### b. Cumulative Mineral Resource Impacts

**Potential Significant Impact:** Whether the Project in connection with past, current, and foreseeable future projects would incrementally affect mineral resources.

**Findings:** Potential impacts of the Project related to cumulative mineral resource impacts are discussed in detail in Section 4.11 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to mineral resources; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.11 of the FEIR Volume 3, the cumulative area for mineral resources is the City of Moreno Valley and this part of western Riverside County. As population levels increase in the region, greater demand for aggregate and other mineral materials will be placed on mineral resources, especially sand and gravel. Similarly, development pressures in areas where these materials are known or expected to occur would result in the loss of availability of these mineral resources. However, because the Project site is not identified as a significant source of sand/gravel deposits and development subsequent to the adoption of the land use actions on any of the sites would not decrease the local or regional availability of mineral resources, potential future development of any of the

<sup>7</sup> Section 6.10 Mineral Resources, Section 6.0 Issues Found Not To Be Significant, Draft Environmental Impact Report for City of Moreno Valley General Plan 2030, State Clearinghouse #2004031135, City of Moreno Valley, October 2004.

sites would have no significant cumulative mineral resources impact. (FEIR Volume 3 pg. 4.11-3 and 4.11-4).

## 11. Noise

### a. Ground-Borne Vibrations

**Potential Significant Impact:** Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

**Findings:** Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.12 of the FEIR Volume 3, roadways in the vicinity of the Project area are either paved or would be paved as the area develops, and would not result in Project traffic driving over rough or dirt roads. Well maintained roads typically do not result in substantial vibration levels. Even roads with irregularities typically only generate substantial levels of vibration very near, less than 50 feet from the irregularity. Construction activities that would occur within the WLC Specific Plan area are not anticipated to require blasting or pile driving. Roadway vibrations are typically not perceptible more than 50 feet from the roadway except in very unusual circumstances. Generally, the interface between the soft tire of a truck or automobile will not generate significant vibration unless the road is in poor shape (e.g., potholes or pavement joints) Therefore, impacts associated with this issue are anticipated to be less than significant, and no mitigation is required. (FEIR Volume 3 pg. 4.12-34).

### b. Airport Noise

**Potential Significant Impacts:** Whether a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would results in exposure of people residing or working in the Project area to excessive noise levels or if a Project within the vicinity of a private airstrip, would expose people residing or working in the Project area to excessive noise levels.

**Findings:** Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts

related to airport noise will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.12 of the FEIR Volume 3, the Project area is located approximately 5.5 miles northeast of the March Airfield (MAF) and is not located within two miles of a private airstrip. The MAF is a joint-use airport, used for both military and civilian purposes. The March Air Reserve Base (MARB) is the military operator of the MAF and March Inland Port (MIP) is the civilian operator of the airport. This facility is anticipated to play an increasingly important role in the transportation of goods and cargo for the Southern California region. Existing flight patterns affect a large portion of the City of Moreno Valley, along a path that affects the western portion of the City in a northwest/southeast alignment. Aircraft operations from the airport currently contribute intermittent single-event noise.

There is potential for single-event noise exposure levels from MAF activity to affect the Project. The exposure levels will vary dependent upon the type of aircraft and flight track flown for each operation at MAF. However, the Project is not identified as being within the noise or safety contours delineated for the MARB Airport.<sup>8</sup> In addition, the Project is not considered to contain sensitive receivers and, therefore, the impacts from these single-event noise levels are considered to be below the level of significance. The City's exterior noise standard for industrial uses is 70 dBA CNEL. MAF noise levels are less than 60 dB CNEL within the Project area. Therefore, the Project would not have the potential to expose people to excessive noise levels from airport operations. Therefore, no significant noise impacts would occur regarding these issues from implementation of the Project, and no mitigation is required. (FEIR Volume 3 pgs. 4.12-35)

### c. Cumulative Noise Impacts During Construction

**Potential Significant Impact:** Whether the Project in connection with past, current, and foreseeable future projects would incrementally result in excessive noise levels during construction.

**Findings:** Potential impacts of the Project related to cumulative noise impacts during construction are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to excessive noise levels during construction; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.12 of the FEIR Volume 3, construction crew commutes and the transport of construction equipment, and materials to the WLCSP area would

<sup>8</sup> Figure 5.4-1 March Reserve Air Base Noise Impact Area, City of Moreno Valley General Plan EIR, July 2006.



incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the Specific Plan area. However, in the unlikely event that adjacent properties are developed at the same time as the WLC Project, adherence to the City's Municipal Code provisions that regulate construction activities and other development standards would render the cumulative impacts of the Project to less than significant levels. (FEIR Volume 3 pg. 4.12-59).

**d. Cumulative Operational On-site Noise Impacts on Sensitive Receptors**

**Potential Significant Impact:** Whether the Project in connection with past, current, and foreseeable future projects would incrementally result in operational noise level impacts on adjacent sensitive uses, both existing and future.

**Findings:** Potential impacts of the Project related to cumulative operational noise level impacts on adjacent sensitive uses, both existing and future are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to operational noise level impacts on adjacent sensitive uses, both existing and future.

**Facts in Support of the Findings:** According to Section 4.12 of the FEIR Volume 3, the noise analysis contained in this section also provides an assessment of on-site operational noise level impacts on adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not typically additive in nature. It is extremely unlikely that adjacent properties will generate noises that would be additive in nature because of two important reasons. First, the noise sources would have to be adjacent or in close proximity to one another in order for the noises to intermingle. Second, the sensitive receptor or receptors would also have to be adjacent to or in close proximity to the noise generators. Although it is not possible to predict if contiguous or proximate properties may generate noise at the same time that would be additive in nature and thus create a significant cumulative noise impact at sensitive receptors, adherence to the City's Municipal Code provisions that regulate nuisance noise from land uses and other development standards would render the cumulative impacts of the Project to less than significant levels. (FEIR Volume 3 pg. 4.12-59).

## 12. Population and Housing

### a. Population Growth

**Potential Significant Impact:** Whether the Project would induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure).

**Findings:** Potential impacts of the Project related to population growth are discussed in detail in Section 4.13 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to population growth will occur as a result of development of the Project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.13 of the FEIR Volume 3, population projections developed by SCAG estimate the City's population will reach approximately 213,700 persons by the year 2020 and approximately 255,200 persons by the year 2035. The extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth-inducing effect of a Project. Construction of the WLC Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the WLC Project will not generate a permanent increase in population within the Project area.

An economic study of the Project prepared by DTA concluded that the WLC Project could generate up to 20,307 new direct on-site jobs within the City.<sup>9</sup> In addition to the projected on-site job creation, the DTA study estimates the WLC Project could generate new off-site jobs (i.e., indirect/induced employment) in all industries of the economy. The DTA study also estimated that an additional 7,386 indirect/induced jobs could be created in the County, of which 3,693 jobs were projected to be within the City as a result of Project implementation. While the specific location of the potential additional indirect/induced jobs created within the County cannot be specifically determined, it is reasonable to assume that some percentage of these jobs will be support service jobs and are likely to be located in the WLC Project vicinity, and therefore the City.

The WLC Project does not include a residential component. The WLC Project is located within an area that is currently largely vacant and planned for a mix of residential, commercial, business park, and open space land uses in accordance with the General Plan Community Development Element. The WLC

<sup>9</sup> David Taussig and Associates, Inc. (DTAA). Fiscal and Economic Impact Study, Draft dated March 13, 2012, revised report dated January 15, 2013 February 5, 2014.

Project includes a General Plan Amendment to change the existing mix of land use designations to Business Park/Light Industrial (BP).

If approved, the WLC Specific Plan would supplant the approved Moreno Highlands Specific Plan (MHSP) Project west of Gilman Springs Road that did have a residential component. The EIR for that project indicated it would have increased the City's population by 17,019 persons over 15 years (7,736 units  $\times$  2.2 persons/unit). However, because the City is considered housing rich (and jobs poor) by SCAG, the loss of that projected population growth is not considered a significant impact and, in fact, a number of State policies (e.g., SB 375) encourage the creation and development of jobs-producing development in areas with poor jobs/housing numbers such as that which exists in the City.

Currently, there are seven single-family homes in various locations on the property along with associated ranch/farm buildings. Streets, water and sewer utilities, and municipal services would be extended to serve the WLC Project. The WLC Project may benefit other development projects in the Project area by the installation of infrastructure (e.g., roads and utilities), but is not expected to induce substantial population growth into the area since there would be no large areas of vacant land left in the east end of the City (south of SR-60) that could be developed with residential uses.

It should be understood that the actual eventual number of employees generated by the Project will vary depending on a variety of economic factors (e.g., actual companies that relocate and current hiring conditions). The projected employment estimate also does not take into account relocation of existing employees from other jurisdictions as a result of existing businesses relocating into the WLC Project. However, these would be counted as "new" employees for the City of Moreno Valley. For the purposes of this analysis, the EIR will use 20,307 direct employees working at the WLC or one employee per 2,000 square feet as a conservative estimate (in terms of environmental impacts) for future employment growth from WLC Specific Plan development.

The new employment opportunities resulting from development of the high-cube logistics warehouse and general warehouse uses will raise the City's current jobs-to-housing ratio by providing additional jobs to local residents. While the place of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs/housing ratio, it is reasonable to assume and therefore expect that some percentage of these jobs would be filled by persons already living within the City or Project area. Therefore, no significant increase in population of the City would result from the development or operation of the WLC Project, resulting in a less than significant impact associated with growth inducement and no mitigation is required.

*Indirect City Population Impacts Related to Fiscal and Economic Changes.* If the MHSP Project is not built, it could be argued the City may experience a financial impact from the loss of higher property tax, sales tax, and other revenues related to growth and development.

Potential economic impacts that may occur with Project implementation include permanent employment (direct on site and indirect/induced), permanent output (gross receipts; total direct output plus output produced by suppliers and employee spending), and one-time construction impacts.

The DTA study indicates that the creation of new jobs to the City will lead to more consumer spending by employees in existing retail establishments within the City, as well as new retail development that will be attracted to the City as a result of this spending. Job creation also results in increased tax revenues to the City through increased property taxes and sales taxes associated with development of the WLC Project. However, it is important to note that because of the difference in timing of the development of the various phases of the WLC Project, the number of employees summarized above will not be realized at the same time.

Development of the WLC Project is projected to create approximately 16,521 construction-related full-time equivalent (FTE) jobs within the City. Similar to recurring employment (i.e., permanent), it is likely that some percentage of these jobs will be associated with support services and are likely to be located in the vicinity of the WLC Project and therefore within the City.

The WLC Project does not include a residential component, so it would not directly generate additional new housing. Employees of the Project that choose to live in the City would likely utilize the existing supply of housing within the City.

Based on the potential increase in jobs (additional 20,307 direct jobs) within the City and no substantial increase in population as a result of the Project, the City's jobs-to-housing ratio would improve from the existing (2011) ratio of 0.47 to 0.91, thus achieving a greater jobs-to-housing balance within the City. Similarly, the potential new County employees that may be generated by the WLC Project would increase the total County employment to 571,799 from 551,492 resulting in a ratio of 0.74 from 0.69.

As development of the WLC Project is expected to occur over the course of many years, the jobs-to-housing ratio will not significantly change immediately. The City's current jobs-to-housing ratio is exceptionally low when compared to SCAG standards; therefore, the need for employment is immediate. A balance between jobs and housing within the City would have a positive impact by decreasing costs associated with commuting and traffic congestion. It also provides savings to consumers in the operation

and maintenance of automobiles, and saving to local public agencies in terms of the need to construct and maintain new road improvements.

Based on the foregoing discussion, implementation of the WLC Project would not result in a deficit in the City's General Fund even after City costs to provide public services to the development are considered. The estimated surplus is approximately \$5.7 million annually, which is about two times the projected annual City General Fund costs. Additionally, the WLC Project is expected to generate sizeable, substantial, and lasting employment, wages, output, and revenues for the City and region. Therefore, potential fiscal and economic changes that could affect the City's population or housing are considered to be less than significant, and no mitigation is required. (FEIR Volume 3 pgs. 4.13-11 to 4.13-17)

#### **b. Displace Substantial Housing/People**

**Potential Significant Impact:** Whether the Project would displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere.

**Findings:** Potential impacts of the Project related to displacement of housing or people are discussed in detail in Section 4.13 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to displacement of housing or people will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.13 of the FEIR Volume 3, the WLC Project site currently contains seven rural residences. At the City Council meeting on May 22, 2012, some of the existing residents stated that they did not want to be included in the Specific Plan. After deliberation, the Council decided to include the rural properties in the Specific Plan in the interest of comprehensive land planning for the WLC property. Upon approval of the Specific Plan, these properties can continue as non-conforming uses, and the WLC Specific Plan designates these properties as "Light Logistics" (LL), which allows for future industrial-related uses (vehicle storage, light assembly, etc.). In this way, the WLC Specific Plan will not remove or displace any of the existing residents or residences from the Project site. As large warehouse buildings are developed near or adjacent to these residences, it may become less desirable to reside within the WLC Specific Plan area; however, the Project itself does not cause housing displacement.

Therefore, impacts to the seven on-site residences would not be considered a significant housing impact. For these reasons, the WLC Specific Plan will not have significant population or housing impacts related to displacing substantial numbers of people or existing housing.

The *Fiscal and Economic Impact Study World Logistics Center Moreno Valley, California* (“Study”) prepared by DTAA in 2014 concluded that the WLC Project would generate 20,307 direct jobs/employees to the City. Section 4.13.5.3 of the EIR determined that the WLC Project is consistent with the 2011 Housing Element, and it will not displace substantial numbers of existing housing or necessitate the construction of replacement housing elsewhere. Therefore, no significant displacement impacts relative to people or housing are expected to occur, and no mitigation is required. (FEIR Volume 3 pgs. 4.13-18 to 4.13-19).

**c. Cumulative Population and Housing Impacts**

**Potential Significant Impact:** Whether the Project could cause an increase in population that is substantial in relation to the past, current, and probable future projects.

**Findings:** Potential impacts of the Project related to cumulative impacts of the Project on housing or population are discussed in detail in Section 4.13 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to cumulative impacts on housing or population will occur as a result of development of the Project and, therefore, no mitigation is required.

**Fact Supporting the Findings:** The cumulative area for the discussion of population and housing impacts is the City of Moreno Valley. The WLC Project would require a General Plan Amendment and Zone Change to re-designate the site from a mix of land uses and zoning designations to Logistics Development and Public Utility land uses and a Specific Plan zoning designation. The Project would not contribute to substantial population growth and therefore would not result in an increased demand on the current or future housing in the region. In addition, the Moreno Valley area is considered housing rich and jobs poor by SCAG, so the loss of population (and planned housing) would actually be a regional benefit according to the Regional Transportation Plan. The Project may result in an influx of new workers who would need to locate temporarily or permanently in the area, but the City has an overabundance of existing housing stock due to current market conditions. Implementation of the WLC Project would actually benefit population and housing conditions relative to employment and jobs/housing ratio and, therefore, not result in cumulatively adverse impacts to population or housing. The WLC Project would also not significantly induce growth into areas where growth was not previously anticipated since the WLC Project area represents the last largest remaining vacant land in the City of Moreno Valley. (FEIR Volume 3 pg. 4.13-19 to 4.13-20).

### 13. Public Services and Facilities

#### a. Law Enforcement Services and Facilities

**Potential Significant Impact:** Whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered law enforcement facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.

**Findings:** Potential impacts of the Project related to law enforcement services and facilities are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to law enforcement services or facilities will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.14 of the FEIR Volume 3, the WLC Specific Plan requires building and site design characteristics that specifically support police services by encouraging buildings that are safe and can be secured by design, fencing, security services, etc. The WLC Specific Plan design guidelines are consistent with the goals of the General Plan relative to police protection and site design. In addition, future development within the WLC Specific Plan will be required to comply with the City's Development Impact Fee (DIF) requirements as new development is constructed. It is anticipated that DIF revenues will help fund additional equipment needs and increased property taxes would help fund increased service or staffing needs. Therefore, the Project will have less than significant impacts relative to police service, and no mitigation is required. (FEIR Volume 3 pgs. 4.14-4 to 4.14-7).

#### b. Fire Protection Services and Facilities

**Potential Significant Impact:** Whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered fire-fighting facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.

**Findings:** Potential impacts of the Project related to fire-fighting services and facilities are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to law enforcement services or facilities will occur as a result of development of the Project; therefore, no mitigation is required.



**Facts in Support of the Findings:** According to Section 4.14 of the FEIR Volume 3, the WLC Specific Plan will dedicate a new 1.5-acre urban fire station site within its boundaries to allow for expansion of fire protection services as the Project develops (see WLC Specific Plan Section 2.2.6). The revised WLC Specific Plan indicates the new fire station will be at the north end of Planning Area 11. The WLC Specific Plan also requires building and site design characteristics that specifically support fire services by encouraging buildings that are safe and can be secured by design, fencing, security services, etc. The proposed WLC Specific Plan design guidelines are consistent with the goals of the General Plan relative to fire protection and site design. Finally, future development within the WLC Specific Plan will be required to comply with the City's DIF requirements as new development is constructed. Therefore, the Project will have less than significant impacts relative to fire protection service, and no mitigation is required. (FEIR Volume 3 pgs. 4.14-10 to 4.14-13).

#### c. School Facilities

**Potential Significant Impact:** Whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts.

**Findings:** Potential impacts of the Project related to school facilities are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to school facilities will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.14 of the FEIR Volume 3, the Project contains no residential development, so it would not cause a significant increase in the local population that would increase the number of students attending local schools. Since payment of the school impact fees is required of all projects within Moreno Valley Unified School District and San Jacinto Unified School District boundaries, impacts to school services and facilities would not occur. The WLC Project is also consistent with the applicable General Plan policies as it will assist in the provision of adequate school facilities by providing legally required development impact fees. Accordingly, impacts to the environment resulting from new or expanded school facilities would not occur, resulting in a less than significant impact and no mitigation is required. (FEIR Volume 3 pg. 4.14-15 to 4.14-17).

#### d. Parks, Recreation, and Trails

**Potential Significant Impact:** Whether the Project would result in increased use of existing neighborhood and regional parks or other recreational facilities (e.g., trails) where substantial physical

deterioration would occur or be accelerated or result in construction or expansion of recreational facilities that would have an adverse physical effect on the environment.

**Findings:** Potential impacts of the Project related to parks, recreation, and trails are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to parks, recreation, or trails will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.14 of the FEIR Volume 3, there is a potential for the Project to indirectly generate new residents in the City, although predicting the exact number would be too speculative. Increases in the City's population from future residential development will help fund new parks and trails through dedications of land and the payment of Development Impact Fees.

The WLC Specific Plan Project proposes a General Plan Amendment to the Master Plan of Trails to reduce the extent of trail systems in the area to reflect the change from a residential neighborhood (Moreno Highlands) to a non-residential neighborhood (World Logistics Center). Trail linkages are provided in the WLC Project to extend existing trail routes from the western edge of the Project to the east, providing for future linkages to Gilman Springs Road, to the Lake Perris State Recreation Area, and to the San Jacinto Wildlife Area.

Implementation of these new trails and the General Plan Amendment (i.e., revised Master Plan of Trails) will allow the Project to be consistent with the General Plan policies relative to trails. The Project is consistent with the City General Plan policies relative to parks, recreation, and trails.

The WLC Specific Plan will provide connections to existing trails to the west and southwest, and a connection to and trailhead for a future planned trail in the San Jacinto Wildlife Area south of the site, as outlined in Section 3.4.2, *Multi-Use Trails*, and as shown on Figure 3-17 of the Specific Plan. In addition, future development within the WLC Specific Plan will pay applicable DIFs to offset any potential impacts to parks or recreational services. Based on this, the Project will not create significant impacts on parks, recreation, or trails.

The Project does not include the construction or expansion of a recreational facility since it would not create any substantial demands on recreational facilities. The Project would have a less than significant impact on population or housing; therefore, no new demand on existing park facilities would occur, and no expansion of existing parks or the construction of new parks would be required. (FEIR, Volume 3 pgs. 4.14-23 to 4.14.25).

e. **Cumulative Public Services and Facilities and Parks, Recreation, and Trails Impacts**

**Potential Significant Impact:** Whether the Project could cause an increase in population resulting in the deterioration of public services and facilities and/or parks, recreation, and trails that is substantial in relation to the past, current, and probable future projects.

**Findings:** Potential impacts of the Project related to cumulative impacts of the Project on public services and facilities, and parks, recreation, and trails are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to cumulative impacts on public services and facilities, and parks, recreation, and trails will occur as a result of development of the Project; therefore, no mitigation is required.

**Fact Supporting the Findings:** The cumulative areas for police and fire protection services are the service areas for the Riverside County Sheriff's Department (RCSD) and Riverside County Fire Department (RCFD). The need for the public services and associated facilities is measured by service area population, or the number of residents and workers within the City's service area. Service population, as well as the type and density of development, determines the need for new or expanded police and services. Utilizing statistical information, local planning policies, and by interacting with other agencies, fire and police service providers can delineate past patterns, emerging trends, and future issues of concern. Once identified, service providers can redeploy resources to meet future needs.

There is the need for new fire station within the WLC Project. Payment of DIFs and provision of a new fire station site within the WLC Specific Plan is expected to fully mitigate potential impacts of the WLC Project relative to fire services. In addition, payment of DIFs is expected to fully mitigate potential impacts of the WLC Project relative to police services.

As additional development occurs in the City of Moreno Valley and region, there may be an overall increase in the demand for law enforcement and fire protection services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these agencies as part of the annual monitoring and budgeting process. New development within the service areas of the RCSD and RCFD would be required to adhere to conditions established by fire and police service providers. Therefore, there would be no cumulative impact on police and fire services in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded police and fire protection facilities would not occur, resulting in a less than significant impact and no mitigation is required.

The cumulative area for school-related issues encompasses the two school district(s) that provide school services/facilities in the Project area. While no significant population increase is anticipated to result from the construction and operation of the Project, future development (particularly residential development) forecast in the City's General Plan will increase the demand for school facilities and services. New school facilities are currently being constructed to accommodate the growth in the local student population. Additionally, school districts are engaged in planning new facilities in anticipation of future local and regional growth. Each district requires the payment of development fees to provide for new school services and/or facilities. As every new development is mandated to provide the fees applicable to the school district affected, there would be no cumulative impact on school services in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded school facilities would not occur, resulting in a less than significant impact and no mitigation is required.

Implementation of the Project will not increase the use of existing parks and recreation facilities. As future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or payment of in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. As such, the cumulative impact of buildout associated with the implementation of the Project, when considered with cumulative projects in the area, would be less than significant with implementation of the WLC Project. (FEIR Volume 3 pg. 4.14-26 to 4.14-27).

## 14. Transportation

### a. Air Traffic Patterns

**Potential Significant Impact:** Whether the Project would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

**Findings:** Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.15 of the FEIR Volume 3, airport facilities within the vicinity of the Project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The Department of the Defense (Air Force) completed an Air Installation Compatible Use Zone (AICUZ) study for MARB in 1998. The AICUZ study was designed and is intended to aid in the

development of compatible land uses in non-government areas surrounding military airfields to protect public safety and health. The study established three zones based on potential crash patterns: a Clear Zone and two Accident Potential Zones (APZs). The Clear Zone reaches from along the extended runway centerline to a distance of 3,000 feet, APZ 1 extends from 3,000 feet to 8,000 feet, and APZ II extends from 8,000 feet to 15,000 feet. According to the AICUZ, outside of the Clear Zone and APZs “the risk of aircraft accidents is not significant enough to warrant special consideration in land use planning.” The Project site is not located within a Clear Zone, APZ 1, or APZ 2 for MARB as designated by the Air Force 2005 AICUZ Study. In addition to the AICUZ, Airport Influence Area boundaries around MARB have been adopted by County of Riverside Airport Land Use Commission (ALUC) in its Airport Land Use Plan (ALUP). The Project site is located within Influence Area III.

The Project site is approximately 5.5 miles east of the March Air Field and is entirely within Airport Influence Area III of the MIP. As part of the standard process for development within Airport Influence Areas for MARB, Projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, development located within the boundaries of Influence Area III is required to provide navigation easements. Development that is allowed to occur within Airport Influence III of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air safety impact would occur and no mitigation is required. (FEIR Volume 3 pg. 4.15-86 to 4.15-87).

#### **b. Design Features or Incompatible Uses**

**Potential Significant Impact:** Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

**Findings:** Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.15 of the FEIR Volume 3, the design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City and Caltrans requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically

to Project access requirements. Adherence to applicable City requirements would ensure the Project would not include any sharp curves or dangerous intersections.

During the Project review process, City staff expressed a concern about the intersection of Cactus Extension Street and the eastern end of Cactus Avenue, east of Redlands Boulevard. Early designs showed it as a skewed “T” intersection, but the Specific Plan now shows it as a more gently curving “knuckle” configuration, which eliminated the original concern about the safety of the intersection.

Temporary impacts associated with the construction of infrastructure improvements included as a part this Project may temporarily restrict vehicular traffic or cause temporary hazards. The construction of infrastructure would coincide with roadway improvements, which would include road or lane closures as well as the presence of construction workers and equipment on public roads. Construction operations would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road or lane closures. Site-specific activities, such as temporary construction activities, are finalized on a project-by-project basis by the City and are required to ensure adequate traffic flow. At the time of approval of any site-specific plans required for the construction of infrastructure as a part of typical conditions of approval, the Project would be required to implement measures that would maintain traffic flow and access. In the absence of a roadway design hazard, no impact would occur; therefore, no mitigation is required.

As identified in the Project TIA, the Project would not produce a significant safety risk and appropriate safety features are already present on roads near local schools. Other than Perris Boulevard, which would experience a small number of Project trucks (22 and 25 medium and heavy duty trucks in the a.m. and p.m. peak hours, respectively), none of the other truck routes would result in Project trucks traveling near local schools. The safety impact of Project-related passenger cars along streets near local schools was also evaluated by reviewing existing pedestrian facilities and collecting pedestrian counts at the intersections along Project truck routes. All pedestrian crossings at signalized intersections near schools are protected. Crosswalks near schools are striped in yellow (per the California Manual on Traffic Control Devices page 1,282). In most cases, sidewalks exist along roadways and lead to the striped, protected crosswalks at the intersections. Intersection and roadway features along Project truck routes were reviewed and it was determined that adequate pedestrian amenities already exist in the form of protected crossings, crosswalks, curb ramps, and pedestrian signals. For these reasons, Project passenger cars and trucks would not create unsafe conflicts with pedestrians. (FEIR Volume 3 pgs. 4.15-87 to 4.15-88).

**c. Inadequate Emergency Access**

**Potential Significant Impact:** Whether the Project would result in inadequate emergency access.

**Findings:** Potential impacts of the Project related to emergency access are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.15 of the FEIR Volume 3, Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. Site-specific activities such as temporary construction activities are finalized on a project-by-project basis by the City and are required to ensure adequate emergency access.

The roadway improvements that will take place as a part of this Project will improve the traffic circulation in the area. For example, emergency vehicles that currently pass through the site using either Theodore Street or Alessandro Boulevard would continue to have those routes available to them, and these roads will be upgraded to arterial standards within the Project limits. Access to Alessandro Boulevard would be provided by a connection to Redlands Boulevard at Cactus Avenue instead of a direct extension to Alessandro Boulevard. The change would not lengthen the distance between Gilman Springs Road and the Riverside Community Regional Medical Center on Cactus Avenue or the route to and from the Kaiser Moreno Valley Community Hospital on Iris Avenue. The extension of Eucalyptus Avenue through the Project area would improve access between the Project site and the nearest existing fire station (the Moreno Beach fire station). As a condition of approval, the Project will also be required to construct a fire station on site.

These roadway improvements of the Project would enhance the ability of emergency vehicles to access the Project as well as the surrounding properties. Access to the Project site is designed to accommodate large trucks with trailers used for the distribution of goods to and from the warehouses. This would provide ample vehicular access for emergency vehicles. During the operational phase of the Project, on-site access would be required to comply with standards established by the City Public Works Department. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to Fire Department standards. As required of all development in the City, the operation of the Project would conform to applicable Uniform Fire Code standards. The submittal of such plans would be considered a condition of approval, which would be part of the permitting process



initiated by the applicant and approved by the City in accordance with City standards. As with any development, access to and through the Project would be required to comply with the required street widths, as determined in the California Building Code (CBC), Master Plan of Streets, and the Uniform Fire Code. Therefore, implementation of the Project would not significantly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; therefore, no mitigation is required. (FEIR Volume 3 pg. 4.15-89)

#### d. Alternative Transportation

**Potential Significant Impact:** Whether the Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**Findings:** Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.15 of the FEIR Volume 3, the Project would result in the development of employment opportunities and would therefore reduce vehicle miles traveled. The provision of additional employment options in proximity to existing residential development in the City will help reduce local vehicle miles traveled as the employment generated by the Project slowly improves the City's job/housing ratio, and more local jobs are created for City residents. Therefore, the Project is consistent with City policies encouraging alternative transportation. Since the Project will not create any significant impacts related to non-vehicular transportation, no mitigation is required.

Although there is currently no transit service in the Project area, the Project would be designed to accommodate bus access on all Project streets. Bus turn-outs and shelters would be provided at all active bus stops. It is expected that transit service would be provided once the Project reaches a transit-supportable level of operations. Candidate streets for future bus routes within the Project limits are Eucalyptus Avenue, Street C, Street E, and Street F.

The WLC Specific Plan provides for Class II bicycle lanes on all Project streets. In addition, WLC Specific Plan Section 6.0, Sustainability, Item 2 indicates showers and changing rooms will be available which will facilitate people using bicycles to get to and from work.

The WLC Specific Plan provides for connections to existing trails to the west along Redlands Boulevard, and to the southwest along Cactus Avenue. In addition, the plan provides for a new trail connection from the southwest corner of the site around the land designated as open space under the WLC Specific Plan, to connect to a future planned “trailhead” at the northwest corner of the state-owned property to the south. The WLC Specific Plan also includes a “loop” trail segment through the WLC Specific Plan along Street F to Eucalyptus Avenue and back to Redlands Boulevard. In addition, the Project will be conditioned to provide sidewalks and landscaping treatments to allow for pedestrian access throughout the site. With these planned improvements, the WLC Specific Plan will have less than significant impacts regarding non-vehicular circulation and no mitigation is required. (FEIR Volume 3 pg. 4.15-89 to 4.15-90).

## 15. Utilities and Service Systems

### a. Construction or Expansion of Water Treatment Facility

**Potential Significant Impact:** Whether the Project would require the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

**Findings:** Potential impacts of the Project related to construction or expansion of water treatment facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts that would cause the construction or expansion of water treatment facilities will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, Metropolitan has analyzed the reliability of water delivery through the State Water Project (SWP) and the Colorado River Aqueduct. Metropolitan’s Integrated Resources Plan and 2010 Regional Urban Water Management Plan conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies’ needs through 2035.

All necessary water distribution facilities would be installed simultaneously with required roadway frontage improvements for each phase of development of the WLC Project. Therefore, the connection to the existing water delivery system would not result in substantial disturbance of existing roadways or water facilities. As previously identified, the potable water demand that would be required for the WLC Project would total 1,991.25 acre-feet per year (AFY). The amount of water demand would be within the existing available supply even with a reduction in deliveries from the State Water Project (SWP). Imported sources of water will be supplemented by an increase in desalination of brackish groundwater,

recycled water use, and water use efficiency, and implementation of aggressive conservation measures by the EMWD. The WLC Project would not require the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects. (FEIR Volume 3 pgs. 4.16-13 to 4.16-15)

#### **b. Wastewater Treatment Requirements**

**Potential Significant Impact:** Whether the Project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB).

**Findings:** Potential impacts of the Project related to construction or expansion of water treatment facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts that would exceed wastewater treatment requirements of the applicable RWQCB as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, The WLC Project would result in a connection to the sewer line underlying Redlands Boulevard in the vicinity of the intersection of Redlands Boulevard and Brodiaea Avenue. It is anticipated that all wastewater generated by the WLC Project would be routed to and treated by the Moreno Valley Regional Water Reclamation Facility (MVRWRF). The MVRWRF is considered to be a publicly owned treatment works (POTW), so operational discharge flows treated at the MVRWRF would be required to comply with waste discharge requirements contained within the waste discharge requirements for that facility. Compliance with condition or permit requirements established by the City, and waste discharge requirements at the MVRWRF would ensure that discharges into the wastewater treatment facility system from the operation of the WLC Project would not exceed applicable Santa Ana RWQCB wastewater treatment requirements. Expected wastewater flows from the WLC Project will not exceed the capabilities of the serving treatment plant, so no significant impact related to this issue would occur and no mitigation would be required. (FEIR Volume 3 pgs. 4.16-28).

#### **c. Wastewater Treatment Capacity and/or New or Expanded Wastewater Treatment Facilities**

**Potential Significant Impact:** Whether the Project would result in a determination by the wastewater treatment provider, which serves or may serve the Project, that it lacks adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments or require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

**Findings:** Potential impacts of the Project related to adequate water supply are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to wastewater treatment capacity or need for new or expanded wastewater treatment facilities will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, the WLC Project would connect to the existing sewer pipeline underlying Redlands Boulevard in the vicinity of the intersection of Redlands Boulevard and Brodiaea Avenue. Wastewater flows from the WLC Project site would be handled by the EMWD and would be conveyed to the MVRWRF located in the southwestern portion of the City, southwest of the WLC Project site. Current capacity at this facility is 16 mgd<sup>10</sup> with an existing average inflow of approximately 11.2 million gallons per day (mgd).<sup>11</sup> Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses.

Based on a square footage of 40.6 million, the wastewater generated from the logistics uses on the site is 812,000 gallons per day (gpd). An additional 5,100 gpd of flow was added to account for the in-Project fueling station. Thus, the total wastewater generated from the site is 817,100 (0.82 mgd). The additional wastewater treatment demand of 0.82 mgd resulting from development of the WLC Project totals approximately 18.2 percent of current surplus treatment capacity. Improvements planned for the MVRWRF facility would increase capacity at this facility from 16 mgd to 18 mgd with an ultimate expansion of this facility of 41 mgd. The planned expansion of the MVRWRF to increase capacity from 16 mgd to 18 mgd is anticipated to be completed by June 2013.<sup>12</sup> Impacts associated with wastewater facilities would be less than significant because the amount of wastewater generated by the Project would be within the existing surplus treatment capacity at the MVRWRF. The WLC Project would not require the construction of new wastewater treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Therefore, impacts associated with wastewater facilities would be less than significant and no mitigation is required. (FEIR Volume 3 pgs. 4.16-29).

#### d. Cumulative Impacts to Wastewater Facilities

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would result in cumulative impacts to wastewater facilities.

<sup>10</sup> 5.13 *Public Services and Utilities*, City of Moreno Valley General Plan Final EIR, July 2006.

<sup>11</sup> Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility, <http://www.emwd.org/modules/showdocument.aspx?documentid=1423>, website accessed April 2, 2012.

<sup>12</sup> 3.10.b *Regional Water Reclamation Facilities*, West San Jacinto Groundwater Basin Management Plan 2010 Annual Report, Eastern Municipal Water District, June 2011.

**Findings:** Potential impacts of the Project related to cumulative wastewater facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to wastewater facilities will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, the Project would not have a cumulatively significant impact on wastewater infrastructure because the WLC Project would not require the expansion of existing infrastructure, only connections to existing infrastructure would be required by the Project. By adhering to the wastewater treatment requirements established by the Santa Ana RWQCB through the NPDES permit, wastewater from the Project site that is processed through the MVRWRF would meet established standards. As the wastewater from all development within the service area of the MVRWRF would be similarly treated under the NPDES, no cumulatively significant exceedance of Santa Ana RWQCB wastewater treatment requirements would occur.

The MVRWRF is expected to have adequate capacity to service the City's wastewater needs through 2030. Any proposed changes to capacity of the MVRWRF or any facility maintained by EMWD are reviewed throughout the year. EMWD has a funding and construction mechanism in place that ensures improvements to EMWD facilities occurs in a timely manner. This funding mechanism is referred to as EMWD's Sewer Financial Participation Charge Program. For all new development within the EMWD service area, the Sewer Financial Participation Charge is allocated to assist in the financing of any future collection and disposal facilities and any future sewer treatment plant facilities. Cumulative development would not exceed the capacity of the wastewater treatment system because the MVRWRF would expand as growth occurred. (FEIR Volume 3 pg. 4.16-29 to 4.16-30)

#### e. Solid Waste Facilities

**Potential Significant Impact:** Whether the Project would be served by a landfill with insufficient permitted capacity to accommodate the Project's solid waste disposal needs.

**Findings:** Potential impacts of the Project related to solid waste facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to solid waste facilities will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, the WLC Project is anticipated to generate approximately 104.6 tons of solid waste per day (38,164 tons/year).<sup>13</sup> Solid waste from the WLC Project would be hauled by Waste Management of Inland Valley and transferred to the Badlands Sanitary Landfill, located in Moreno Valley. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.<sup>14</sup> The average daily throughput at the Badlands Sanitary Landfill for 2011 is estimated at 1,683 tons/day<sup>15</sup> with a current surplus capacity totaling 2,317 tons/day.

The volume of solid waste generated by the WLC Project per day represents 2.6 percent of the current permitted throughput and 4.5 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the WLC Project would not significantly affect current operations or the expected lifetime of the landfill serving the Project area. No significant solid waste disposal impact would occur and no mitigation is required. (FEIR Volume 3 pgs. 4.16-32 to 4.16-33)

#### f. Solid Waste Reduction

**Potential Significant Impact:** Whether the Project would fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste.

**Findings:** Potential impacts of the Project related to solid waste reduction are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to solid waste reduction will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, The City of Moreno Valley is responsible for meeting the requirements of AB 939 and SB 1016, which includes a 50 percent reduction in disposal by the start of 2000 and preparation of a solid waste reduction plan to help reduce the amount of solid waste disposed of at the landfills. Various programs are implemented by the City of Moreno Valley to satisfy the mandated reduction in solid waste.

The WLC Project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and

<sup>13</sup> South Coast Air Quality Management District. CalEEMod Manual, Appendix D, Table 10.1, Solid Waste Disposal Rate for Unrefrigerated Warehouse. <http://www.aqmd.gov/calceemod/user's-guide>. Calculation: 0.94 tons/thousand square feet/year × 40,600 thousand square feet = 38,164 tons per year.

<sup>14</sup> *Badlands Sanitary Landfill Facility/Site Summary Details*, CalRecycle website, <http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0006/Detail/>, website accessed April 2, 2012.

<sup>15</sup> Based on 2011 average; e-mail correspondence with John Farrar, Administrative Services Assistant, County of Riverside Waste Management Department, December 2, 2012.



State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic. Additionally, the Project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant and require no mitigation. (FEIR Volume 3 pg. 4.16-33 to 4.16-34).

**g. Solid Waste Cumulative Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have an incremental impact on solid waste.

**Findings:** Potential impacts of the Project related to cumulative solid waste are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to solid waste will occur as a result of development of the Project; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR Volume 3, AB 939 mandates the reduction of solid waste disposal in landfills. While the Badlands Sanitary Landfill has an estimated closure date of 2024, as previously identified, the City’s waste hauler will also use other County landfills in the area (e.g., Lamb Canyon Landfill and El Sobrante Landfill). The estimated closure date of the Lamb Canyon Landfill is 2023 and the estimated closure date of the El Sobrante Landfill is 2030. With planned expansion activities of landfills in the Project vicinity and projected growth rates contained in the City’s General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through City buildout in 2030. Therefore, buildout of the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County’s waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant. (FEIR Volume 3 pgs. 4.16-34).

**B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT**

*Public Resources Code* Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:



- I. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including aesthetics, agricultural resources, biological resources, cultural and paleontological resources, hazards and hazardous materials, hydrology, drainage, water quality, noise (short-term construction), transportation (local intersections), utilities, and global climate change (individually and cumulatively) were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program (MMRP) adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

## 1. Aesthetics

### a. Light and Glare

**Potentially Significant Impact:** The EIR evaluated and concluded that the Project has the potential to introduce a significant new source of light and glare into the Project area.

**Finding:** Potential impacts of the Project related to light and glare impacts are discussed in detail in Section 4.1 of the FEIR, Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to light and glare would be reduced to a less than significant level with implementation of **Mitigation Measures 4.1.6.4.A** and **4.1.6.4.B**:

**4.1.6.4A** Each Plot Plan application for development adjacent to residential development shall include a photometric plot of all proposed exterior lighting demonstrating that the project

is consistent with the requirements of Section 9.08.100 of the City Municipal Code. The lighting study shall indicate the expected increase in light levels at the property lines of adjacent residential uses. The study shall demonstrate that the proposed lighting fixtures and/or visual screening meet or exceed City standards regarding light impacts.

**4.1.6.4B** Each Plot Plan application for development shall include an analysis of all proposed solar panels demonstrating that glare from panels will not negatively affect adjacent residential uses or negatively affect motorists along perimeter roadways. Design details to meet these requirements shall be implemented to the satisfaction of the Planning Official.

**Facts in Support of the Finding:** According to Section 4.1 of the FEIR Volume 3, development of the Project site would introduce numerous new sources of light and glare into the area in the form of street lighting, parking lots, and security lighting for the buildings and nighttime traffic.

The WLC Specific Plan requires that all site lighting be oriented downward so as to not project direct light rays upward into the sky or onto adjacent properties. The development of the Project will cause a significant increase in light and glare in the area. This new lighting will incrementally affect nighttime conditions in the area.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, and/or other building materials such as concrete and brushed metal. The Project will incrementally increase the amount of daytime glare in the Project area by introducing windows and metal fixtures into the area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-quarter (0.25) foot-candle at property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot candle and cannot exceed a maximum of 8.0 foot candles.

Adherence to the City's Zoning Code would help reduce potential building or parking lighting impacts, but the location of industrial uses adjacent to residential uses would not reduce potential lighting impacts on adjacent residential uses to less than significant levels.

The WLC Specific Plan also allows for the installation of roof-mounted solar panels on future warehouse buildings and these panels may produce unintended glare to the southeast, south, and southwest of the site, depending on the angle of the sun, the number and location of panels, and the degree to which the

building parapet blocks views of the panels from surrounding land uses. Without additional information, this impact is determined to be potentially significant and requires mitigation.

Light and glare impacts of the Project can be reduced to less than significant levels by compliance with the lighting requirements of the City Municipal Code and implementation of **Mitigation Measures 4.1.6.4A** and **4.1.6.4B**. (FEIR Volume 3 pgs. 4.1-80 to 4.1-82).

## 2. Agricultural Resources

### a. Farmland Conversion

**Potential Significant Impact:** The EIR evaluated and concluded that the Project has the potential to convert 25 acres of Unique Farmland as identified by the State of California to non-agricultural uses.

**Finding:** Potential impacts of the Project related to farmland conversion are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to farmland conversion would be reduced to a less than significant level with implementation of **Mitigation Measure 4.2.6.1.A:**

**4.2.6.1A** Prior to the issuance of any grading permit affecting land designated as “Unique Farmland” (Figure 4.2.2 in the World Logistics Center Environmental Impact Report), an Agricultural Conservation Easement shall be recorded over land of equivalent or better agricultural economic productivity of the offsite easement property compared to the World Logistics Center property. The analysis will include a comparison of the project’s “Unique Farmland” considering its relative economic potential as the best measure of productivity (i.e., net profitability per acre or potential net rental income per acre). It will include a consideration of various important physical factors including location and accessibility, soils and topography, micro and macro climatic conditions, water availability and quality, as well as local practices, good farm management and cultural (growing) costs. The form and content of this easement, as well as the estimates of agricultural productivity, shall be reviewed and approved in advance by the Planning Official.

**Facts in Support of the Finding:** According to Section 4.2 of the FEIR Volume 3, approximately 25 acres of the Project site are designated Unique Farmland. Under the Specific Plan, this land will eventually be converted to non-agricultural use, which would result in a significant and unavoidable impact relative to “designated” farmland conversion. In addition, the Project would result in the conversion of 2,201 acres of land designated as Farmland of Local Significance within the Specific Plan

area (total 2,610 acres total minus 25 acres of Unique Farmland and 384.0 acres designated as Other). The 1,104 acres of open space and utility lands south of the Specific Plan site are not proposed for development and it is expected they will remain in their existing condition (i.e., dry farming). The eventual conversion of 25 acres of Unique Farmland is a significant impact of the Project resulting from the basic Project objectives. However, implementation of **Mitigation Measure 4.2.6.1A** will reduce this impact to a less than significant level (FEIR Volume 3 pgs. 4.2-18 to 4.2-20).

#### b. Conversion of Farmland to Non-Agricultural Uses

**Potential Significant Impact:** The EIR evaluated and concluded that the Project has the potential to convert approximately 2,226 acres of land currently being farmed, which includes 2,201 acres of land designated as Farmland of Local Importance, to non-agricultural uses.

**Finding:** Potential impacts of the Project related to conversion of farmland to non-agricultural uses are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to conversion of farmland to non-agricultural use would be reduced to a less than significant level with implementation of the above **Mitigation Measure 4.2.6.1.A**.

**Facts in Support of the Findings:** According to Section 4.2 of the FEIR Volume 3, implementation of the Project would result in the permanent conversion of approximately 2,226 acres currently used for dry farming to non-agricultural uses. While this could have an effect on accelerating the loss of other existing agricultural land, the state conservation lands to the south could be continued for agricultural production. Likewise, there is no other agricultural use in the Zone of Influence (term used in the State LESA Model) and a majority of the land in that zone is vacant (i.e., in the Badlands to the east and portions of the San Jacinto Wildlife Area and the Lake Perris State Recreation Area to the south). The conversion of agricultural lands to urban uses is supported by the City's General Plan policies. The entire Project site and adjacent lands have been designated for urban uses for nearly 20 years by the City. Nevertheless, much of the Specific Plan area is designated Farmland of Local Importance and will be permanently converted to non-agricultural urban uses. Therefore, the Project will cause significant impacts related to conversion of locally important farmland. However, implementation of **Mitigation Measure 4.2.6.1A** to establish an offsite agricultural conservation easement would mitigate the conversion of agricultural land, to non-agricultural uses. With implementation of this measure, Project impacts to agricultural resources are reduced to less than significant levels (FEIR Volume 3 pgs. 4.2-20 to 4.2-23).

### c. Cumulative Agricultural Impacts

**Potential Significant Impact:** The EIR evaluated and concluded that the Project has the potential to remove 25 acres of Unique Farmland from potential agricultural production in Riverside County. In addition, it will eventually remove 2,201 acres of land that is designated as Farmland of Local Importance (including all of the land currently being dry farmed, in the Project area) from potential agricultural production in this portion of the County.

**Findings:** Potential impacts of the Project related to cumulative agricultural impacts are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to cumulative agricultural impacts would be reduced to a less than significant level with implementation of **Mitigation Measures 4.2.6.1.A**.

**Facts in Support of the Findings:** According to Section 4.2 of the FEIR Volume 3, the Project has the potential to remove 25 acres of Unique Farmland from potential agricultural production in Riverside County. In addition, it will eventually remove 2,201 acres of land that is designated as Farmland of Local Importance (including all of the land currently being dry farmed, in the Project area, from potential agricultural production in this portion of the County.

While agricultural land is a finite resource, the City, through its designation of the site for non-agricultural urban uses in its General Plan, has previously considered that continuing development pressures in the City and region would result in the conversion of agricultural land to non-agricultural uses. The utilization of the property sites for agricultural activity would impede the City from achieving the goals and objectives set forth in its General Plan.

The CBRE<sup>16</sup> and the ACC<sup>17</sup> reports concluded that the agriculture industry within the Inland Empire will become less competitive and continue to decline whether or not the Project is developed. Under these circumstances, no mitigation that would artificially preserve or prolong agricultural activities (i.e., other than current market forces) in the Project area would be feasible or effective over the long term.

The continuation of agricultural operations on site over the long term is likely not economically viable. The County continues to experience a net loss of Unique Farmland and Farmland of Local Importance, and the development of the Project would contribute to the countywide net loss of designated farmland. However, with implementation of **Mitigation Measure 4.2.6.1A**, the WLC Project will not make a

<sup>16</sup> Agricultural Resources Assessment for the World Logistics Center Specific Plan Draft Environmental Impact Report, Parsons Brinckerhoff, original dated February 2012, revised dated December 2013).

<sup>17</sup> An Agriculture Industry Analysis of the Inland Empire, Andrew Chang & Company, LLC. March 12, 2012 (FEIR Appendix C).

significant contribution to cumulative agricultural impacts in western Riverside County. (FEIR Volume 3 pgs. 4.4-23 to 4.4-24)

### 3. Air Quality

#### a. Cancer Risk and Cancer Burden

**Potential Significant Impact:** The EIR evaluated and concluded that construction and operation of the Project would have the potential to result in a significant health risks.

**Finding:** Potential impacts of the Project related to cancer risk and cancer burden impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to cancer risk impacts would be reduced to a less than significant level with implementation of **Mitigation Measures 4.1.6.1A, 4.3.6.2A, 4.3.6.2B, 4.3.6.2D, 4.3.6.3A, 4.3.6.3B, 4.3.6.3C, 4.3.6.3D, and 4.3.6.3E.**

**Facts in Support of the Finding:** As set forth in EIR Section 4.3, adverse health effects would exist, in the absence of mitigation, as a result of the construction and operation of the Project.

However, as also set forth in EIR Section 4.3, in January, 2015, the Health Effects Institute (HEI) announced the results of the final phase of its five and a half year Advanced Collaborative Emissions Study (ACES), the first comprehensive evaluation of lifetime exposures of rats, which are more sensitive to diesel exhaust than humans, to exhaust from diesel engines designed to meet the strict USEPA emission regulations enacted in 2007. The HEI study distinguished between older Traditional Diesel Exhaust (TDE) (exhaust from engines that are older than model year 2007) engines and new technology diesel exhaust (NTDE) (exhaust from engines that model year 2007 or newer) engines.

Phase 3 of ACES evaluated whether emissions from NTDE engines cause cancer or other adverse health effects. Specifically, it evaluated the health impacts of a 2007-compliant engine equipped with a diesel particulate filter. The study confirmed that the concentrations of particulate matter and toxic air pollutants emitted from NTDE engines are more 90 to 99% lower than emissions from TDE engines. HEI found that lifetime exposure to NTDE “would *not* cause an increase in tumor formation or substantial toxic health effects in rats ...” [italics in the original].

Mitigation Measures 4.3.6.3B and 4.3.6.2A require that all diesel trucks that access the Project site be model 2010 or newer and that construction equipment used on the project site be Tier 4 which has diesel exhaust equivalent to that emanating from 2010 compliant diesel trucks. Because of these mitigation

measures, the HEI study indicates that the Project will have a less than significant health risk associated with both the construction and the operation of the project.

The DEIR analysis of health risks from diesel exhaust was prepared before the release of the HEI study and therefore assumed that diesel exhaust would result in health risks. The methodology in effect at the time showed that the cancer risk, both on and off the Project site, exceeded the significance threshold adopted by the South Coast Air Quality Management District. Since the time that the DEIR was prepared, the California Office of Environmental Health Hazard Assessment (OEHHA) has released a new methodology which decreases the exposure times of various classes of receptors and adds age weighting factors to reflect the increased sensitivity of infants and children. The FEIR has applied this new methodology, referred to as the “Current OEHHA Guidance” in the FEIR, to the diesel exhaust resulting from the construction and operation of the Project to allow the reader to compare the results obtained using both the old and the new methodologies on the assumption that NTDE does result in adverse health effects.

Table 4.3.AF shows the estimated cancer risks using the “Current OEHHA Guidance” after application of mitigation. Although the cancer risks are substantially less after mitigation, the SCAQMD cancer risk significance threshold would continue to be exceeded at locations within the project boundaries but not at any residential areas outside of the project boundary. The large reduction in cancer risk after mitigation is attributable principally to the reduced diesel particulate matter attributed to mitigation such as the commitment to Tier 4 construction equipment. The impact of this mitigation is largely felt during the first 3 to 5 years of construction when the “Current OEHHA Guidance” assigns large age sensitivity factors to the first few years of the 30-year exposure duration. Therefore, the project would result in a significant cancer risk if NTDE caused cancer. After application of mitigation, the estimated cancer burden is reduced to 0.1. The analysis using the “Current OEHHA Guidance” was provided in the final EIR to allow decision makers and the public to see the cancer-related impacts of the Project on the assumption that NTDE does cause cancer, contrary to what was found by the HEI study.

#### **b. Cumulative Health Risk Impacts**

**Potentially Significant Impact.** The EIR evaluated and concluded that construction and operation of the Project would have the potential to result in a cumulative significant health risks.

**Finding:** Potential impacts of the Project related to cumulative cancer risk and cancer burden impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to cumulative cancer risk impacts would be



reduced to a less than significant level with implementation of **Mitigation Measures M 4.1.6.1A, 4.3.6.2A, 4.3.6.2B, 4.3.6.2D, 4.3.6.3A, 4.3.6.3B, 4.3.6.3C, 4.3.6.3D, and 4.3.6.3E.**

**Facts in Support of the Finding:** The Health Risk Assessment (HRA) conducted for the Project identified the increase in health risks to the nearby sensitive receptors from the Project's air pollutant emissions. SCAQMD recommends that any given project's potential contribution to cumulative cancer risk impacts should be assessed using the same significance criteria as for project-specific impacts. Therefore, a project that has the potential to exceed any significance threshold on its own would also result in a cumulatively considerable significant impact. As noted in previously discussed Impact 4.3.6.5, the project would implement mitigation measures resulting in the cleanest on-road and off-road diesel equipment and the emissions from such equipment have been shown to not cause cancer.

As set forth in Section 4.3 of the FEIR, Volume 3, the Project would contribute diesel particulate matter to the area during Project construction and operation. However, since the Project would implement mitigation measures resulting in the cleanest on-road operational and off-road construction equipment and emissions from such equipment have been shown through recent extensive health effects research to not cause cancer in laboratory studies, the Project would result in a less than significant impact on a project and cumulative basis.

#### 4. Biological Resources

##### a. Endangered and Threatened Species

**Potential Significant Impact:** The EIR evaluated and concluded that the Project has the potential to affect species that are listed as endangered or threatened.

**Finding:** Potential impacts of the Project related to endangered and threatened species are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to endangered and threatened species would be reduced to a less than significant level with implementation of **Mitigation Measures 4.4.6.1.A and 4.4.6.1.B.**

**4.4.6.1A** All Plot Plan applications within Planning Areas 10 and 12 (i.e. adjacent to the San Jacinto Wildlife Area as shown in Final EIR Volume 2 Figure 4.1.6B) shall provide a 250-foot setback from the southerly property line. Permitted uses within this setback area include landscaping, drainage and water quality facilities, fences and walls, utilities and utility structures, maintenance access drives, and similar related uses. No logistics buildings or truck access/parking/maneuvering facilities are permitted in this setback

area.

In addition, logistics buildings within Planning Areas 10 and 12 may not be located within 400 feet of the southerly property line. All development proposals in Planning Areas 10 and 12 shall include a minimum six-foot tall chain link fence or similar barrier to separate warehouse activity from the setback area. This fence/barrier shall have metal mesh installed below and above ground level to prevent animals from moving between the development area and the setback area.

Within Planning Areas 10 and 12, all truck activity areas adjacent to the 250-foot buffer area along the southern property line shall be enclosed by minimum 11-foot tall solid walls to reduce noise and lighting impacts on the adjacent property. This measure shall be implemented to the satisfaction of the Planning Official.

A preliminary landscape plan for the 250-foot setback area shall be submitted with all Plot Plan applications for lots adjacent to the California Department of Fish and Wildlife property. Precise landscape plans shall be submitted with any grading permit for said lots and must be approved prior to the issuance of any building permit on said lots. The landscape plan shall be prepared by a licensed landscape architect in consultation with a qualified biologist and shall be consistent with the design standards contained in the World Logistics Center Specific Plan. No plant species listed in Section 6.1.4 of the Western Riverside County Multiple Species Habitat Conservation Plan shall be installed within the setback area. Cottonwood trees shall be planted within the setback area consistent with the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division Manager.

**4.4.6.1B** Each Plot Plan application in Planning Areas 10 and 12 shall provide runoff management and water quality facilities adequate to minimize downstream erosion, maintain water quality standards and retain pre-development flows in a manner meeting the approval of the City Engineer. All drainage improvements shall be designed to minimize runoff and erosional impacts on adjacent property. This measure shall be implemented to the satisfaction of the Land Development Division Manager of Public Works.

**Facts in Support of the Finding:** According to Section 4.4 of the FEIR Volume 3, of the special-status plant and animal species that have the potential to occur within the general vicinity of the Project area, 17 plant and animal species are designated as endangered or threatened by State and/or Federal authorities

(Table 4.4.F, FEIR, Volume 3, pg. 4.4-73). None of these species was observed or is believed to be present on the Project site; it is possible the listed birds may utilize the SJWA on a seasonal basis.

The potential for occurrence determination was based on the results of focused biological resource surveys, and/or the lack of suitable habitat in the Project limits for the referenced species. No Federal or State endangered/threatened species were detected on the Project site during the focused biological resource surveys. However, to err on the side of caution, it is reasonable to conclude that, at a minimum, indirect impacts to listed species may be significant, and mitigation is required.

The 250-foot setback identified in **Mitigation Measure 4.4.6.1A**, and the presence of the CDFW Conservation Buffer Area, will effectively mitigate potential indirect impacts of air pollutants, including diesel particulate matter, on wildlife within the SJWA. Compliance with the off-site lighting guidelines of the Specific Plan, compliance with the night lighting standards in Section 9.08.100 of the City Municipal Code, and implementation of Aesthetics **Mitigation Measure 4.1.6.4A** will help reduce lighting impacts on the SJWA to less than significant levels.

Compliance with the Specific Plan, Municipal Code, and implementation of the recommended **Mitigation Measures 4.4.6.1A** and **4.4.6.1B** will help reduce Project impacts to listed species to less than significant levels. (FEIR Volume 3 pgs. 4.4-74 to 4.4-84).

#### **b. Adopted Habitat Conservation Plans**

**Potential Significant Impact:** Section 4.4 of FEIR Volume 3, evaluated and concluded that the Project has the potential to conflict with adopted habitat conservation plans, which includes the MSHCP for Western Riverside County and the Stephens' Kangaroo Rat (SKR) HCP.

**Finding:** With implementation of **Mitigation Measures 4.4.6.1A, 4.4.6.1B, 4.4.6.2A, and 4.4.6.2B**, potential impacts related to potential adverse impacts to adopted habitat conservation plans will be reduced to less than significant levels.

**4.4.6.2A** Each Plot Plan application shall include a focused plant survey of the proposed development site prepared by a qualified biologist to identify if any of the following sensitive plants (i.e., Coulter's goldfields, smooth tarplant, Plummer's mariposa lily, or thread-leaved brodiaea) are present. If any of the listed plants are found, they may be relocated to the 250-foot setback area outlined in the Specific Plan and discussed in Mitigation Measure 4.4.6.1A. Alternatively, at the applicant's discretion, an impact fee may be paid to the Western Riverside County Regional Conservation Authority (RCA) or

other appropriate conservation organizations to offset for the loss of these species. This measure shall be implemented to the satisfaction of the Planning Official.

**4.4.6.2B** Prior to the approval of any tentative maps for development including or adjacent to any Criteria Cells identified in the Western Riverside County Multiple Species Habitat Conservation Plan, the applicant shall prepare and process a Joint Project Review (JPR) with the Riverside County Resource Conservation Agency (RCA). All criteria cells shall be identified on all such tentative maps. This measure shall be implemented to the satisfaction of the City Planning Division and Riverside County Resource Conservation Agency (“RCA”).

**Facts in Support of the Finding:** According to Section 4.4 of the FEIR Volume 3, the Project site is within the SKR HCP Fee Area. The SKR is relatively widespread throughout the SKR HCP Fee Area, but the main blocks of occupied habitat are concentrated in several Core Areas that must be conserved. The Project site is not within an SKR Core Area. The long-term SKR HCP provides Take Authorization for the SKR within its boundaries. The core reserves established by the SKR HCP will be managed as part of the MSHCP Conservation Area consistent with the provisions of the SKR HCP. Focused surveys for Stephens’ kangaroo rat will not be required for this Project because the Project lies within the SKR Fee Area; therefore, no requirements under the SKR HCP other than payment of a local mitigation fee are required.

The Project area is located within the Reche Canyon/Badlands Area of the MSHCP. Development of the Project area would not conflict with the conservation goals established by the MSHCP for Cell Group X or Cell Group E. In addition, no conflict from development would occur in relation to the Reche Canyon/Badlands Area Plan, the Area Plan Subunit 4, the Area Plan Subunit 3, Proposed Core 3, or Existing Core H.

No development is proposed within the portion of the Project area that lies within Cell Group D and the SJWA. This area is already owned by the State and managed by the CFDW. However, development that will be adjacent to the SJWA property may cause significant indirect impacts to species within the SJWA, which will require mitigation (i.e., designing an appropriate buffer along this “urban edge” will help minimize potential impacts on the SJWA).

The Project area is not adjacent to any Cores or Linkages identified in the MSHCP. However, it is adjacent to the SJWA and is subject to the Project guidelines provided in MSHCP Section 6.1.4

(Guidelines Pertaining to the Urban/Wildlands Interface). The Project is also required to adhere to the Best Management Practices (BMPs) found in Appendix C of the MSHCP.

The Project does not propose to alter land use in any way that would adversely affect Cores, Linkages, or Reserve Assembly within the Reche Canyon/Badlands Area Plan.

The Project is not located within any Amphibian, Mammalian, or Special Linkage Areas identified by the MSHCP. The Project is in an area requiring burrowing owl surveys, is within the MSHCP Criteria Area Species Survey Area (CASSA), and is within the Narrow Endemic Plant Species Survey Area (NEPSSA).

The MSHCP and its Implementation Agreement contain a fee mitigation program pursuant to which local agencies collect development impact fees and remit such fees to the Riverside Conservation Authority (RCA). These fees are in turn used to acquire lands that are suitable for habitat preservation for species covered by the MSHCP. Payment of the local MSHCP mitigation fee will be required of the Project prior to the issuance of building permits.

From available information, potential indirect impacts to avian and other biological resources within Mystic Lake and the SJWA will be reduced to less than significant levels by the creation of a 250-foot on-site setback or buffer area in **Mitigation Measure 4.4.6.1A**, which will be in addition to the existing setback provided by the CDFW Conservation Buffer Area just south of the development area.

Participation in the MSHCP and contribution of MSHCP provides compensation for the loss of raptor foraging habitat due to approved projects. Typically, a Project proponent would participate as outlined in the MSHCP, so that loss of raptor foraging habitat is typically considered to be less than significant and no mitigation is required.

*Narrow Endemic Plant Species.* No Narrow Endemic plant species are anticipated to occur in the Project area and no additional action is required.

*Criteria Area Plant Species.* No Criteria Area plant species are anticipated to occur on the Project area and no additional action is required.

*Riparian/Riverine Areas and Vernal Pools.* Drainage Features 7, 8, 9, 12, and 15 contain riparian/riverine areas, as designated by the MSHCP. The Project area does not contain habitat suitable for covered riparian species, such as least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. No vernal pools or ephemeral ponds were observed on the Project area and no suitable habitat for any fairy shrimp species was identified on site. No additional mitigation regarding vernal pools or vernal pool species is required. A programmatic-level Determination of Biologically Equivalent or Superior

Preservation (DBESP) was prepared by MBA in 2013 to outline specific requirements for Project related impacts to these features in the future. A Project-specific DBESP will be required during each development Project.

*Specific Plan Design Features.* The Project is consistent with the major MSHCP requirements relative to core areas, criteria cells, threatened and endangered species. In addition, the Project complies with the MSHCP guidelines for urban/wildland interface, riparian/riverine areas, or related buffers (with implementation of **Mitigation Measure 4.4.6.1A**). In addition, future development will be required to demonstrate that it is also consistent with all MSHCP requirements, including indirect impacts such as lighting, noise, and air pollution effects.

*Regulatory Compliance.* Stephens' kangaroo rats have a low potential to occur within the study area. While the study area is not within the SKR Core Reserve Area, the SKR HCP Implementing Agreement requires payment for loss of habitat within defined areas. The entire study area lies within the fee area. An assessment of individual actions for development within the WLC Specific Plan would be required prior to any implementation. The number of acres of disturbance associated with the development and any off-site improvements shall require payment to comply with the SKR HCP. In addition, prior to issuance of a grading permit on each Project, applicants will be required to pay the mandatory mitigation fee for the MSHCP. The mitigation fee is a per acre fee for commercial or industrial development.

In addition, the previously outlined **Mitigation Measures 4.4.6.1A, 4.4.6.1B, and 4.4.6.1C** will also help reduce potential direct and indirect impacts to biological resources covered by the MSHCP.

With implementation of **Mitigation Measures 4.4.6.1A and 4.4.6.1B and 4.4.6.2A and 4.4.6.2B**, potential impacts related to MSHCP consistency will be reduced to less than significant levels. (FEIR Volume 3 pgs. 4.4-85 to 4.4-88).

**c. Jurisdictional Delineation, Riparian Habitat or Other Sensitive Natural Communities**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project has the potential to result in significant impacts to jurisdictional land, riparian habitat, and sensitive natural communities and may require subsequent permits from various resource agencies.

**Finding:** Implementation of the following mitigation measures will reduce the potential adverse impacts to riparian habitat or other sensitive natural communities to less than significant:

**4.4.6.3A**

Prior to the issuance of grading permits the applicant shall secure a jurisdictional determination from the United States Army Corps of Engineers (USACE) and confirm with the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) if drainage features mapped on the property to be developed are subject to jurisdictional authority. If the features are subject to regulatory protection, the applicant will secure permit approvals with the appropriate agencies prior to initiation of construction. Compensatory riparian habitat mitigation will be provided at a minimum ratio of 1:1 (replacement riparian habitat to impacted riparian habitat) to ensure no net loss of riparian habitat or aquatic resources. It should be noted that this is a minimum recommended ratio but the actual permitting ratio may be higher. Detention basins will be oversized to accommodate the provision of areas of riparian habitat. Maintenance of the basins will be limited to that necessary to ensure their drainage and water quality functions while encouraging habitat growth. Riparian habitat mitigation will be provided concurrent to or prior to impacts. A Compensatory Mitigation Plan will be prepared for all unavoidable impacts and will be consistent with the United States Army Corps of Engineers (USACE)/United States Environmental Protection Agency's Compensatory Mitigation for Losses of Aquatic Resources; Final Rule and the United States Army Corps of Engineers Standard Operating Procedure for Determination of Mitigation Ratios.

The applicant shall consult with United States Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board to establish the need for permits based on the results of a recent jurisdictional delineation and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained for project-level development. Compensation for losses associated with the altering of drainages on site shall be in agreement with the permit conditions and in coordination with compensation outlined below.

Mitigation will consist of onsite creation, offsite creation, or purchase of mitigation credits from an approved mitigation bank. As outlined in the WLC programmatic DBESP report, onsite riparian habitat will be created at a minimum 1:1 ratio due to the poor quality of onsite habitat. New habitat will be created within the onsite detention/infiltration basins to the extent allowed by the resource agencies to reduce storm flows, improve water quality, and reduce sediment transport. Habitat creation will



include the installation of mule fat scrub or similar riparian scrub habitat to promote higher quality riparian habitat, but still maintain the basins for their primary role as detention facilities. The use of these areas as conservation areas would require consent from CDFW and the City of Moreno Valley (MM BIO-2b and MM DBESP 1 through 3).

#### 4.4.6.3B

As required by the Resource Conservation Agency (RCA), a program-level Determination of a Biological Equivalent or Superior Preservation (DBESP) for impacts to Riverine/Riparian habitat has been prepared and shall be approved by the Resource Conservation Agency prior to project approval. The Determination of a Biological Equivalent or Superior Preservation includes a general discussion of mitigation options for impacts to riverine/riparian areas as well as general location and size of the mitigation area and includes a monitoring program.

If impacts to riparian habitat within the World Logistics Center Specific Plan (WLCSP) cannot be avoided at the time of specific development, then a separate project-level Determination of Biologically Equivalent or Superior Preservation (DBESP) shall be prepared to identify project-specific impacts to riparian habitat and incorporate mitigation options identified in Mitigation Measure 4.4.6.3A.

A project-level Determination of a Biological Equivalent or Superior Preservation for each specific development shall be prepared to document measures to reduce impacts to riparian/riverine habitats in accordance with the Western Riverside County Multiple species Habitat Conservation Plan (MSHCP). The project-level Determination of a Biological Equivalent or Superior Preservation shall include specific measures to reduce impacts to riparian areas and provide mitigation in the form of onsite preservation of riparian areas and/or a combination of compensation through purchase and placement of lands with riparian/riverine habitat into permanent conservation through a conservation easement and/or restoration or enhancement efforts at offsite or onsite locations. Therefore, mitigation required for compensation for impacts to riparian/ riverine areas will require a minimum of 1:1 mitigation ratio of riparian/riverine mitigation land.

As outlined in the WLC programmatic DBESP, erosion control improvements will be installed within Drainage 9 to reduce sediment transport, and additional riparian habitat will be enhanced within this drainage following the installation of the erosion control improvements (MM DBESP 4 and 5).

**4.4.6.3C.** Prior to issuance of any grading permit for any offsite improvements that support development within the World Logistics Center Specific Plan, the developer shall retain a qualified biologist to prepare a jurisdictional delineation (JD) for any drainage channels affected by construction of the offsite improvements. This jurisdictional delineation shall be submitted to the U.S. Army Corps of Engineers (USACE) and California Department of Fish and Wildlife (CDFW) for review and concurrence. If the offsite improvements will not affect any identified jurisdictional areas, no United States Army Corps of Engineers permitting is required. However, permitting through the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (i.e., Streambed Alternation Agreement) may still be required for these improvements. The applicant shall consult with United States Army Corps of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board to establish the need for permits based on the results of the 2012 jurisdictional delineation and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained. Compensation for losses associated with any altered offsite drainages shall be in agreement with the permit conditions. Any landscaping associated with these offsite improvements shall use only native species to help protect biological resources residing within or traveling through these drainages per Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Table 6.1.2. This measure shall be implemented to the satisfaction of the City Planning Division in consultation with the U.S. Fish and Wildlife Service, U.S. Army Corps. of Engineers, and the California Department of Fish and Wildlife.

**Facts in Support of the Findings:** According to Section 4.4 of the FEIR Volume 3, a total of 15 primary drainage features were identified during this survey and a number of sub-drainages or tributaries were also identified. Jurisdiction for each drainage and/or sub-drainage or tributary was evaluated for jurisdiction under Section 404 and 401 of the CWA as administered by USACE and RWQCB, respectively; Porter Cologne as administered by the RWQCB; and Section 1600 of the Fish and Game Code as administered by the CDFW.

There are two drainage features that are completely isolated, Drainage Features 3 and 14. Drainage Feature 3 is an isolated temporary water quality facility serving the new Skechers building. This feature was created in an existing upland area and will eventually be converted into an underground storm drainage system. The second feature (consisting of two small basins) was created in an upland area to contain polluted runoff from a now-abandoned cattle operation. The eastern feature (Feature 14) is

dominated by non-native tree species and contains no native riparian habitat. The western feature contains a mix of non-native trees and native riparian habitat. There is no evidence of ponding and the basin is no longer in use. These basins no longer serve any water quality function and are therefore not considered to be isolated waters of the State under the Porter Cologne Act.

The EIR concludes that two of the drainages on the project site are under the jurisdiction of the USACE (Drainages 12 and 15), and several additional drainages are under the jurisdiction of the CDFW and RWQCB (Drainages 7, 8, 9, 12, and 15). Drainage Feature 7, 8, 9, 12, and 15 within the WLC project are considered riparian/riverine areas, as defined by MSHCP.

The Project area does not contain habitat suitable for sensitive riparian species, such as least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. Additionally, no vernal pools or ephemeral ponds were observed on the Project area and no suitable habitat for any fairy shrimp species was identified on site.

*Raptor Foraging Habitat.* The WLC Specific Plan and off-site facilities contain flat, open areas with sparse vegetation, which could be considered foraging habitat for some raptor species. Due to the regular, heavy disturbance associated with the various agricultural activities in the WLC Specific Plan and off-site facilities resulting in a rather limited prey base, and the limited size of the site in relation to the expansive foraging habitat in the near vicinity including both the CDFW Conservation Buffer Area and the SJWA, LPSRA and the extensive Badlands to the east, the foraging habitat on site is considered marginally suitable and an adverse but not significant impact to raptor foraging habitat is anticipated.

Therefore, **Mitigation Measures 4.4.6.3A through 4.4.6.3C** will help ensure there will be no significant impacts to riparian areas associated with Waters of the U.S. or Waters of the State as a result of future development within the Project.

With implementation of **Mitigation Measures 4.4.6.1A, 4.4.6.1B, 4.4.6.3A, and 4.4.6.3A through 4.4.6.3C**, potential impacts to riparian habitat or other sensitive natural communities, including on-site drainages, will be reduced to less than significant levels. (FEIR Volume 3 pgs. 4.4-89 to 4.4-92).

#### **d. Candidate, Non-listed Sensitive, or Other Special Status Species**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project has the potential to affect migratory bird species including the burrowing owl, designated "species of special concern" by the California Department of Fish and Wildlife; and the Los Angeles Pocket Mouse (LAPM).

**Finding:** Implementation of **Mitigation Measures 4.4.6.4A through 4.4.6.4K** will reduce the potential

adverse impacts to sensitive or special status species to less than significant:

***Migratory/Nesting Birds***

- 4.4.6.4A** Pursuant to the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC), site preparation activities (removal of trees and vegetation) shall be avoided during the nesting season of potentially occurring native and migratory bird species (generally February 1 to August 31). If site preparation activities must occur during the nesting season, a pre-activity field survey shall be conducted by a qualified biologist prior to issuance of grading permits for such development. The survey shall determine if active nests of species protected by the Migratory Bird Treaty Act or California Fish and Game Code are present in the construction zone. If active nests of these species are found, the developer shall establish an appropriate buffer zone with no grading or heavy equipment activity within of 500 feet from an active listed species or raptor nest, 300 feet from other sensitive or protected bird nests (non-listed), 250 feet from passerine birds, or 100 feet for sensitive or protected songbird nests. All construction activity within the vicinity of active nests must be conducted in the presence of a qualified biological monitor. Construction activity may encroach into the buffer area at the discretion of the biological monitor in consultation with CDFW. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure 4.4.6.4B shall also apply. This measure shall be implemented to the satisfaction of the City Planning Division.
- 4.4.6.4B** If it is determined that project-related grading or construction will affect nesting migratory bird species, no grading or heavy equipment activity shall take place within the limits established in Mitigation Measure 4.4.6.4A until it has been determined by a qualified biologist that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. This measure shall be implemented to the satisfaction of the City Planning Division.
- 4.4.6.4C** The loss of foraging habitat for golden eagle and white-tailed kite will be mitigated by payment of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) fee and the creation of a landscaped buffer area adjacent to the San Jacinto Wildlife Area property (SJWA). First, the payment of the Western Riverside County Multiple species Habitat Conservation Plan fee will be required on a project-by-project

basis. Second, a 250-foot setback as described in Mitigation Measure 4.4.6.1A will be established within the World Logistics Center Specific Plan area. This area will reduce impacts to raptor species foraging in the adjacent San Jacinto Wildlife Area open space areas.

### *Burrowing Owl*

**4.4.6.4D** A pre-construction clearance survey for burrowing owl shall be conducted by a qualified biologist no more than thirty (30) days prior to any grading or ground disturbing activities within the project area.

In the event no burrowing owls are observed within the limits of ground disturbance, no further mitigation is required.

If construction is to be initiated during the breeding season (February 1 through August 31) and burrowing owl is determined to occupy any portion of the disturbance area during the 30-day pre-construction survey, construction activity shall maintain a 500-foot buffer area around any active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. If this avoidance buffer cannot be maintained, consultation with the California Department of Fish and Wildlife (CDFW) shall take place and an appropriate avoidance distance established. No disturbance to active burrows shall occur without appropriate permitting through the Migratory Bird Treaty Act and/or California Department of Fish and Wildlife.

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, active and/or passive relocation may be conducted following consultation with the California Department of Fish and Wildlife. A relocation plan may be required by California Department of Fish and Wildlife if active and/or passive relocation is necessary. The relocation plan will outline the basic process and provides options for avoidance and mitigation. Artificial burrows -may be constructed within the buffer area south of the World Logistics Center Specific Plan. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor in consultation with CDFW.

A relocation plan may be required by California Department of Fish and Wildlife if active or passive relocation is necessary. Artificial burrows may be constructed within appropriate burrowing owl habitat within the proposed open space/conservation area

(Planning Area 30), a 74.3-acre area in the southwest portion of the Specific Plan. This area abuts the Lake Perris State Recreation Area (LPSRA) which is already in conservation. If suitable habitat is not present in Planning Area 30, owls may be relocated to the SJWA, the 250-foot buffer area or other suitable on-site or off-site areas. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor.

### *Los Angeles Pocket Mouse*

**4.4.6.4E** Prior to the approval of any Plot Plans proposing the development of land including or adjacent to Drainage 9, a protocol survey for the Los Angeles Pocket Mouse (LAPM), including 100 feet upstream and downstream of the affected reach shall be prepared by a qualified biologist and submitted to the City. If the affected drainage is not occupied, the area is considered not to be occupied and development can continue without further action. If the species is found within the specific survey area, no development shall occur until an appropriate mitigation fee is paid or appropriate amount of land set aside on the project site or off site to compensate for any loss of occupied Los Angeles Pocket Mouse habitat. Alternatively, individuals may be relocated to the 250-foot setback zone along the southern boundary of the property identified in Mitigation Measure 4.4.6.1A, or other appropriate areas as determined by the United States Fish and Wildlife Service. If necessary, this measure shall also be coordinated with Mitigation Measure 4.4.6.2B regarding preparation and processing of a Determination of a Biological Equivalent or Superior Preservation report. This measure shall be implemented to the satisfaction of the City Planning Division.

### *Resource Management*

**4.4.6.4F** Prior to approval of any discretionary permits for development within Planning Areas 10 and 12, a Biological Resource Management Plan (BRMP) shall be prepared to prescribe how the 250-foot setback area outlined in Mitigation Measure 4.4.6.1A will be developed and maintained. This plan will identify frequent and infrequent vegetation management requirements (i.e., removal of invasive plants) and the planting and maintaining trees to provide roosting and nesting opportunities for raptors and other birds. The Biological Resource Management Plan will also describe how relocation of listed or sensitive species will occur from other locations as outlined in Mitigation Measures 4.4.6.2A, 4.4.6.4D, and 4.4.6.4E.

The Biological Resource Management Plan shall be reviewed and approved by the Planning Official in consultation with the San Jacinto Wildlife Area Manager. The Biological Resource Management Plan shall cover all the land within the 250-foot setback zone within Planning Areas 10 and 12. Implementation of the plan shall be supervised by a qualified biologist, to the satisfaction of the City Planning Division.

- 4.4.6.4G** Mitigation Measure 4.4.6.1A specifies that a landscape plan shall be submitted with any development proposal for lots adjacent to the San Jacinto Wildlife Area (SJWA) property prior to issuance of a precise grading permit. The landscape plan shall be prepared by a licensed landscape architect in consultation with a qualified biologist and shall be consistent with the design standards contained in the Specific Plan. No plant species listed in Section 6.1.4 or Table 6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) shall be installed within the setback area. In conjunction with development adjacent to the San Jacinto Wildlife Area (SJWA), cottonwood trees shall be planted within the 250-foot setback area, consistent with the World Logistics Center Specific Plan plant palette (per DBESP MM 8).

During construction, the runoff leaving construction areas will be directed to onsite detention basins and away from downstream drainage features located offsite. All projects within the WLCSP will be required to prepare a Storm Water Pollution Prevention Plan (as outlined in MM 4.9.6.2B). Regarding the 250-foot setback area, pedestrian and vehicular access to areas of riparian/riverine habitat will be prohibited except for controlled maintenance access. Finally, no grading shall be permitted within conserved riparian/riverine habitat areas except for grading necessary to establish or enhance habitat areas (DBESP MM 6, 7, 9, and 10).

- 4.4.6.4H** As outlined in Mitigation Measure 4.4.6.1A, development adjacent to the 250-foot open space setback shall have a six-foot chain link fence or similar barrier to help separate human activity and the buffer area. Any chain link fencing installed on any properties adjacent to the 250-foot buffer area shall have metal mesh installed below and above ground level to prevent animals from accessing new development areas.

- 4.4.6.4I** The individual property owner and/or Property Owners Association (POA) as appropriate shall be responsible for maintaining the various onsite landscaped areas, open improved or natural drainage channels, and detention or flood control basins in a manner that provide for fuel management and vector control pursuant to standards maintained by the City Fire Marshall and County Department of Environmental Health- Vector Control



Group. This measure requires the individual owner or Property Owners Association (POA) to manage vegetation in and around these areas or improvements so as to not represent a fire hazard as defined by the City Fire Department through the substantial buildup of combustible materials. This measure also requires the individual owner or Property Owners Association to manage vegetation and standing water in drainage channels and basins such that they do not encourage or allow vectors to occur (primarily rats and mosquitoes). Runoff shall not be allowed to stand in channels or basins for more than 72 hours without treatment or maintenance to prevent establishment of mosquitoes per published County vector control guidelines and “Best Management Practices for Mosquito Control on California State Properties” which is available from the California West Nile Virus website at <http://www.westnile.ca.gov/resources>. This measure shall be implemented by the Property Owners Association in consultation with the City Fire Department and Riverside County Department of Environmental Health – Vector Control Group.

#### 4.4.6.4J

A Fuel Management Plan shall be prepared on a project-by-project basis for those Planning Areas adjacent to the south and east boundary of the World Logistics Center Specific Plan adjacent to Western Riverside County Multiple Species Habitat Conservation Plan Conservation Areas. The Fuel Management Plan shall be prepared by the project proponent and submitted for approval to the prior to plot plan approval for those projects on the southern and eastern Western Riverside County Multiple Species Habitat Conservation Plan boundary. Per the Western Riverside County Multiple Species Habitat Conservation Plan guidelines, the Fuel Management Plan shall include the following:

- A plant palette of adequate plant species that may be planted within the Fuel Management Area, which will be approved by a biologist familiar with the plant requirements of the area.
- A list of non-native invasive plants that are prohibited from installation.
- Maintenance activities and a maintenance schedule.
- Fuel modification zones shall be mapped and include an impact assessment as required under California Environmental Quality Act guidelines for a project-level analysis. The plan shall demonstrate that the adjacent Western Riverside County Multiple Species Habitat Conservation Plan Areas are adequately protected from expected fire risks.

**4.4.6.4K** Prior to approval of any plot plans for development adjacent to the SJWA, the applicant shall demonstrate that direct light rays have been contained within the development area, per requirements of the MSHCP. Section 6.0 which states, “Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting.” This measure shall be implemented to the satisfaction of the City Planning Division.

**Facts in Support of the Finding:** According to Section 4.4 of the FEIR Volume 3, no USFWS designated Critical Habitat for any species is located within the Project area; therefore, no further action with regard to Critical Habitat is necessary.

*Migratory or Nesting Birds.* The 2013 MBA report found the extensive agriculture plant communities in the WLC Specific Plan and offsite facilities provide suitable nesting habitat for ground-nesting avian species such as western meadowlark (*Sturnella neglecta*) and burrowing owl. Suitable habitat for shrub and tree nesting species such as red-tailed hawk, black phoebe (*Sayornis nigricans*), and house finch occur along the edges of existing development surrounding the WLC Specific Plan and offsite facilities as well as isolated, remnant patches of vegetation in undisturbed portions of the WLC Specific Plan and offsite facilities. Therefore, portions of the WLC Specific Plan and offsite facilities and immediately adjacent to the WLC Specific Plan and offsite facilities provide suitable nesting habitat for migratory birds protected under the MBTA and California Fish and Game Code.

The Project area contains suitable nesting habitat for several tree-, shrub-, and ground-nesting avian species. Therefore, MBA recommends construction activities avoid the avian nesting season, from February to August, if possible. If construction activity must take place during the nesting season, a pre-construction nesting bird survey should be conducted prior to any ground disturbance activities. The survey can be conducted in conjunction with the pre-construction survey for burrowing owl.

If passerine birds are found to be nesting or if there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot setback will be required around the nest where no vegetation disturbance will be permitted. For raptor species such as hawks and owls, this buffer should be expanded to 500 feet. A qualified biologist will be required to closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests could continue. Construction activity may proceed within the buffer area at the discretion of the biological monitor. **Mitigation Measures 4.4.6.4A through 4.4.6.4C** will ensure that impacts are less than significant.

*Burrowing Owl.* For those species that are not covered by the take and incidental take provisions of the MSHCP (e.g., burrowing owl), the MSHCP requirements dictate that further protective action be taken. While no burrowing owls were identified within the Project's area of disturbance, because suitable habitat is present within the Project area for the burrowing owl and because the species is highly mobile, a potential exists that, at some future date prior to Project development, this species may occupy the development sites. This is a potentially significant impact requiring mitigation. **Mitigation Measure 4.4.6.4D** will ensure that impacts are less than significant.

*Los Angeles Pocket Mouse.* Focused surveys for the LAPM were conducted in August 2005, June 2010, June 2012, and July 2013. Suitable habitat was found within Drainage Feature 9, one of the main drainage features located in the eastern end of the Project area. In its MSHCP Consistency Report, MBA concluded that LAPM is absent from the Project area. However, the Specific Plan indicates this drainage will remain in its present natural condition, except for the southern end as it becomes the Street H channel and outlets to the SJWA land to the south. Extensive surveys were completed in 2005, 2010, 2012, and 2013, which concluded that Los Angeles pocket mouse was not present. However, **Mitigation Measure 4.4.6.4E** will ensure that impacts are less than significant.

*Plant Survey Areas.* The Project limits are within MSHCP Survey Area 10 of the NEPSSA and MSHCP Survey Area 9 of the CASSA for plant species. The MSHCP requires that a habitat site assessment (HSA) be conducted for all proposed developments within Narrow Endemic Plant Species' Survey Areas (NEPSSAs) and Criteria Area Sensitive Plant Species' Survey Areas (CASSAs). The HSA for most NEPSSA and CASSA plants must be done during a normal rainfall year and/rainy season. If it is determined during the HSA that suitable soils and/or growing conditions are present on site to support identified NEPSSA species, a focused plant survey is required during the plant species blooming period.

Habitat suitability of the site for NEPSSA and CASSA species is detailed in the General Biological Resources and MSHCP Compliance Report (FEIR, Volume 3 Appendix E). None of the species analyzed in the NEPSSA or CASSAs is anticipated to occur on the WLC Project site. The implementation of the WLC Project would not affect the habitat or result in a direct impact for any special status plant species. **Mitigation Measure 4.4.6.2A** will ensure that impacts are less than significant.

In summary, implementation of the above-listed mitigation measures (**Mitigation Measures 4.4.6.4A** through **4.4.6.4K**) would reduce impacts to burrowing owl, migratory bird species, and Los Angeles pocket mouse to less than significant levels. (FEIR Volume 3 pgs. 4.4-92 to 4.4-98).

**e. Cumulative Biological Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probably future projects would incrementally affect biological resources.

**Findings:** Potential impacts of the Project related to cumulative biological impacts are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts to biological resources; therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.4 of the DEIR, the cumulative area for biological resources is the Western Riverside County MSHCP area. The MSHCP establishes a comprehensive, multi-jurisdictional program focused on the conservation of 146 species and their habitats in western Riverside County. As stated in its Conservation Element, the City reviews all public and private development and construction projects and other land use plans/activities within the MSHCP area to ensure compliance with the conservation criteria procedures and mitigation requirements set forth in the MSHCP. As a signatory to the MSHCP Implementing Agreement, the City has been issued “Take Authorization,” which allows the implementation of land use decisions consistent with the MSHCP without individual authorization by State or Federal authorities. As required by the MSHCP, focused biological resource studies have been conducted to assess potential impacts associated with development of the proposed uses. Where impacts to special status bird species and jurisdictional areas have been identified, mitigation has been identified to reduce the Project specific impacts to a less than significant level. Additionally, the MSHCP and its Implementation Agreement contain a fee mitigation program pursuant to which local agencies collect development impact fees and remit such fees to the RCA. These fees are in turn used to acquire lands which are suitable for habitat preservation for species covered by the MSHCP. In fact, habitat lands created by the MSHCP also have biological benefits for species technically not covered by the MSHCP, such as the burrowing owl. Habitat acquired by the MSHCP may be suitable as owl habitat. The latest adjustment of the MSHCP fee mitigation (July 1, 2009) allows the collection of fees of \$6,597 per acre of industrial development. The payment of required MSHCP is a standard requirement for all development occurring within the MSHCP area.

The EIR determined that indirect impacts of the Project on the SJWA would be less than significant with mitigation, and the regional (cumulative) implications of the Project can be addressed through the fee payment program of the MSHCP because it provides a regional and comprehensive approach to conservation planning. For example, future development that impacts Drainage 9 would be required to prepare a DBESP report consistent with MSHCP requirements. Through the implementation of the stated

mitigation for Project-specific impacts, and the payment of required MSHCP mitigation fees, no significant cumulative effect on biological resources would result from the development of the proposed uses with implementation of the identified program mitigation measures. (FEIR Volume 3 pg 4.4-98).

## 5. Cultural Resources

### a. Prehistoric Cultural Resources

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could have an adverse effect on significant archaeological resource pursuant to Section 15064.5.

**Finding:** Implementation of the following mitigation measures will reduce the impact to unique archaeological resources to less than significant:

**4.5.6.1A** Prior to the approval of any grading permit for any of the “Light Logistics” parcels, the parcels shall be evaluated for significance by a qualified archaeologist. A Phase 1 Cultural Resources Assessment shall be conducted by the project archaeologist and an appropriate tribal representative(s) on each of the “Light Logistics” parcel to determine if significant archaeological or historical resources are present.

A Phase 2 significance evaluation shall be completed for any of these sites in order to determine if they contain significant archaeological or historical resources. Cultural resources include but are not limited to stone artifacts, bone, wood, shell, or features, including hearths, structural remains, or historic dumpsites. All resources determined to be prehistoric or historic shall be documented using DPR523 forms for archival research/storage in the Eastern Information Center (EIC). If the particular resource is determined to be not significant, no further documentation is required. If prehistoric resources are determined to be significant, they shall be considered for relocation or archival documentation. If any resource is determined to be significant, a Phase 3 recovery study shall be conducted to recover remaining significant cultural artifacts. If prehistoric archaeological/cultural resources are discovered during the Phase 1 survey and it is determined that they cannot be avoided through site design, they shall be subject to a Phase 2 testing program. The project archaeologist in consultation with appropriate tribal group(s) shall determine the significance of the resource(s) and determine the most appropriate disposition of the resource(s) in accordance with applicable laws, regulations and professional practices (per Cultural Report MM CR-1, MM CR-2, MM CR-7 Table 3, pg.74).

**4.5.6.1B**

Prior to the issuance of any grading or ground-disturbing permit for construction of off-site improvements a qualified archaeologist shall be retained to prepare a Phase I cultural resource assessment (CRA) of the project site if an up to date Phase I cultural resource assessment is not available for the site at the time of development per Cultural Report MM CR-5, Table 3, pg.74).

Appropriate tribal representatives as identified by the City shall be invited by the Project Archeologist to participate in this assessment.

If archaeological resources are discovered during construction activities, no further excavation or disturbance of the area where the resources were found shall occur until a qualified archaeologist evaluates the find. If the find is determined to be a unique archaeological resource, appropriate action shall be taken to (a) plan construction to avoid the archeological sites (the preferred alternative); (b) cap or cover archeological sites with a layer of soil before building on the affected project location; or (c) excavate the site to adequately recover the scientifically consequential information from and about the resource. At the discretion of the project archaeologist, work may continue on other parts of the project site while the unique archaeological resource mitigation takes place. This measure shall be implemented to the satisfaction of the Planning Official.

If the project archaeologist, in consultation with the monitoring Tribe(s), determines that the find is a unique archaeological resource, the resource site shall be evaluated and recorded in accordance with requirements of the State Office of Historic Preservation (OHP). If the resource is determined to be significant, data shall be collected by the qualified archaeologist and the findings of the report shall be submitted to the City. If the find is determined to be not significant no mitigation is necessary.

Should a future project-level analysis show that cultural resource site CA-RIV-3346 will be directly or partially impacted by project-level construction, an Addendum cultural resource report must be prepared and include an analysis of the alternatives associated with mitigation for impacts to this resource following CEQA Guidelines Section 15126.4(b)(3). This information must be included in any project-level CEQA compliance documentation. It should be noted that Phase 3 data recovery is an acceptable mitigation action under CEQA Guidelines Section 15126.4(b)(3)(C) (per Cultural Report MM CR-3, Table 3, pg.74).

Should it be determined through a future project-level EIR analysis that prehistoric cultural resource sites CA-RIV-2993 and/or CA-RIV-3347 shall be directly impacted by future construction, these sites must be Phase 2 tested for significance (per Cultural Report MM CR-4, Table 3, pg.74).

#### 4.5.6.1C

Prior to the issuance of any grading permits a qualified archaeologist shall be retained to monitor all grading and shall invite tribal groups to participate in the monitoring. Project-related archaeological monitoring shall include the following requirements per Cultural Report MM CR-6, MM CR-8, Table 3, pg.74):

1. All earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative. Once all areas of the development project that have been cut to 10 feet below existing grade have been inspected by the monitor, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected.
2. If buried cultural resources are detected, monitoring shall continue until 100 percent of virgin earth within the specific project area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.
3. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. A buffer of at a minimum 25 feet around the cultural item shall be established to allow for assessment of the resource. Grading may continue in other areas of the site while the particular find are investigated; and
4. If prehistoric cultural resources are uncovered during grading, they shall be Phase 2 tested by the Project Archaeologist, and evaluated for significance in accordance with §15064.5(f) of the CEQA Guidelines. Appropriate actions for significant resources as determined by the Phase 2 testing include but are not limited to avoidance or capping, incorporation of the site in green space, parks, or delineation into open space. If such measures are not feasible, Phase 3 data recovery of the significant resource will be required, and curation of recovered artifacts and/or reburial, shall be required. A report associated with Phase 2 testing or Phase 3 data recovery must be delivered to the City and, if necessary, the museum where any recovered artifacts have been curated.



5. No further grading shall occur in the area of the discovery until the City approves specific actions to protect identified resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.
6. The developer shall make reasonable efforts to avoid, minimize, or mitigate significant adverse impacts on cultural resources. The State Historic Preservation Office (SHPO) and local Native American tribes will be consulted and the Advisory Council on Historic Preservation will be notified within 48 hours of the find in compliance with 36 CFR 800.13(b)(3). This measure shall be implemented to the satisfaction of the Planning Official.

**4.5.6.1D** Prior to the issuance of any grading permit, the project archaeologist shall invite interested Tribal Group(s) representatives to monitor grading activities. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor grading as long as they provide 48-hour notice to the developer of their desire to monitor, so the developer can make appropriate safety arrangements on the site. This measure shall be implemented to the satisfaction of the Planning Official.

**4.5.6.1E** It is possible that ground-disturbing activities during construction may uncover previously unknown, buried cultural resources (archaeological or historical). In the event that buried cultural resources are discovered during grading and no Project Archaeologist or Historian is present, grading operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be retained to determine the most appropriate course of action regarding the resource. The Archeologist shall make recommendations to the City on the actions that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the *CEQA Guidelines*. Cultural resources could consist of, but are not limited to, stone artifacts, bone, wood, shell, or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of CEQA criteria. If the resources are determined to be unique historic resources as defined under §15064.5 of the *CEQA Guidelines*, appropriate protective actions for significant resources such as avoidance or capping, incorporation of the site in green space, parks, or

open space, or data recovery excavations of the finds shall be implemented by the project archaeologist and the City.

No further grading shall occur in the area of the discovery until the City and project archaeologist approve the measures to address these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.

**Facts in Support of the Finding:** Based on Section 4.5 of the FEIR Volume 3, a reconnaissance pedestrian-survey for the Project site was conducted in November 2007. Although the Project site is located within the Moreno Hills Complex, no archaeological resources were identified on the Project site during the field survey, and the cultural resource assessment concluded the Project would have no significant impacts; however, there is a potential for Project grading to disturb previously undiscovered cultural resources. While there is no recorded or surface evidence that archaeological resources are present on site, the Project is located in an area with a high potential of containing prehistoric archaeological resources. Therefore, a potential exists that excavation and construction activities may uncover previously undetected prehistoric or historic cultural resources. Adherence to **Mitigation Measures 4.5.6.1A** through **4.5.6.1E** would reduce potential impacts to archaeological resources to a less than significant level. (FEIR, Volume 3 pgs. 4.5-17 to 4.5-21)

#### **b. Historic Resources**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could have a significant adverse effect on historic resources.

**Findings:** Implementation of the following mitigation measures will reduce the impact to historic resources to less than significant:

**4.5.6.2A** If any historic resources are found during implementation of Mitigation Measure 4.5.6.1A, the property owner shall offer any artifacts or resources to the Moreno Valley Historical Society (MVHS) or the Eastern Information Center/County Museum or the Western Science Center in Hemet as appropriate for archival storage. From the time any artifacts are turned over to the Moreno Valley Historical Society or other appropriate historical group, the property owner/developer shall have no further responsibility for their management or maintenance.

**4.5.6.2B** As part of construction of the trail segment connecting Redlands Boulevard to the California Department of Fish and Wildlife property, the developer shall contribute \$5,000 to the City for the installation of a historical marker acknowledging the passing of Juan Bautista de Anza through this area during his exploration of California. This measure shall be incorporated into trail plans for this segment which will be subject to review and approval by the City Park and Recreation Department in consultation with the Moreno Valley Historical Society.

**4.5.6.2C** Streets C and E shall follow the historical alignment of Alessandro Boulevard and shall be named Alessandro Boulevard.

**Facts in Support of the Findings:** According to Section 4.5 of the FEIR, Volume 3, the project site contains two previously identified historic sites: CA-RIV-4201H and CA-RIV-4210H. Both of these are historic-era homesteads and previously contained farm buildings and related out-buildings. They were located in the eastern portion of the Specific Plan, but MBA could find no remains of these facilities or related artifacts. The MBA report concludes the buildings were demolished and/or their materials removed for disposal or reuse at some point in the past.

There are seven rural residential structures and associated out-buildings currently present on the project site, and one (APN 478-220-009) near Redlands Boulevard contains a farm building that was built around 1900 and may be one of the oldest surviving buildings of the historic Moreno community.<sup>18</sup> No other evidence of past structures or unique features was identified; however, access to the seven rural residential properties was not available at the time of survey, and it appears from general observations, historical aerial photographs, and historical records that one or more of these buildings may be older than 40 years. Without more information, there is a possibility that removal of these buildings could represent a significant impact to historic structures, features, or resources, and mitigation is required.

In addition, historical evidence indicates Juan Bautista de Anza traveled through the project area (i.e., along the base of Mt. Russell from south to northwest), which should be acknowledged as part of the trail proposed within the Specific Plan.

Alessandro Boulevard was designated as a City Landmark in 1988 (Resolution CPAB 88-2). Resolution CPAB 88-2 was designed to assure the maintenance, enhancement, or protection of a street of historical significance. Over the years various portions of Alessandro Boulevard have been modernized to enhance traffic flow throughout the City, but the original routing has remained unchanged. Alessandro Boulevard

<sup>18</sup> *Cultural Resources Assessment*, Michael Brandman Associates, Inc., September 2014.

within the WLCSP would retain its original alignment but the roadway would be enhanced to serve modern traffic needs. This has been done in multiple areas along Alessandro Boulevard in the past to better serve the needs of the community. These changes have not impacted the integrity of the landmark status, as the significance of the Landmark status is associated with the original location of the boulevard since 1890 and the retention of the original name of the boulevard across the City. These aspects would remain and the impacts would not be considered significant since the California Register requires that a resource possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance” (California Office of Historic Preservation 1999). To retain integrity, a resource should have its original location, design, setting, materials, workmanship, feeling, and association. Which of these factors is most important depends on the particular criterion under which the resource is considered eligible for listing (California Office of Historic Preservation 1999). Alessandro Boulevard integrity is retained in the original location, however, design, setting, materials feeling have changed over time through modifications to the road throughout the City and thus the impacts are not significant.

Approximately 1,350 feet of Alessandro Boulevard east of Merwin Street would be closed to through traffic to keep trucks from using Alessandro Boulevard through the residential neighborhood between Merwin Street and Wilmot Street. The loss of this portion of Alessandro Boulevard would not have a significant impact on the landmark status of the road, as the name would continue to be employed and the original routing would be retained throughout. These are the two key characters of the landmark status. This portion of road would be open to hikers and bikers and the closure will be designed to keep access open to non-vehicular users. Both the original route and name would be retained in keeping with the main aspects of the landmark designation.

Implementation of **Mitigation Measures 4.5.6.1A, 4.5.6.2A, and 4.5.6.2B**, will help reduce potential impacts to historical resources to less than significant levels. (FEIR, Volume 3 pgs. 4.5-21 to 4.5-26).

### c. **Paleontological Resources**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could have an adverse effect on significant paleontological resource or site or unique geologic feature.

**Findings:** Implementation of the following mitigation measures will reduce the impact to unique paleontological resource or unique geologic feature to less than significant:

**4.5.6.3A**

Prior to the issuance of any grading permits, a City-approved Paleontologist shall be retained to conduct paleontological monitoring as needed for all grading related to development. Development monitoring shall include the following actions:

1. Monitoring must occur in areas where excavations are expected to exceed twenty (20) feet in depth, in areas where fossil-bearing formations are found during grading, and in all areas found to contain, or are suspected of containing, fossil-bearing formations.
2. To avoid construction delays, paleontological monitors shall be equipped to salvage fossils and remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates if they are unearthed.
3. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of specimens.
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by the Project Paleontologist to have low potential to contain fossil resources.

This measure shall be implemented to the satisfaction of the Planning Official. The Project Paleontologist and the Project Archaeologist described in Mitigation Measure 4.5.6.1C may be the same person if he/she meets the qualifications of both positions per Cultural Report MM PR-1, Table 4, pg. 76).

**4.5.6.3B**

Prior to the issuance of any permits for the construction of off-site improvements, a qualified paleontologist shall conduct an assessment for paleontological resources on each off-site improvement location. If any site is determined to have a potential for exposing paleontological resources, the project paleontologist shall monitor off-site grading/excavation, subject to coordination with the City. Development monitoring shall include the following mitigation measures:

1. Monitoring must occur in areas where excavations are expected to reach fossil-bearing formations during grading. This monitoring must be conducted by the Project Paleontologist in all areas found to or suspected of containing fossil-bearing formations.

2. To avoid construction delays, the Project Paleontologist shall be equipped to salvage fossils and remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates as they are unearthed.
3. The Project Paleontologist shall be empowered to temporarily halt or divert equipment to allow removal of specimens.
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by the Project Paleontologist to have low potential to contain fossil resources.

**Facts in Support of the Findings:** According to Section 4.5 of the FEIR, Volume 3, the Project site is located within an area that has a high potential to contain near-surface Pleistocene fossils.<sup>19</sup> The paleontological literature search indicated that there is potential for significant, nonrenewable resources that to encountered during onsite construction activities. Therefore, a paleontological resources impact mitigation program (PRIMP), including excavation monitoring by a qualified paleontologist, is recommended for earthmoving activities in Pleistocene sediments on the Project site with potential to contain significant, nonrenewable paleontological resources. Although no paleontological resources were identified on site during the field survey, because of the location of the Project site and associated sensitivity for paleontological resources, the potential exists that paleontological resources maybe uncovered during construction. Adherence to the **Mitigation Measures 4.5.6.3A** and **4.5.6.3B** will reduce potential impacts to paleontological resources to a less than significant level. (FEIR, Volume 3 pgs. 4.5-26 to 4.5-27).

#### d. Cumulative Cultural Resources Impacts

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could have an adverse effect on significant cumulative impact on cultural resources.

**Findings:** Implementation of **Mitigation Measures 4.5.6.1A** through **4.5.6.1E**, **4.5.6.2A** and **4.5.6.2B**, and **4.5.6.3A** and **4.5.6.3B** will reduce the cumulative impacts on cultural resources to less than significant.

**Facts in Support of the Findings:** According to Section 4.5 of the FEIR, Volume 3, Implementation of the project and related off-site improvements would require measures to identify, recover, and/or record any cultural and/or paleontological resource that may occur within the project limits. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level

<sup>19</sup> Ibid.

through adherence to existing State law. With implementation of the recommended mitigation measures, potential impacts to archaeological or paleontological resources from future development will be reduced to less than significant levels. Since this region contains archaeological, historical, and paleontological resources that have been found in the past, future development in the surrounding region may impact these resources as well. However, implementation of the mitigation measures outlined in this document, and other CEQA documents for development projects in the area, will help reduce potential impacts to cultural resources to less than significant levels. With implementation of the project-level mitigation for future development identified in Section 4.5.6, the Project will not have significant impacts related to cultural resources, and will also not make any significant contributions to cumulatively. (FEIR, Volume 3 pg. 4.5-27 to 4.5-28).

## 6. Geology and Soils

### a. Fault Rupture

**Potential Significant Impact:** The EIR evaluated and concluded that the future development permitted by the project would locate development in an area susceptible to fault rupture.

**Findings:** Implementation of the following mitigation measures will reduce the impact related to fault rupture to less than significant:

- 4.6.6.1A** Prior to approval of any projects for development between Redlands Boulevard and Theodore Street, south of Dracaea Avenue (projected east from Redlands Boulevard), and the area south of Alessandro from the western boundary along the Mount Russell toe of slope easterly into the site 1,500 feet, the City shall determine if a detailed fault study of the Casa Loma Fault Zone area is required based on available evidence. If necessary, any additional geotechnical investigations shall be prepared by a qualified geologist and determine if structural setbacks are needed, and shall identify specific remedial earthwork and/or foundation recommendations. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the



investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur. Structures intended for human occupancy shall not be located within any structural setback zone as determined by those studies. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.

#### **4.6.6.1B**

Prior to approval of any projects for development within or adjacent to the San Jacinto Alquist-Priolo Earthquake Fault Zone, the City shall review and approve a geotechnical fault study prepared by a qualified geologist to confirm the alignment and size of any required building setbacks related to the fault zone. If necessary, this study shall identify a “special foundation or grading remediation zone” for the areas supporting structures intended for human occupancy where coseismic deformation (fractures) is observed. This zone shall be determined after subsurface evaluation based on proposed building locations. Specific remedial earthwork and foundation recommendations shall be evaluated as necessary based on proposed building locations. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.

This study may involve trenching to adequately identify the location of the Claremont segment of the San Jacinto Fault Zone that crosses the eastern portion of the World Logistics Center Specific Plan property. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.

**4.6.6.1C** Prior to the approval of grading permits, or permits for construction of off-site improvements, the City shall review and approve plans confirming that the project has been designed to withstand anticipated ground shaking and other geotechnical and soil constraints (e.g., settlement). The project proponent shall submit plans to the City as appropriate for review and approval prior to issuance of grading permits or issuance of permits for the construction of any offsite improvements. This measure shall be implemented to the satisfaction of the City Engineer

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR, Volume 3, the western portion of the site is crossed by the City of Moreno Valley Seismic Zone, a postulated trace of the Casa Loma Fault and the Farm Road Strand. A detailed fault investigation was performed by Leighton for these projected faults. Although no active faulting was observed, some local discontinuous fracturing was observed and documented. Because of the potential for ground movements in this area, mitigation is required.

State law prohibits the construction and placement of habitable structures<sup>20</sup> over the trace of an active fault pursuant to the Alquist-Priolo Act. The A-P Earthquake Fault Zone is located on the eastern border of the project site. Trenching conducted by Leighton across the Claremont Segment of the San Jacinto Fault in the eastern area of the project site identified the location of a portion of the fault; however, the entire length of the fault through the project site was not trenched. Although no habitable structure can be located on an active fault per State law, fault rupture hazard represents a potential significant seismic hazard on site that would require mitigation.

Implementation of **Mitigation Measures 4.6.6.1A** through **4.6.6.1C** will ensure fault rupture hazards are reduced to a less than significant level. (FEIR, Volume 3 pgs. 4.6-17 to 4.6-20).

#### **b. Ground Shaking**

**Potential Significant Impact:** The EIR evaluated and concluded that the future development permitted by the project would locate development in an area susceptible to ground shaking.

<sup>20</sup> California Code of Regulations, Section 3601 states, "A structure for human occupancy is any structure used or intended for supporting or sheltering any use of occupancy, which is expected to have a human occupancy rate of more than 2,000 person-hours per year."

**Findings:** Implementation of the following mitigation measures will reduce the impact related to ground shaking to less than significant:

**4.6.6.2A** Prior to issuance of building permits for any portion of the project site, a site-specific, design level geotechnical investigation for each parcel shall be submitted to the City, which would comply with all applicable state and local code requirements, and includes an analysis of the expected ground motions at the site from known active faults using accepted methodologies. The report shall determine:

1. Structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults.
2. The final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR, Volume 3, Southern California is a seismically active area and, therefore, will continue to be subject to ground shaking resulting from seismic activity on regional faults. Ground shaking from earthquakes associated with nearby and more distant faults is expected to occur during the lifetime of the project. The level of potential ground motion is considered moderate to high in the City of Moreno Valley and, therefore, in the project area.

In accordance with the City’s General Plan Safety Element (Objective 6.1),<sup>21</sup> project development will require geological and geotechnical investigations by State-licensed professionals. The geotechnical investigations will provide design considerations and earthwork recommendations to ensure that ground shaking impacts are appropriately mitigated. In addition, California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code, contains building design and construction requirements relating to fire and life safety, and structural safety. The CBC also includes standards designed to ensure that structures within California are built to withstand expected levels of seismic activity for each earthquake region throughout the State. Specifically, Part 2 of Title 24, including Chapters 4, 16-18, and Appendix J provide guidance regarding grading, soils, and construction techniques related to seismic protection. These codes are provided to protect public safety and ensure that all structures built in the State can withstand anticipated seismic ground shaking and other related geotechnical and soils constraints. Implementation of **Mitigation Measure 4.6.6.2A** will ensure ground shaking impacts caused by earthquakes are reduced to a less than significant level. (FEIR, Volume 3 pgs. 4.6-20 to 4.6-21).

#### c. Unstable Soils

**Potential Significant Impact:** The EIR evaluated and concluded that the future development permitted by the project would locate development in an area susceptible to unstable soils.

**Findings:** Implementation of the following mitigation measures will reduce the impact related to unstable soils to less than significant:

**4.6.6.3A** Each Plot Plan application for development shall include a site-specific, design level geotechnical investigation for each parcel, in compliance with all applicable state and local code requirements, and including an analysis of the expected soil hazards at the site.

The report shall determine:

1. Structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults.
2. The final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project

<sup>21</sup> Moreno Valley General Plan, Chapter 9 Goals and Objectives, pg. 9-30.

structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. These investigations shall identify any site-specific impacts from compressible and expansive soils based on the actual location of individual pads proposed in the future, so that differential movement can be further verified or evaluated in view of the actual foundation plan and imposed fill or structural loads. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.

Compliance with this measure will ensure that future buildings are designed to protect the structure and occupants from on-site soil limitations, consistent with State Building Code requirements. This measure shall be implemented to the satisfaction of the City Engineer.

**4.6.6.3B** Any cut slopes in excess of five (5) feet in vertical height shall be constructed as “replacement fill slopes” per the project geotechnical report, due to the variable nature of the onsite alluvial soils. This measure shall be implemented to the satisfaction of the City Land Development Division and the City Engineer in consultation with the Project Geologist.

**4.6.6.3C** During all grading activities, a geotechnical engineer shall monitor site preparation, removal of unsuitable soils, mapping of all earthwork excavations, approval of imported earth materials, fill placement, foundation installation, and other geotechnical operations. Laboratory testing of subsurface materials to confirm compacted dry density and moisture content, consolidation potential, corrosion potential, expansion potential, and resistance value (R-value) shall be performed prior to and during grading as appropriate. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.

**Facts in Support of the Findings:** According to Section 4.6 of the FEIR, Volume 3, expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on these soils. The extent or range of the shrink/swell is influenced by the amount and kind of clay present in the soil. Expansive soils can be widely dispersed and they can occur in hillside areas as well as low-lying alluvial basins. On-site soils (Dv and Wb soils) are identified as having a moderate to low shrink-swell potential. Because the potential exists to locate development on moderately expansive soils, impacts are considered significant and mitigation is required. In accordance with the City's General Plan Safety Element (Implementation Measure I.E.1) and as indicated previously, development of the project will require geological and geotechnical investigations by State-licensed professionals. To ensure impacts from expansive soils are addressed for specific development sites, adherence to **Mitigation Measures 4.6.6.3A** through **4.6.6.3C** is required to reduce impacts from unstable soils to less than significant. (FEIR, Volume 3 pg. 4.6-21 to 4.6-23)

## 7. Greenhouse Gas Emissions, Climate Change, and Sustainability

### a. Greenhouse Gas Emissions

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could have an adverse effect due to the generation of greenhouse gas emissions (GHGs).

**Findings:** Implementation of the following mitigation measures will reduce the impact related to greenhouse gas emissions to less than significant:

**4.7.6.1A** The project shall implement the following requirements to reduce solid waste and greenhouse gas emissions from construction and operation of project development:

- a) Prior to January 1, 2020, divert a minimum of 50 percent of landfill waste generated by operation of the project. After January 1, 2020, development shall divert a minimum of 75 percent of landfill waste. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.
- b) Prior to January 1, 2020, recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. After January 1, 2020, recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris. In January of each calendar year after project approval the developer

and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.

Develop and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Calculations can be done by weight or volume, but must be consistent throughout.

- c) The applicant shall submit a Recyclables Collection and Loading Area Plan for construction related materials prior to issuance of a building permit with the Building Division and for operational aspects of the project prior to the issuance of the occupancy permit to the Public Works Department. The plan shall conform to the Riverside County Waste Management Department's Design Guidelines for Recyclable Collection and Loading Areas.
- d) Prior to issuance of certificate of occupancy, the recyclables collection and loading area shall be constructed in compliance with the Recyclables Collection and Loading Area plan.
- e) Prior to issuance of certificate of occupancy, documentation shall be provided to the City confirming that recycling is available for each building.
- f) Within six months after occupancy of a building, the City shall confirm that all tenants have recycling procedures set in place to recycle all items that are recyclable, including but not limited to paper, cardboard, glass, plastics, and metals.
- g) The property owner shall advise all tenants of the availability of community recycling and composting services.
- h) Existing onsite street material shall be recycled for new project streets to the extent feasible.

**4.16.4.6.1C** Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

- 1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;



- 2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and
- 3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions.

**Facts in Support of the Findings:** According to FEIR, Volume 3 Section 4.7, future development that could occur on the Project site could generate GHG emissions during construction and operation activities. Most of the project's GHG emissions (transportation and electricity) are covered under the AB 32 California cap-and-trade program and are therefore "capped" GHG emissions. For informational purposes, the capped construction GHG emissions averaged over 30 years are approximately 8,820 metric tons of carbon dioxide equivalents (mt CO<sub>2</sub>e) before mitigation and 7,750 mt CO<sub>2</sub>e after applying air quality mitigation. The capped operational GHG emissions are approximately 396,800 mt CO<sub>2</sub>e per year without mitigation and 379,800 mt CO<sub>2</sub>e per year after applying mitigation from other impact sections (i.e., air quality, water, energy).

Based on a comparison of the Project to the South Coast Air Quality Management District tiered interim GHG significance criteria, the most applicable South Coast Air Quality Management District threshold for the uncapped GHG emissions is the Industrial at 10,000 mt CO<sub>2</sub>e per year. The long-term Project operational uncapped GHG emissions for the Project are 19,237 mt CO<sub>2</sub>e per year and exceed this threshold; therefore, the Project operational GHG emissions are significant before mitigation. With implementation of **Mitigation Measure 4.7.5.1A**, the Project's uncapped GHG emissions would be reduced to approximately 6,000 mt CO<sub>2</sub>e, which is less than significant. In order to ensure that the Project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.3.6.3B, 4.3.6.4A, 4.3.6.3C, 4.3.6.3D, 4.7.5.1A, 4.16.1.6.1A, 4.16.1.6.1B, 4.16.1.6.1C, 4.16.4.6.1A, 4.16.4.6.1B, and 4.16.4.6.1C** shall be implemented. (FEIR, Volume 3 pg. 4.7-34 to 4.7-59)

**b. Greenhouse Gas Plan, Policy, Regulation Consistency**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could be inconsistent with greenhouse gas plans, policies and regulations.

**Findings:** Implementation of **Mitigation Measures 4.3.6.3B, 4.3.6.3C, 4.3.6.3D, 4.3.6.4A, 4.7.6.1A, 4.16.1.6.1A, 4.16.1.6.1B, 4.16.1.6.1C, 4.16.4.6.1A, and 4.16.4.6.1B and 4.16.4.6.1C** will help reduce project-related GHG emissions and therefore make it more consistent with GHG reduction plans, policies, and/or regulations. Those mitigation measures are as follows:

**4.3.6.3B** The following shall be implemented as indicated:

**Prior to Issuance of a Certificate of Occupancy**

- a) Signs shall be prominently displayed informing truck drivers about the California Air Resources Board diesel idling regulations, and the prohibition of parking in residential areas.
- b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.
- c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.

**On an Ongoing Basis**

- d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.
- e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.
- f) Tenants shall be encouraged to become a SmartWay Partner.
- g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.

- h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.
- i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.
- j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.
- k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
- l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.
- n) Truck and vehicle idling shall be limited to three (3) minutes.

#### 4.3.6.3C

Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.

**4.3.6.3D** Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.

**4.3.6.4A** The following measures shall be incorporated as conditions to any Plot Plan approval within the Specific Plan:

- a) All tenants shall be required to participate in Riverside County’s Rideshare Program–
- b) Storage lockers shall be provided in each building for a minimum of three percent of the full-time equivalent employees based on a ratio of 0.50 employees per 1,000 square feet of building area. Lockers shall be located in proximity to required bicycle storage facilities.
- c) Class II bike lanes shall be incorporated into the design for all project streets.
- d) The project shall incorporate pedestrian pathways between on-site uses.
- e) Site design and building placement shall provide pedestrian connections between internal and external facilities.
- f) The project shall provide pedestrian connections to residential uses within 0.25 mile from the project site.
- g) A minimum of two electric vehicle-charging stations for automobiles or light-duty trucks shall be provided at each building. In addition, parking facilities with 100 parking spaces or more shall be designed and constructed so that at least three percent of the total parking spaces are capable of supporting future electric vehicle supply equipment (EVSE) charging locations. Only sufficient sizing of conduit and service capacity to install Level 2 Electric Vehicle Supply Equipment (EVSE) or greater are required to be installed at the time of construction.
- h) Each building shall provide indoor and/or outdoor - bicycle storage space consistent with the City Municipal Code and the California Green Building Standards Code.-

Each building shall provide a minimum of two shower and changing facilities for employees.

- i) Each building shall provide preferred and designated parking for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles equivalent to the number identified in California Green Building Standards Code Section 5.106.5.2 or the Moreno Valley Municipal Code whichever requires the higher number of carpool/vanpool stalls.
- j) The following information shall be provided to tenants: onsite electric vehicle charging locations and instructions, bicycle parking, shower facilities, transit availability and the schedules, telecommunicating benefits, alternative work schedule benefits, and energy efficiency.

#### 4.7.6.1A

The project shall implement the following requirements to reduce solid waste and greenhouse gas emissions from construction and operation of project development:

- a) Prior to January 1, 2020, divert a minimum of 50 percent of landfill waste generated by operation of the project. After January 1, 2020, development shall divert a minimum of 75 percent of landfill waste. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.
- b) Prior to January 1, 2020, recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. After January 1, 2020, recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.

Develop and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Calculations can be done by weight or volume, but must be consistent throughout.

- c) The applicant shall submit a Recyclables Collection and Loading Area Plan for construction related materials prior to issuance of a building permit with the

Building Division and for operational aspects of the project prior to the issuance of the occupancy permit to the Public Works Department. The plan shall conform to the Riverside County Waste Management Department's Design Guidelines for Recyclable Collection and Loading Areas.

- d) Prior to issuance of certificate of occupancy, the recyclables collection and loading area shall be constructed in compliance with the Recyclables Collection and Loading Area plan.
- e) Prior to issuance of certificate of occupancy, documentation shall be provided to the City confirming that recycling is available for each building.
- f) Within six months after occupancy of a building, the City shall confirm that all tenants have recycling procedures set in place to recycle all items that are recyclable, including but not limited to paper, cardboard, glass, plastics, and metals.
- g) The property owner shall advise all tenants of the availability of community recycling and composting services.
- h) Existing onsite street material shall be recycled for new project streets to the extent feasible.

**4.16.1.6.1A** Prior to approval of a precise grading permit for each plot plan for development within the World Logistics Center Specific Plan (WLCSP), the developer shall submit landscape plans that demonstrate compliance with the World Logistics Center Specific Plan, the State of California Model Water Efficient Landscape Ordinance (AB 1881), and Conservation in Landscaping Act (AB 325). This measure shall be implemented to the satisfaction of the Planning Division. Said landscape plans shall incorporate the following:

- Use of xeriscape, drought-tolerant, and water-conserving landscape plant materials wherever feasible and as outlined in Section 6.0 of the World Logistics Center Specific Plan;
- Use of vacuums, sweepers, and other “dry” cleaning equipment to reduce the use of water for wash down of exterior areas;

- Weather-based automatic irrigation controllers for outdoor irrigation (i.e., use moisture sensors);
- Use of irrigation systems primarily at night or early morning, when evaporation rates are lowest;
- Use of recirculation systems in any outdoor water features, fountains, etc.;
- Use of low-flow sprinkler heads in irrigation system;
- Provide information to the public in conspicuous places regarding outdoor water conservation; and
- Use of reclaimed water for irrigation if it becomes available.

**4.16.1.6.1B** All buildings shall include water-efficient design features outlined in Section 4.0 of the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. These design features shall include, but not limited to the following:

- Instantaneous (flash) or solar water heaters;
- Automatic on and off water faucets;
- Water-efficient appliances;
- Low-flow fittings, fixtures and equipment;
- Use of high efficiency toilets (1.28 gallons per flush [gpf] or less);
- Use of waterless or very low water use urinals (0.0 gpf to 0.25 gpf);
- Use of self-closing valves for drinking fountains;
- Infrared sensors on drinking fountains, sinks, toilets and urinals;
- Low-flow showerheads;



- Water-efficient ice machines, dishwashers, clothes washers, and other water-using appliances;
- Cooling tower recirculating system where applicable;
- Provide information to the public in conspicuous places regarding indoor water conservation; and
- Use of reclaimed water for wash down if it becomes available.

**4.16.4.6.1C** Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

- 1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;
- 2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and
- 3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Land Development Division/Public Works.

**4.16.4.6.1A** Each application for a building permit shall include energy calculations to demonstrate compliance with the California Energy Efficiency Standards confirming that each new structure meets applicable Building and Energy Efficiency Standards. The plans shall also ensure that buildings are in conformance with the State Energy Conservation Efficiency Standards for Nonresidential buildings (Title 24, Part 6, Article 2, California Administrative Code). This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. Plans shall show the following:

- Energy-efficient roofing systems, such as “cool” roofs, that reduce roof temperatures significantly during the summer and therefore reduce the energy requirement for air conditioning.
- Cool pavement materials such as lighter-colored pavement materials, porous materials, or permeable or porous pavement, for all roadways and walkways not within the public right-of-way, to minimize the absorption of solar heat and subsequent transfer of heat to its surrounding environment.
- Energy-efficient appliances that achieve the 2008 Appliance Energy Efficiency Standards (e.g., EnergyStar Appliances) and use of sunlight-filtering window coatings or double-paned windows.

**4.16.4.6.1B** Prior to the issuance of any building permits within the World Logistics Center Specific Plan, each project developer shall submit energy calculations used to demonstrate compliance with the performance approach to the California Energy Efficiency Standards to the Building Department Land Development Division/Public Works that shows each new structure meets the applicable Building and Energy Efficiency Standards. Plans may include but are not necessarily limited to implementing the following as appropriate:

- High-efficiency air-conditioning with electronic management system (computer) control.
- Variable Air Volume air distribution.
- Outside air (100 percent) economizer cycle.
- Staged compressors or variable speed drives to flow varying thermal loads.
- Isolated High-efficiency air-conditioning zone control by floors/separable activity areas.
- Specification of premium-efficiency electric motors (i.e., compressor motors, air handling units, and fan-coil units).
- Use of occupancy sensors in appropriate spaces.
- Use of compact fluorescent lamps in place of incandescent lamps.

- Use of cold cathode fluorescent lamps.
- Use of Energy Star exit lighting or exit signage.
- Use of T-8 lamps and electronic ballasts where applications of standard fluorescent fixtures are identified.
- Use of lighting power controllers in association with metal-halide or high-pressure sodium (high intensity discharge) lamps for outdoor lighting and parking lots.
- Use of skylights (may conflict with installation of solar panels in some instances).
- Consideration of thermal energy storage air conditioning for spaces or hotel buildings, meeting facilities, theaters, or other intermittent-use spaces or facilities that may require air-conditioning during summer, day-peak periods.

**4.16.4.6.1C** Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

- 1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;
- 2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and
- 3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Land Development Division/Public Works.

**Facts in Support of the Findings:** According to FEIR, Volume 3 Section 4.7, implementation of the Project could result in the development of an approximately 40.6 million square foot high cube-logistics

distribution logistics. The Project includes a variety of physical attributes and operational programs that would help reduce operational-source pollutant emissions from worker commuting, including GHG emissions. Future development that would occur under the Project would be consistent with greenhouse gas emission reduction strategies and policies, including the City's Climate Change Strategy. The Project would implement the Mitigation Measures listed above to reduce its contribution to GHG emissions and to ensure it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the Project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

Similar to the discussion of cumulative air quality impacts, the Project may employ workers locally from the City. This has the benefit of improving the local jobs/housing balance leading to air quality benefits in terms of shorter trip lengths, which lead to lower emissions than if the workforce was derived from distant locations.

The analysis in the EIR concluded that the Project's contributions to climate change are less than significant. Given (i) the global nature of climate change; (ii) uncertainty regarding the extent to which anthropogenic sources are the true causes of any increase in the earth's temperatures; and (iii) the lack of emissions controls being imposed by the world's most rapidly developing nations, even if there is a causal relationship between anthropogenic emissions and an increase in the world's temperature, it is difficult to argue that an individual Project's cumulative contribution to climate change is foreseeable and cumulatively considerable. Nonetheless, the State of California has adopted a number of policies, including AB32, Governor's Executive Order S-3-05, and Pavley I, that provide the structure and commitment to address California's contribution to global climate change. Since the proposed project is consistent with these policies, including being below the SCAQMD threshold for greenhouse gases that was structured in accordance with these State policies, the project is consistent with greenhouse gas plans, policies and regulations. (FEIR, Volume 3, pgs. 4.7-52 through 4.7-59)

## **8. Hazards and Hazardous Materials**

### **a. On-site Conditions Involving Hazardous Materials**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could through the demolition of the existing on-site rural residential structures may involve hazardous materials (ACM and

LBP) and possibly soil contamination from past agricultural chemical use and may involve hazardous materials (LNG/CNG).

**Findings:** Implementation of the following mitigation measures will reduce the impact of the Project related hazardous materials to less than significant:

- 4.8.6.1A** Prior to demolition of any existing structures on the project site, a qualified contractor shall be retained to determine if asbestos-containing materials (ACMs) and/or lead-based paint (LBP) are present. If asbestos-containing materials and/or lead-based paint are present, prior to commencement of demolition, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. In addition, onsite soils shall be tested for contamination by agricultural chemicals. If present, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any asbestos-containing materials, lead-based paint, or agricultural chemical residue in conformance with all applicable regulations.
- 4.8.6.1B** Prior to the issuance of any discretionary permits associated with the proposed fueling facility (“logistic support” site in the LD zone), a risk assessment or safety study that identifies the potential public health and safety risks from accidents at the facility (e.g., fire, tank rupture, boiling liquid, or expanding vapor explosion) shall be submitted to the City for review and approval. This study shall be prepared to industry standards and demonstrate that the facility will not create any significant public health or safety impacts or risks, to the satisfaction of the City Building and Safety Division and the Fire Prevention Bureau.
- 4.8.6.1C** Prior to grading for any discretionary permits for development in Planning Areas 9-12 adjacent to the natural gas compressor plant, the applicant shall prepare a risk assessment report analyzing safety conditions relative to the existing compressor plant and planned development. The report must be based on appropriate industry standards and identify the potential hazards from the compressor plant (e.g., fire, explosion) and determine that the distance from the plant to the closest planned buildings in Planning Areas 9-12 is sufficient to protect the safety of workers from accidents that could occur (see Final EIR Volume 3 Figure 4.1.6B) at the compressor plant. This measure shall be implemented to the satisfaction of the City Building and Safety Division and the Fire Prevention Bureau.

**4.8.6.1D** Prior to the issuance of any grading permit, the developer shall inform the City of any existing solid waste materials within the development area. In conjunction with grading activities, all solid waste matter within the development area shall be removed by a licensed contractor and disposed of in an approved landfill. A record of the removal and disposal of any waste materials, in compliance with applicable laws and regulations, shall be submitted to the City prior to the issuance of any building permits

**Facts in Support of the Findings:** According to Section 4.8 of the FEIR, Volume 3, due to the suspected age of the rural residential structures on the site, it is possible that demolition of these structures may involve asbestos-containing materials (ACMs) and/or lead-based paint (LBP). Demolition of these structures may need to be supervised or conducted by contractors certified to remove and dispose of ACMs and/or LBP.

Also because the site was previously farmed the on-site soils may contain pesticide. Prior to grading, soil testing shall performed to determine if in fact these areas contain any significant levels of agricultural chemicals in the soil, and, if so, they will be remediated by a licensed contractor.

In addition, the Specific Plan proposes a liquefied natural gas/compressed natural gas (LNG/CNG) fueling station to be constructed on approximately 3,000 square feet somewhere in the eastern portion of the Logistics Development (LD) land use area of the Specific Plan. This LNG/CNG facility is referred to as “logistics support” in the Specific Plan land uses. It would provide natural gas to fuel heavy and light-duty trucks serving the project. Since this facility would store natural gas under liquefied and compressed conditions, there is a potential for fire and/or explosion involving natural gas.

Implementation of **Mitigation Measures 4.8.6.1A** through **4.8.6.1D**, impacts associated with potential hazardous materials in existing rural residential structures or from the proposed natural gas fueling facility will be reduced to less than significant levels. (FEIR, Volume 3 pg. 4.8-22 to 4.8-23).

## **9. Hydrology, Drainage, and Water Quality**

### **a. Drainage Pattern and Capacity-Related Impacts**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project may significantly increase off-site runoff.

**Findings:** Implementation of the following mitigation measures will reduce the Project’s increase in off-site runoff to less than significant:

**4.9.6.1A**

Prior to issuance of any building permit within the Specific Plan area, the developer shall construct storm drain pipes and conveyances, as well as, combined detention and infiltration basin(s), bioretention area(s), and spreading area(s) within each proposed watershed, as outlined in the project hydrology plan, to mitigate the impacts of increased peak flow rate, velocity, flow volume and reduce the time of concentration by storing and infiltrating increased runoff for a limited period of time and release the outflow at a rate that does not exceed the pre-development peak flows and velocities for the 2, 5, 10, 25, and 100-year storms and volumes as assessed in the water balance model for historical conditions. For the purpose of this mitigation measure, the term “construct” shall mean to substantially complete construction so as to function for its intended purpose during construction with complete construction prior to occupancy. Field investigations will be conducted to determine the infiltration rate of soils underlying the proposed locations of bioretention areas and detention basins. The infiltration rate of the underlying soils will be used to properly size the bioretention areas and detention basins/infiltration basins to ensure that adequate volumes of runoff, in cumulative total for all bioretention areas and detention areas are captured and infiltrated. The water balance model will be updated and rerun for the site-specific conditions encountered to confirm the water balance. This measure shall be implemented to the satisfaction of the City Engineer. Energy dissipaters shall be used as the spillways of basins to reduce the runoff velocity and dissipate the flow energy. Drainage weir structures shall be constructed at the downstream end of the watersheds flowing to the San Jacinto Wildlife Area to control the runoff and spread the flow such that the flows exiting the project boundary will return to the sheet flow pattern similar to the existing condition. Detention basins and spreading areas shall be designed to account for the amount of the sediment transported through the project boundary so that the existing sediment carrying capacity is maintained.

**4.9.6.1B**

The bioretention areas and detention/infiltration basins shall be designed to assure infiltrations rates. The monitoring plan will follow the guidelines presented by the California Storm Water Quality Association (CASQA) in the California Storm Water Best Management Program (BMP) Handbook, Municipal, January 2003 Section 4, Treatment Control Best Management Programs Fact Sheets TC-11 Infiltration Basin and TC-30 Vegetated Swale).

For the bioretention areas, as needed maintenance activities shall be conducted to remove accumulated sediment that may obstruct flow through the swale. Bioretention areas shall



be monitored at the beginning and end of each wet season to assess any degradation in infiltration rates. The maintenance activities should occur when sediment on channels and culverts builds up to more than 3 inches (CASQA 2003). The swales will need to be cultivated or rototilled if drawdown takes more than 72 hours.

For the Detention/infiltration Basins, a 3-5 year maintenance program shall be implemented mainly to keep infiltration rates close to original values since sediment accumulation could reduce original infiltration rate by 25-50%. Infiltration rates in detention basins will be monitored at the beginning and end of each wet season to assess any degradation in infiltration rates. If cumulative infiltration rates of all detention basins drops below the minimum required rates, then the detention basins will be reconditioned to improve infiltration capacity by scraping the bottom of the detention basin, seed or sod to restore groundcover, aerate bottom and dethatch basin bottom (CASQA 2003).

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR, Volume 3, Due to the construction of impervious surfaces on the project site, post-development flows will be higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows, volumes, and velocities coming from the Project site must be managed to be equal to or less than pre-development flows volumes, and velocities.<sup>22</sup> As required by **Mitigation Measure 4.9.6.1A**, flows will be reduced to below or equal to pre-development conditions by routing the on-site storm water flows through a series of on-site detention and infiltration basins before flows are released off site. The existing storm water runoff discharge rate for the undeveloped project site is 7,720 cubic feet per second (cfs). With the installation of the on-site detention basins, culverts, and energy dissipaters included in the project, expected discharges would be at a rate of 6,835 cfs, which is less than the existing condition. With the installation of the storm drain system facilities outlined in CH2M Hill's hydrology reports (Appendix J, FEIR Volume 3) and implementation of the **Mitigation Measure 4.9.6.1A**, the buildout of the project will convey storm flows safely through the region in accordance with Riverside County Flood Control requirements and will not result in flooding or additional erosion within the project area or any downstream areas, including the Perris Valley Storm Drain Channel. (FEIR, Volume 3, pg. 4.9-49)

Development of the WLC Project site will increase impervious surfaces on the Project site due to the construction of the Project's buildings, roadways, and associated improvements. While the resultant

<sup>22</sup> As part of the MS4 Permit issuance requirements, projects must identify any Hydrologic Conditions of Concern and demonstrate that changes to hydrology are minimized to ensure that post-development runoff rates and velocities from a site do not adversely impact downstream erosion, sedimentation or stream habitat.

increase in impervious surfaces would contribute to a greater volume and higher velocities of storm flow, **Mitigation Measure 4.9.6.1A** require the WLC Project site's drainage system be designed to accept and accommodate runoff that would result from the project construction at or better than historic, or pre-development, conditions, as outlined in the Project's Master Plan of Drainage. **Mitigation Measure 4.9.6.1B** provides for the operation and maintenance of these facilities to ensure that they will be maintained. (FEIR, Volume 3, pg. 4.9-32 to 4.9-51)

#### b. Construction-Related Water Quality Impacts

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could violate water quality standards or waste discharge requirements during construction phases of the Project in form of increased soil erosion, sedimentation, or storm water discharges.

**Findings:** Implementation of the following mitigation measures will reduce the impact to construction-related water quality to less than significant:

**4.9.6.2A** Prior to issuance of any grading permit for development in the World Logistics Center Specific Plan, the project developer shall file a Notice of Intent (NOI) with the Santa Ana Regional Water Quality Control Board to be covered under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities. The project developer shall submit to the City the Waste Discharge Identification Number issued by the State Water Quality Control Board (SWQCB) as proof that the project's Notice of Intent is to be covered by the General Construction Permit has been filed with the State Water Quality Control Board. This measure shall be implemented to the satisfaction of the City Engineer.

**4.9.6.2B** Prior to issuance of any grading permit for development in the World Logistics Center Specific Plan, the project developer shall submit to the State Water Quality Control Board (SWQCB) a project-specific Storm Water Pollution Prevention Plan (SWPPP). The Storm Water Pollution Prevention Plan shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the Storm Water Pollution Prevention Plan shall emphasize structural and nonstructural best management practices (BMPs) to control sediment and non-visible discharges from the site. Best Management Practices to be implemented may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the Best Management Practices are to be periodically inspected by the Regional Water Quality Control Board during construction, and repairs would be made as required.
- Materials that have the potential to contribute non-visible pollutants to storm water must not be placed in drainage ways and must be placed in temporary storage containment areas.
- All loose soil, silt, clay, sand, debris, and other earthen material shall be controlled to eliminate discharge from the site. Temporary soil stabilization measures to be considered include: covering disturbed areas with mulch, temporary seeding, soil stabilizing binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.
- The Storm Water Pollution Prevention Plan shall include inspection forms for routine monitoring of the site during the construction phase.
- Additional required Best Management Practices and erosion control measures shall be documented in the Storm Water Pollution Prevention Plan.
- The Storm Water Pollution Prevention Plan would be kept on site for the duration of project construction and shall be available to the local Regional Water Quality Control Board for inspection at any time.

The developer and/or construction contractor for each development area shall be responsible for performing and documenting the application of Best Management Practices identified in the project-specific Storm Water Pollution Prevention Plan. Regular inspections shall be performed on sediment control measures called for in the Storm Water Pollution Prevention Plan. Monthly reports shall be maintained and available for City inspection. An inspection log shall be maintained for the project and shall be available at the site for review by the City of Moreno Valley and the Regional Water Quality Control Board.

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR, Volume 3, the construction and grading phases of the Project site would require the disturbance of surface soils and removal of existing orange groves and vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not

managed through Best Management Practices (BMPs), the runoff could cause erosion and increased sedimentation in local drainage ways such as the Quincy Channel. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. However, implementation of construction practices and adherence to existing water quality regulations and **Mitigation Measures 4.9.6.2A** and **4.9.6.2B** would reduce these impacts to a less than significant level. (FEIR, Volume 3 pgs. 4.9-52 to 4.9-54)

### c. Operational-Related Water Quality Impacts

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could violate water quality standards or waste discharge requirements during the operational phases of the Project in the form of increased soil erosion, sedimentation, or urban runoff.

**Findings:** Implementation of the following mitigation measure will reduce the impact to operational-related water quality to less than significant:

**4.9.6.3A** Prior to discretionary permit approval for individual plot plans, a site-specific Water Quality Management Plan (WQMP) shall be submitted to the City Land Development Division for review and approval. The Water Quality Management Plan shall specifically identify site design, source control, and treatment control Best Management Practices that shall be used on site to control pollutant runoff and to reduce impacts to water quality to the maximum extent practicable. The Water Quality Management Plan shall be consistent with the Water Quality Management Plan approved for the overall World Logistics Center Specific Plan project. At a minimum, the site developer shall implement the following site design, source control, and treatment control Best Management Practices as appropriate:

#### Site Design Best Management Practices

- (a) Minimize urban runoff.
- (b) Maximize the permeable area.
- (c) Incorporate landscaped buffer areas between sidewalks and streets.
- (d) Maximize canopy interception and water conservation by planting native or drought-tolerant trees and large shrubs.
- (e) Use natural drainage systems.
- (f) Where soil conditions are suitable, use perforated pipe or gravel filtration pits for low flow infiltration.

- (g) Construct on-site ponding areas or retention facilities to increase opportunities for infiltration consistent with vector control objectives.
- (h) Minimize impervious footprint.
- (i) Construct streets, sidewalks and parking lot aisles to the minimum widths necessary, provided that public safety and a walkable environment for pedestrians are not compromised.
- (j) Reduce widths of street where off-street parking is available.
- (k) Minimize the use of impervious surfaces such as decorative concrete, in the landscape design.
- (l) Conserve natural areas.
- (m) Minimize Directly Connected Impervious Areas (DCIAs).
- (n) Runoff from impervious areas will sheet flow or be directed to treatment control Best Management Practices.
- (o) Streets, sidewalks, and parking lots will sheet flow to landscaping/bioretenion areas that are planted with native or drought tolerant trees and large shrubs.

### **Source Control Best Management Practices**

Source control Best Management Practices are implemented to eliminate the presence of pollutants through prevention. Such measures can be both non-structural and structural.

Non-structural source control Best Management Practices include:

- (a) Education for property owners, operator, tenants, occupants, or employees;
- (b) Activity restrictions;
- (c) Irrigation system and landscape maintenance;
- (d) Common area litter control;
- (e) Street sweeping private streets and parking lots; and
- (f) Drainage facility inspection and maintenance.

Structural source control Best Management Practices include:

- (g) MS4 stenciling and signage;
- (h) Landscape and irrigation system design;
- (i) Protect slopes and channels; and

- (j) Properly design fueling areas, trash storage areas, loading docks, and outdoor material storage areas.

### **Treatment Control Best Management Practices**

Treatment control Best Management Practices supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. The treatment control Best Management Practice strategy for the project is to select Low Impact Development (LID) Best Management Practices that promote infiltration and evapotranspiration, including the construction of infiltration basins, bioretention facilities, and extended detention basins. Where infiltration Best Management Practices are not appropriate, bioretention and/or biotreatment Best Management Practices (including extended detention basins, bioswales, and constructed wetlands) that provide opportunity for evapotranspiration and incidental infiltration may be utilized. Harvest and Reuse Best Management Practice will be used to store runoff for later non-potable uses.

Site-specific Water Quality Management Plans have not been prepared at this time as no site-specific development project has been submitted to the City for approval. When specific projects within the project are developed, Best Management Practices will be implemented consistent with the goals contained in the Master Water Quality Management Plan. All development within the project will be required to incorporate on-site water quality features to meet or exceed the approved Master Water Quality Management Plan's water quality requirements identified previously.

- 4.9.6.3B** The Property Owners Association (POA) and all property owners shall be responsible to maintain all onsite water quality basins according to requirements in the guidance Water Quality Management Plan and/or subsequent site-specific Water Quality Management Plans, and established guidelines of the Regional Water Quality Control Board. Failure to properly maintain such basins shall be grounds for suspension or revocation of discretionary operating permits, and/or referral to the Regional Water Quality Control Board for review and possible action. This measure shall be implemented to the satisfaction of the City Land Development Division, in consultation with the City Engineer, and Regional Water Quality Control Board.
- 4.9.6.3C** Prior to issuance of future discretionary permits for any development along the southern boundary of the World Logistics Center Specific Plan (WLCSP), the project developer of

such sites, in cooperation with the Property Owners Association (POA), shall establish and annually fund a Water Quality Mitigation Monitoring Plan (WQMMP) to confirm that project runoff will not have deleterious effects on the adjacent San Jacinto Wildlife Area (SJWA). This program shall include at least quarterly sampling along the southern boundary of the site (i.e., at the identified outlet structures of the project detention basins) during wet season flows and/or when water is present, as well as sampling of any dry-season flows that are observed entering the San Jacinto Wildlife Area property from the project property, including Drainage 9, which is planned to convey only clean off-site flows from north of the World Logistics Center Specific Plan site across Gilman Springs Road. The program shall also include at least twice yearly sampling after completion of construction, and a pre-construction survey must be completed to determine general water quality baseline conditions prior to and during development of the southern portion of the World Logistics Center Specific Plan. This sampling shall be consistent with and/or comply with the requirements of applicable Storm Water Pollution Prevention Plans (SWPPPs) for the development site.

The project developer of sites along the southern border of the World Logistics Center Specific Plan shall be responsible for preventing or eliminating any toxic pollutant (not including sediment) found to exceed applicable established public health standards. In addition, the discharge from the project shall not cause or contribute to an exceedance of Receiving Water Quality Objectives for the potential pollutants associated with the project as identified in Table 4.9.J. Once development is complete, the developer shall retain qualified personnel to conduct regular (i.e., at least quarterly) water sampling/testing of any basins and their outfalls to ensure the San Jacinto Wildlife Area will not be affected by water pollution from the project site. This measure shall be implemented to the satisfaction of the City Land Development Division Manager based on consultation with the project developer, Eastern Municipal Water District, the Regional Water Quality Control Board-Santa Ana Region, and the Mystic Lake Manager.

**Facts in Support of the Findings:** According to Section 4.9 of the FEIR, Volume 3, during the operational phase of any urban use, the major source of pollution in storm water runoff will be contaminants that have accumulated on the land surface over which runoff passes. Storm runoff from the roadways, parking lots, and commercial and industrial buildings can carry a variety of pollutants such as sediment, petroleum products, commonly utilized construction materials, landscaping chemicals, and (to a lesser extent) trace metals such as zinc, copper, lead, cadmium, and iron, which may lead to the



degradation of storm water in downstream channels. Runoff from landscaped areas may contain elevated levels of phosphorus, nitrogen, and suspended solids. Oil and other hydrocarbons from vehicles are also expected in storm water runoff.

Pollutant concentrations in urban runoff are variable depending on storm intensity, land use, elapsed time since previous storms, and the volume of runoff generated in a given area that reaches receiving waters. Pollutant concentrations are typically highest during the first major rainfall event after the dry season, known as the “first-flush.” The Water Quality Management Plan (WQMP) prepared for the project identifies pollutants and hydrologic conditions of concern that may be associated with the implementation of the project.

Site-specific WQMPs have not been prepared at this time as no site-specific development project has been submitted to the City for approval. When specific projects within the project are developed, BMPs will be implemented consistent with the goals contained in the master WQMP. All development within the project will be required to incorporate on-site water quality features to meet or exceed the approved Master WQMP’s water quality requirements identified previously. This would include the design based on the appropriate pollutant loads for the project from all sources including climate change.

The project will comply with the *Water Quality Management Plan for the Santa Ana Region of Riverside County* (approved by the Santa Ana Regional Water Quality Control Board October 22, 2012), which requires the use of Low Impact Development (LID) BMPs that maximize infiltration, harvest and use, evapotranspiration and/or bio-treatment. Flows from the project will be treated first by LID BMPs where the flow will be infiltrated, evapotranspired, or treated. As required by **Mitigation Measure 4.9.6.1A**, the treated flows will then be reduced to below or equal to pre-development conditions by routing the on-site storm water flows through a series of on-site detention and infiltration basins before flows are released off site. These basins will provide incidental infiltration and secondary treatment downstream of the LID BMPs. All runoff from the site will be treated by LID BMPs and then routed through the detention and infiltration basins before it leaves the project area and into Mystic Lake and the San Jacinto Wildlife Area.

The project will comply with the Nutrient Total Maximum Daily Load (TMDL) for Lake Elsinore and Canyon Lake by implementing LID-based BMPs. According to the *Comprehensive Nutrient Reduction Plan for Lake Elsinore and Canyon Lake* (prepared for Riverside County Flood Control and Water Conservation District by CDM Smith, January 28, 2013 in compliance with Order No. R8-2010-0033, NPDES Permit No. CAS618033), “Post construction LID based BMPs required for new development and

significant redevelopment projects are the only structural watershed based BMPs currently included in the Comprehensive Nutrient Reduction Plan (CNRP). The newly developed WQMP requirements ensure that a portion of the wet weather runoff will be contained onsite for all future development projects subject to WQMP requirements. Implementation of WQMP requirements over time coupled with the in lake remediation projects are expected to provide sufficient mitigation of nutrients.”

The proposed Project incorporates on-site drainage control structures and programs sufficient to meet the applicable Federal, State, and local water quality requirements. Through the use of site design BMPs, source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., infiltration basins and pervious pavement), the resulting pollutant loads coming from the Project will be reduced, thereby reducing pollutants discharged from urban storm water runoff to surface water bodies. Compliance with the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, will be enforced by the City during the ongoing operation of the Project. Implementation of **Mitigation Measures 4.9.6.3A** through **4.9.6.3C** will help to reduce potential water quality impacts resulting from storm water and urban runoff to less than significant levels. (FEIR, Volume 3 pgs. 4.9-55 to 4.9-64)

## 10. Noise

### a. Short-Term Construction Noise

**Potential Significant Impact:** The EIR evaluated and concluded that noise levels from grading and other construction activities for the Project may range up to 91 dBA at the closest residences southeast of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the Project would be potentially significant.

**Finding:** Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

**4.12.6.1A** Prior to issuance of any discretionary project approvals, a Noise Reduction Compliance Plan (NRCP) shall be submitted to and approved by the City. The Noise Reduction Compliance Plan shall show the limits of nighttime construction in relation to any then-occupied residential dwellings and shall be in conformance with City standards. Conditions shall be added to any discretionary projects requiring that the limits of nighttime grading be shown on the Noise Reduction Compliance Plan and all grading plans submitted to the City (per Noise Study MM N-2, pg. 51).

- 4.12.6.1B** All construction equipment, fixed or mobile, shall be equipped with operating and maintained mufflers consistent with manufacturers' standards.
- 4.12.6.1C** Construction vehicles shall be prohibited from using Redlands Boulevard south of Eucalyptus Avenue to access on-site construction for all phases of development of the Specific Plan (per Noise Study MM N-1, pg. 51).
- 4.12.6.1D** No grading shall occur within 2,800 feet of residences south of State Route-60 between 8 p.m. and 6 a.m. on weekdays and between 8 p.m. and 7 a.m. on weekends. These restrictions shall be included as part of the Noise Reduction Compliance Plan per Mitigation Measure 4.12.6.1A (per Noise Study MM N-2, pg. 51).
- 4.12.6.1E** As an alternative to Mitigation Measure 4.12.6.1D, a 12-foot tall temporary construction sound barrier may be installed for residences within 1,580 feet of active nighttime construction areas. The temporary sound barrier shall be constructed of plywood with a total thickness of 15 inches, or a sound blanket wall may be used. If sound blankets are used, they must have a Sound Transmission Class (STC) rating of 27 or greater. This shall be included as part of the Noise Reduction Compliance Plan required in Mitigation Measure 4.12.6.1A, which shall be reviewed and approved by the City prior to implementation (per Noise Study MM N-2 and N-3, pg. 51 and pg. 52)
- 4.12.6.1F** As an alternative to Mitigation Measures 4.12.6.1D and 4.12.6.1E, on-site noise measurements of construction areas may be taken by qualified personnel and specific buffer distances between construction activities and existing residences may be proposed based on actual noise levels. These measurements will be incorporated into the Noise Reduction Compliance Plan required in Mitigation Measure 4.12.6.1A, which shall be reviewed and approved by the City prior to implementation (per Noise Study MM N-2, pg. 51).
- 4.12.6.1G** Any discretionary approvals for development that proposes grading within 1,580 feet of occupied residential units shall require that all grading equipment be equipped with residential grade mufflers (or better). All stationary construction equipment shall be placed so that emitted noise is directed away from noise-sensitive receptors nearest the site. Additionally, stationary construction equipment shall have all standard acoustic covers in place during operation (per Noise Study MM N-4, pg. 52).

- 4.12.6.1H** All material stockpiles in connection with any grading operations shall be located at least 1,200 feet from existing residences (per Noise Study MM N-5, pg. 52).
- 4.12.6.1I** All project-related off-site construction shall be limited to 6 a.m. and 8 p.m. on weekdays only. Construction during weekends and City holidays shall not be permitted (per Noise Study MM N-6, pg. 53) to the satisfaction of the Land Development Division/Public Works.
- 4.12.6.1J** Prior to issuance/approval of any grading permits, off-site construction activities adjacent to residential uses shall provide for installation of 12-foot temporary sound barriers for construction activities lasting more than one month. The sound barrier will reduce noise levels by approximately 10 dB. The temporary sound barrier may be constructed of plywood with a total thickness of 1.5 inches, or a sound blanket wall may be used. If sound blankets are used, the curtains must have a Sound Transmission Class (STC) rating of 27 or greater. No off-site construction is permitted during weekday nighttime hours (8 p.m. to 6 a.m.) or during weekends and City holidays except for emergencies (per Noise Study MM N-7, pg.53).

**Facts in Support of the Finding:** According to Section 4.9 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the Project would incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the Project site. Construction of the Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the Project site is assumed to be approximately 87 dBA  $L_{max}$  at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA  $L_{max}$  at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA  $L_{max}$  at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite

noise level during this phase of construction would be 91 dBA  $L_{max}$  at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations outside the Project site are existing residences approximately 50 feet to the southeast. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 91 dBA  $L_{max}$ , generated by construction activities on the Project site. This noise level would exceed the City's exterior noise standard of 60 dBA<sup>23</sup> CNEL for residential uses. However, no significant construction noise impacts would occur if construction of the Project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of **Mitigation Measures 4.12.6.1A** through **4.12.6.1J**, potential short-term construction noise impacts would be reduced below the level of significance. (FEIR, Volume 3 pgs. 4.12-35 to 4.12-41)

#### **b. Long-term Operational Noise**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies. Long-term operational noise impacts from the Project would be potentially significant.

**Finding:** Implementation of the following mitigation measures will reduce potential long-term operational noise impacts to less than significant:

- 4.12.6.1A** Prior to issuance of any discretionary permits, a Noise Reduction Compliance Plan (NRCP) shall be submitted to and approved by the City. The Noise Reduction Compliance Plan shall show the limits of nighttime construction in relation to any then-occupied residential dwellings and shall be in conformance with City standards. Conditions shall be added to any discretionary projects requiring that the limits of nighttime grading be shown on the Noise Reduction Compliance Plan and all grading

<sup>23</sup> Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley.

plans submitted to the City (per Noise Study MM N-2, pg.51).

**Facts in Support of the Findings:** Potential long-term stationary noise impacts would primarily be associated with operations at logistics facilities within the WLCSP area. Logistics facility uses would generate noise from truck delivery, loading/unloading activities at the loading areas, heating, ventilation, and air-conditioning (HVAC) equipment and other noise-producing activities within the parking lot (e.g., doors slamming, vehicle engine start-ups, and conversing in the parking lot). These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots. As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be.

Noise levels were measured at similar facilities to determine representative noise levels that might be generated by this type of activity. Noise measurements were made at two facilities; specifically, Lowes Distribution Center (3984 Indian Avenue, Perris, CA) and Ross Distribution Center (3404 Indian Avenue, Perris, CA).

The City of Moreno Valley Noise Ordinance requires that noise levels remain below 55 dBA (Leq) during nighttime hours. To achieve this noise level, the warehouse property line would only need to be 100 feet from the nearest residential property and no soundwall would need to be present.

Another consideration is whether the proposed activity levels will be substantially higher than current ambient conditions. No matter what is developed in the Specific Plan area, ambient conditions would be higher in future years due to higher levels of traffic and activity. Ambient noise levels were measured at seven sites that could border the World Logistics Center (i.e., Measurement Sites 3 through 9). The nighttime ambient noise levels (Leq) ranged from 35.8 to 61.8 dBA with an average for the sites of 46.6 dBA. To keep the noise levels at nearby residential areas less than typical ambient conditions, the logistics property line should be located a minimum distance of 250 feet and a 12-foot soundwall should be located along the perimeter of the property that faces any residential areas. This would keep the logistic use noise to less than 45 dBA (Leq) at the residences. The implementation of this buffer between logistics uses and noise sensitive uses has been included as **Mitigation Measure 4.12.6.1A**. (FEIR, Volume 3 pg. 4.12-41 to 4.12-56)

### c. Long-term Utility Noise

**Potential Significant Impact:** The EIR evaluated and concluded that the Project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley

General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies. Long-term utility noise impacts from the Project would be potentially significant.

**Finding:** Implementation of the following mitigation measures will reduce potential long-term utility noise impacts to less than significant:

**4.12.6.4A** Prior to the issuance of building permits for projects within 1,300 feet of the Southern California Gas Company (SCGC) and San Diego Gas and Electric (SDG&E) blow-down facilities, documentation shall be submitted to the City confirming that sound attenuation devices and/or improvements for the blow-down facilities providing at least a 40 dB reduction in noise levels during blow-down events are available and will be installed for all planned blow-down events. It shall be the responsibility of the developer to fund all sound attenuation improvements to the blow-down facilities required by this measure. It shall also be the responsibility of the developer to coordinate with San Diego Gas and Electric and/or Southern California Gas Company regarding the installation of any sound attenuation devices or improvements on the blow-down facilities at either the San Diego Gas and Electric compressor station or the Southern California Gas Company pipelines. This measure shall be implemented to the satisfaction of the City Land Management Division (per Noise Study MM N-11, pg.65).

**Facts in Support of the Findings:** There is one existing SDG&E compressor station and two existing SCGC facilities located within the WLC Specific Plan area.

The worst-case compressor station operational characteristics will result in a maximum noise level just above 65 CNEL within the Project area proposed for development (i.e., not open space). Typical commercial construction results in buildings that achieve at least a 20 dB reduction of outdoor noise levels. Therefore, an office use exposed to the highest noise level from the compressor station will be just above 45 CNEL and below the 50 CNEL limit prescribed by the City's General Plan, resulting in a less than significant impact and no mitigation is required. (Figure 4.12.3, FEIR, Volume 3, pg. 4.12-17)

The Leq noise level generated by the compressor station does not exceed 60 dBA Leq beyond the property lines of the facility. Therefore, the compressor station is not considered a noise disturbance based on City criteria. Operation of the compressor station would not result in any interior noise levels exceeding the limits established by the City in the General Plan. Therefore, noise impacts associated with the operation of the compressor station would be less than significant and no mitigation is required. (Figure 4.12.4, FEIR, Volume 3, pg. 4.12-19)



The maximum noise level from a blow-down at the SDG&E compressor station within the WLCSP area proposed for development (i.e., the Logistics Development land use) is 100 dBA. A person would need to be exposed to this level for more than two hours in a day before permanent hearing loss would be expected. As discussed above, blow-down events at the SDG&E compressor station typically do not last longer than 90 seconds. Therefore, the SDG&E blow-down events will not result in a significant impact to the uses proposed within the WLCSP area, and no mitigation is required. (Figure 4.12.5, FEIR, Volume 3, pg. 4.12-21)

For SCGC blow-down events, noise generated could reach as high as 130 dBA just outside the fence line of the southern facility and in excess of 135 dB just outside the fence line of the northern facility. People within approximately 250 feet of the blow-down points would be exposed to noise levels greater than 115 dBA, which would likely cause permanent hearing damage regardless of the exposure time. The SCGC blow-downs could last as long as 90 minutes. It is anticipated that people exposed to noise levels greater than 102 dBA, within approximately 1,300 feet from the blow-down point could experience permanent hearing loss based on this event duration. Noise generated by SCGC blow-down events has the potential to cause permanent hearing loss in persons in the developed area of the project. This is a significant impact and mitigation is required. (FEIR, Volume 3, pg. 4.12-57)

SCGC blow-down events also have the potential to produce groundborne vibration. However, the effect of the blow-down groundborne vibration would be limited to within 100 feet of the equipment and would not be perceived beyond the facility fence line, resulting in a less than significant impact and no mitigation is required. (FEIR, Volume 3, pg. 4.12-57 to 4.12-59)

## 11. Transportation

### a. Existing (2012) With Phase 1 Project Conditions Traffic and Level of Service (On-site Roads and Intersections)

**Potential Significant Impact:** The EIR evaluated and concluded that Phase I of the Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

**Findings:** Implementation of the following mitigation measures will reduce the impact related to future traffic LOS (Existing 2012 with Phase 1 Project Buildout Conditions) to less than significant:

**4.15.7.4A** A traffic impact analysis (“TIA”) conforming to the guidelines for traffic impact analysis adopted by the City shall be submitted in conjunction with each Plot Plan application within the World Logistics Center Specific Plan. Prior to the approval of the Plot Plan,

the City shall review the traffic impact analysis to determine if any of the traffic improvements listed in Final EIR Volume 3 Tables 4.15.AV through 4.15.BA (TIA Tables 74 through 79) of the traffic impact analysis prepared for the Program Environmental Impact Report are required to be completed prior to the issuance of a certificate of occupancy for each building. If the City determines that any of the improvements within Moreno Valley are required to be constructed in order to ensure that the traffic impacts which will result from the construction and operation of the building will be mitigated into insignificance, then the completion of construction of the improvements prior to the issuance of a Certificate of Occupancy for the building shall be made a Condition of Approval of the Plot Plan. Construction of improvements within the City shall be subject to credit/reimbursement agreement for those DIF and/or TUMF eligible costs. If the City determines that any of the improvements outside Moreno Valley are required to be constructed in order to ensure that the traffic impacts which will result from the construction and operation of the building will be mitigated to a less than significant level, then the payment of any necessary fair share contribution as prescribed in Mitigation Measure 4.15.7.4G prior to the issuance of a Certificate of Occupancy for the building shall be made a Condition of Approval of the Plot Plan. If the City determines that the traffic impacts which will result from the construction or operation of a building will be significantly more adverse than those shown in the Program Environmental Impact Report, further environmental review shall be conducted prior to the approval of the Plot Plan pursuant to Public Resources Code § 21166 and CEQA Guidelines § 15162 to determine what additional mitigation measures, if any, will be required in order to maintain the appropriate levels of service.

**4.15.7.4B** As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, the City shall require the dedication of appropriate right-of-way consistent with the Subdivision Map Act for frontage street improvements contained within the World Logistics Center Specific Plan Circulation Map, as shown in this Program Environmental Impact Report Figure 3-10 (or Figure 22 in the Traffic Impact Analysis prepared for this Program Environmental Impact Report). Required dedications shall be made prior to the issuance of occupancy permits for the requested development.

**4.15.7.4C** As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, City shall require each project to pay the

requisite Development Impact Fees (DIF) as set forth in Municipal Code Chapter 3.42. Required Development Impact Fee payments shall be made prior to the issuance of occupancy permits for the requested development.

**4.15.7.4D** As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, City shall require each project to pay the requisite Transportation Uniform Mitigation Fees (TUMF) as set forth in Municipal Code Chapter 3.44. Required Transportation Uniform Mitigation Fee payments shall be made prior to the issuance of occupancy permits for the requested development.

**4.15.7.4E** In order to ensure that all of the Project’s traffic impacts are mitigated to the greatest extent feasible, the Applicant shall contribute its fair share of the cost of the needed traffic improvements that are not within the City as identified in the World Logistic Center Specific Plan Traffic Impact Analysis (i.e., under the jurisdiction of other cities, the County of Riverside or Caltrans, pursuant to Mitigation Measure 4.15.7.4F). As used in this mitigation measure, the Applicant’s “fair share” has been determined in compliance with the requirements of the Fee Mitigation Act, Government Code § 66000 et seq., and, pursuant to § 66001(g), does not require that the Applicant be responsible for making up for any existing deficiencies.

For example, the intersection of Martin Luther King Blvd. and the I-215 northbound ramps (Intersection 85) in the City of Riverside was identified as a place where the World Logistic Center contributes to cumulatively significant impacts, and where the fair share contribution of the World Logistic Center project as a whole was computed to be 6.2%. If the City of Riverside establishes a fair share contribution program consistent with this Mitigation Measure 4.15.7.4F to improve that intersection, then when a certificate of occupancy is to be issued for a 2-million square feet high-cube warehouse in the World Logistic Center (approximately 5% of the entire World Logistic Center project) the amount of the fair share payment due from the Applicant to the City of Riverside would be computed as follows:

Amount Due	=	Total cost of Improvement	X	Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis	X	% attributable to the building that is subject to the certificate of occupancy (5%)
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A similar calculation would be done for each subsequent building, with payments for each due at the time of issuance of the certificate of occupancy. As a result, while each building individually would not produce a significant impact, and therefore would not be required to pay any mitigation fees if considered by itself, the total amount of the payments for all of the buildings would be equal to the fair share payment for the entire World Logistic Center to the extent that the responsible jurisdiction has chosen to adopt a fair share contribution funding program consistent with Mitigation Measure 4.15.7.4F.

**4.15.7.4F** The Applicant shall pay a portion of the fair share of the cost of traffic improvements identified in the Transportation Impact Analysis for those significantly impacted road segments and intersections for each warehouse building within the World Logistics Center if the impacted jurisdiction has established a fair share contribution program prior to the approval of a building-specific plot plan. The City shall determine whether a fair share program exists in the impacted jurisdiction and, if one does exist, require that the appropriate fees are paid by the Applicant, consistent with the requirements below, prior to the issuance of a certificate of occupancy for the building in question. If no fair share program exists or if the existing programs are not consistent with the requirements below, then no payment of fees shall be required. The impacts are to be determined on a road segment or intersection basis. Nothing in this condition requires the payment of a traffic impact fee imposed by another jurisdiction which covers improvement to facilities where the project does not have a significant impact. Fair-share contributions will be determined on a building-by-building basis as a share of the impact of the Project as a whole (for each segment or intersection where the World Logistics Center project as a whole has a significant impact identified in the Programmatic Environmental Impact Report) as determined by the Traffic Impact Analysis and will be due as each certificate of occupancy is issued. The fair share payments for the significantly impacted road segments and intersections identified in the Programmatic Environmental Impact Report will be required even though the impact resulting from a specific building does not, by itself, cause a significant impact.

**4.15.7.4G** City shall work directly with Western Riverside Council of Governments to request that Transportation Uniform Mitigation Fee funding priorities be shifted to align with the needs of the City, including improvements identified in the World Logistics Center Specific Plan traffic impact analysis. Toward this end, City shall meet regularly with Western Riverside Council of Governments.

### Facts in Support of the Findings:

**Intersection Analysis.** Existing baseline (year 2012) with Phase 1 intersection levels of service for the study area intersections are summarized in FEIR, Volume 3 Section 4.15 Tables 4.15.AA-1 and 4.15.AA-2 (pgs. 4.15-93 to 4.15-102), which shows there are 15 study intersections where Phase 1 of the project would have a significant impact. Twelve of these intersections already exceed the threshold of significance under existing conditions and would therefore be considered cumulative impacts and mitigation is required. Phase 1 of the project would cause a direct project impact at the other three intersections as follows:

- Redlands Boulevard/Cactus Avenue;
- Arlington Avenue/Victoria Avenue; and
- Moreno Beach Drive/John Kennedy Drive.

Phase 1 of the Project would worsen the existing LOS deficiency at the following 12 intersections under existing with Phase 1 conditions:

- Redlands Boulevard/Locust Avenue;
- Redlands Boulevard/SR-60 Westbound Ramps;
- Oliver Street/Alessandro Boulevard;
- Lasselle Street/Cactus Avenue;
- Gilman Springs Road/Bridge Street;
- SR-79 (Sanderson Avenue) Northbound/Gilman Springs Road;
- SR-79 (Sanderson Avenue) Southbound/Gilman Springs Road;
- San Timoteo Canyon Road/Alessandro Boulevard;
- San Timoteo Canyon Road/Live Oak Canyon Road;
- Redlands Boulevard/San Timoteo Canyon Road;
- Moreno Beach Drive/SR-60 EB Ramps; and
- Alessandro Boulevard/Chicago Avenue.

**Roadway Analysis.** Existing baseline (year 2012) with Phase 1 roadway segment levels of service for the study area are summarized in FEIR, Volume 3 Section 4.15, Table 4.15.AB (pg. 4.15-105), which shows two roadway segments would operate at unsatisfactory levels of service. Phase 1 of the project would

contribute toward the worsening of an already unsatisfactory LOS at the two roadway segments and, therefore, have a significant cumulative impact at these locations.

Phase 1 of the Project would worsen the existing LOS deficiency at the following two roadway segments under existing with Phase 1 conditions:

- Gilman Springs Road between Alessandro Boulevard and Bridge Street; and
- Gilman Springs Road between SR-60 and Alessandro Boulevard.

The on-site improvements and changes to the road system within the WLC project site are being undertaken as part of the WLC project. The developer shall be responsible for constructing the improvements described in the TIA (Chapter 4, “Proposed Road Network”) in accordance with City standards for roadway construction and the roadway cross sections in the WLC Specific Plan. Completion of these improvements shall constitute the developer’s mitigation of the project’s on-site impacts. In addition implementation of **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G**, and implementation of all the improvements identified in FEIR, Volume 3 Section 4.15, Tables 4.15.AV through 4.15.BA (pgs. 4.15-197 through 4.15-224) direct and cumulative impacts on study area roadway segments and intersections would be reduced to less than significant for those roadways and intersections within the City of Moreno Valley. When these improvements are completed, the project’s impacts on the roadway system within the WLC project site will be mitigated to a less-than-significant level. (FEIR, Volume 3 Section 4.15, pg. 4.15-92 to 4.15-114)

**b. Existing (2012) With Project (Buildout) Conditions Traffic and Level of Service (On-site Roads and Intersections)**

**Potential Significant Impact:** The EIR evaluated and concluded that Project Buildout conditions could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

**Findings:** Implementation of the **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G** will reduce the impact related to future traffic LOS (Existing 2012 with Project Buildout Conditions) to less than significant.

**Facts in Support of the Findings:**

**Intersections.** Existing baseline (2012) with project buildout intersection levels of service for the study area intersections are summarized in Table 4.15.AF-1 and 4.15.AF-2, which shows there are 17 study

intersections where the project would contribute to a significant impact and mitigation is required. Twelve of these intersections already exceed the threshold of significance under existing conditions and would therefore be considered cumulative impacts. Those twelve intersections are:

- Redlands Boulevard/Locust Avenue;
- Redlands Boulevard/SR-60 Westbound Ramps;
- Oliver Street/Alessandro Boulevard;
- Moreno Beach Drive/SR-60 Eastbound Ramps;
- Lasselle Street/Cactus Avenue;
- Alessandro Boulevard/Chicago Avenue;
- Gilman Springs Road/Bridge Street;
- SR-79 (Sanderson Avenue) Northbound/Gilman Springs Road;
- SR-79 (Sanderson Avenue) Southbound/Gilman Springs Road;
- San Timoteo Canyon Road/Alessandro Road;
- San Timoteo Canyon Road/Live Oak Canyon Road; and
- Redlands Boulevard/San Timoteo Canyon Road.

The project would cause a direct project impact at the following five intersections:

- Redlands Boulevard/Cactus Avenue;
- Moreno Beach Drive/John Kennedy Drive;
- Moreno Beach Drive/Ironwood Avenue;
- Arlington Avenue/Victoria Avenue; and
- Bridge Street/Ramona Expressway.

The on-site improvements and changes to the road system within the WLC project site are being undertaken as part of the WLC project. The developer shall be responsible for constructing the improvements described in the TIA (Chapter 4, “Proposed Road Network”) in accordance with City standards for roadway construction and the roadway cross sections in the WLC Specific Plan. Completion of these improvements shall constitute the developer’s mitigation of the project’s on-site impacts. In addition implementation of **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G**, and implementation of



all the improvements identified in FEIR, Volume 3 Section 4.15, Tables 4.15.AV through 4.15.BA (pgs. 4.15-197 through 4.15-224) direct and cumulative impacts on study area roadway segments and intersections would be reduced to less than significant for those roadways and intersections within the City of Moreno Valley. When these improvements are completed, the project's impacts on the roadway system within the WLC project site will be mitigated to a less-than-significant level. (FEIR, Volume 3 Section 4.15, pg. 4.15-115 to 4.15-139).

**c. Year (2022) With Phase 1 Project Conditions Traffic and Level of Service (On-site Roads and Intersections)**

**Potential Significant Impact:** The EIR evaluated and concluded with Project Phase 1 added to Year 2022 conditions there would be an increase in traffic load and capacity on the street system which is significant.

**Findings:** Implementation of **Mitigation Measure 4.15.7.4A** through **4.15.7.4G** will reduce the Project's Phase 1 added to Year 2022 conditions impacts on traffic to less than significant.

**Facts in Support of the Findings:**

**Intersection Analysis.** Year 2022 with Phase 1 intersection levels of service for the study area intersections are summarized in FEIR, Volume 3, Section 4.15, Tables 4.15.AK-1 and 4.15.AK-2 (pg. 4.15-142 to 4.15-151), shows 34 study intersections operating at unsatisfactory LOS in the Year 2022 with Phase 1 condition. Twenty-eight of these intersections would exceed the threshold of significance under Year 2022 No Project conditions and would therefore be considered significant cumulative impacts requiring mitigation. At eight of these intersections the level of service would drop from satisfactory to unsatisfactory with the addition of Phase 1 traffic, which would also be considered a significant cumulative impact requiring mitigation. Those six intersections are:

- Redlands Boulevard/Cactus Avenue;
- Kitching Street/Iris Avenue;
- Perris Boulevard/John F. Kennedy Drive;
- Iris Avenue/Perris Boulevard;
- Heacock Street/Alessandro Boulevard; and
- Day Street/Alessandro Boulevard.

**Roadway Analysis.** Year 2022 with Phase 1 roadway segment levels of service for the study area intersections are summarized in FEIR, Volume 3, Section 4.15, Table 4.15.AL (pg. 4.15-, which shows three

roadway segments would operate at unsatisfactory levels of service. Phase 1 of the project would contribute toward the worsening of an already unsatisfactory LOS at two roadway segments and, therefore, have a significant cumulative impact at these locations. One roadway segment would drop from satisfactory to unsatisfactory level of service with the addition of Phase 1 traffic, which would also be considered a significant cumulative impact.

Phase 1 of the Project would have a significant cumulative impact at the following roadway segments under year 2022 with Phase 1 conditions:

- Gilman Springs Road between Alessandro Boulevard to Bridge Street; and
- Gilman Springs Road between SR-60 and Alessandro Boulevard.

Phase 1 of the Project would also create a significant cumulative impact at the following roadway segment under Year 2022 with Phase 1 conditions:

- Redlands Boulevard from Fir (future Eucalyptus) Avenue to the SR-60 Eastbound Ramps.

The Project's direct impacts on road sections are summarized in FEIR, Volume 3, Section 4.15, Table 4.15.AV (pg. 4.15-197). The project's direct impacts on study intersections are summarized in FEIR, Volume 3, Section 4.15, Table 4.15.AW (pg. 4.15-201). As individual projects within the WLC are processed, the City will require that each project do a traffic impact assessment in accordance with City guidelines. These project-level assessments will determine the timing of each transportation improvement measure and will ensure that the impact assumptions made in this programmatic EIR document are consistent with the analysis of potential impacts at the project-specific implementation stage. Section 4.15 of the FEIR, Volume 3 determined with the implementation of **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G**, and implementation of all the improvements identified in FEIR, Volume 3 Section 4.15, Tables 4.15.AV through 4.15.BA (pgs. 4.15-197 through 4.15-224) direct and cumulative impacts on study area roadway segments and intersections would be reduced to less than significant for those roadways and intersections within the City of Moreno Valley.

**d. Year 2035 With Project Buildout Conditions (Intersection)  
Traffic and Level of Service Impacts**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

**Findings:** Implementation of **Mitigation Measure 4.15.7.4A** through **4.15.7.4G** will reduce the impact related to General Plan buildout to less than significant.

**Facts in Support of the Findings:** General Plan Buildout with Project conditions considers the addition of traffic generated by the Project to General Plan Buildout baseline conditions. An intersection LOS analysis was conducted to determine General Plan Buildout intersection performance. The addition of Project traffic to the General Plan Buildout scenario would result in conditions exceeding City and Caltrans LOS standards at 13 intersections.

All of the intersections that are forecast to experience a deficient LOS with the Project would also operate with a deficient LOS without the Project. Although the Project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the Project. (FEIR, Volume 3 pg. 4.15-167 to 4.15-187)

According to Section 4.15 of the FEIR, Volume 3, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the General Plan Build Out with Project scenario and impacts would be reduced to a less than significant level for all identified intersections. However, as noted previously, improvements to the freeway intersections and infrastructure are under the authority of Caltrans. In addition, the deficient freeway ramp intersections identified in **Mitigation Measure 4.15.7.4E** are already programmed into the TUMF program. It is anticipated that by the General Plan Buildout, improvements to the identified freeway ramps and intersections would be built through the TUMF process and coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the Project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented. (FEIR, Volume 3 pg. 4.15-167 to 4.15-187)

## 12. Utilities and Service Systems

### a. Adequate Water Supply

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could result in the lack of sufficient water supplies available to serve the project from existing entitlements.

**Findings:** Implementation of the following mitigation measures will reduce the project impacts on water supply to less than significant:

**4.16.1.6.1A** Prior to approval of a precise grading permit for each plot plan for development within the World Logistics Center Specific Plan (WLCSP), the developer shall submit landscape plans that demonstrate compliance with the World Logistics Center Specific Plan, the State of California Model Water Efficient Landscape Ordinance (AB 1881), and Conservation in Landscaping Act (AB 325). This measure shall be implemented to the satisfaction of the Planning Division. Said landscape plans shall incorporate the following:

- Use of xeriscape, drought-tolerant, and water-conserving landscape plant materials wherever feasible and as outlined in Section 6.0 of the World Logistics Center Specific Plan;
- Use of vacuums, sweepers, and other “dry” cleaning equipment to reduce the use of water for wash down of exterior areas;
- Weather-based automatic irrigation controllers for outdoor irrigation (i.e., use moisture sensors);
- Use of irrigation systems primarily at night or early morning, when evaporation rates are lowest;
- Use of recirculation systems in any outdoor water features, fountains, etc.;
- Use of low-flow sprinkler heads in irrigation system;
- Provide information to the public in conspicuous places regarding outdoor water conservation; and
- Use of reclaimed water for irrigation if it becomes available.

**4.16.1.6.1B** All buildings shall include water-efficient design features outlined in Section 4.0 of the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. These design features shall include, but not limited to the following:

- Instantaneous (flash) or solar water heaters;
- Automatic on and off water faucets;
- Water-efficient appliances;
- Low-flow fittings, fixtures and equipment;

- Use of high efficiency toilets (1.28 gallons per flush [gpf] or less);
- Use of waterless or very low water use urinals (0.0 gpf to 0.25 gpf);
- Use of self-closing valves for drinking fountains;
- Infrared sensors on drinking fountains, sinks, toilets and urinals;
- Low-flow showerheads;
- Water-efficient ice machines, dishwashers, clothes washers, and other water-using appliances;
- Cooling tower recirculating system where applicable;
- Provide information to the public in conspicuous places regarding indoor water conservation; and
- Use of reclaimed water for wash down if it becomes available.

**4.16.1.6.1C** Prior to approval of a precise grading permit for each plot plan, irrigation plans shall be submitted to and approved by the City demonstrating that the development will have separate irrigation lines for recycled water. All irrigation systems shall be designed so that they will function properly with recycled water if it becomes available. This measure shall be implemented to the satisfaction of the City Planning Division and Land Development Division/Public Works.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR, Volume 3, the Eastern Municipal Water District (EMWD) has determined that it will be able to provide adequate water supply to meet the potable water demand for the Project in addition to existing and future users. The WSA prepared for the Project by the EMWD concluded that the water demand for the proposed on-site uses would be approximately 1,991.25 AFY.<sup>24</sup> The EMWD considers this a “worst-case” estimate based on the total acres and amount of square footage of warehousing proposed by the project. This estimate does not take into account the project landscaping design with xeriscape (drought-tolerant plants) and on-site collection of runoff and channeling it to landscaped areas to minimize irrigation on the interior of the project site. For example, the “Water Budget Technical Memorandum’ prepared by CH2MHill (see EIR Appendix N) in September 2011 for the WLC Project indicates that actual water usage of on-site buildings, based on the specific development characteristics of the WLC Specific Plan, would be on the order of 450 AFY,

<sup>24</sup> *Water Supply Assessment Report for the World Logistics Center Specific Plan in Moreno Valley*, Eastern Municipal Water District, March 21, 2012.

which is less than a quarter of the amount estimated by EMWD; however, this estimate does not include on-site irrigation of landscaping and could only be achieved if all on-site landscaping was irrigated by collection and distribution of on-site runoff from roofs and hardscape areas.

Taking into account the Project's proposed water xeriscape landscaping plan, it is likely that actual water use for development within the WLC Specific Plan will be substantially less than the worst-case EMWD estimate. Therefore, for the purposes of analysis in this EIR, both the CH2MHill figure of 450 AFY and the EMWD's worst-case estimate of 1,991 AFY figure were used relative to water consumption. Under either scenario, the anticipated water demand for the WLC Project is substantially less than what is identified above for the General Plan land uses and what was used in the formulation of the 2010 UWMP. Anticipated water supplies in the EMWD total 213,900 and 302,200 AFY in 2015 and 2035, respectively. The water demand required for the WLC Project would total 0.93 and 0.66 percent of the EMWD's 2015 and 2035 supplies under worst-case conditions. The demand estimated for this project is substantially less and therefore still within the limit of growth projected in the 2010 UWMP.

Implementation of the Mitigation Measures **4.16.1.6.1A** through **4.16.1.6.1C** will reduce impacts to water supply over the long term to less than significant levels. (FEIR, Volume 3, pgs. 4.16-15 through 4.16-22).

#### **b. Storm Water Drainage Requirements**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

**Findings:** Implementation of the following mitigation measures will reduce the impact to storm water drainage to less than significant:

**4.16.1.6.2A** Each Plot Plan application for development shall include a concept grading and drainage plan, with supporting engineering calculations. The plans shall be designed such that the existing sediment carrying capacity of the drainage courses exiting the project area is similar to the existing condition. The runoff leaving the project site shall be comparable to the sheet flow of the existing condition to maintain the sediment carrying capacity and amount of available sediment for transport so that no increased erosion will occur downstream. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR, Volume 3, the Project would route storm water flows from the Project site into existing storm drains to the west and the San Jacinto

Wildlife Area to the south after flows are routed through a combination of water quality basins and sand filters. Due to the installation of impervious surfaces on the Project site, the post-development flows would be higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows coming from the Project site are required to be equal to or less than pre-development flows.<sup>25</sup> To reduce flows to below or equal to pre-development conditions, the on-site storm water flows would be routed to the on-site detention basins<sup>26</sup> before flows are routed off site. While the increase in impervious surfaces attributable to the Project would contribute to a greater volume and higher velocity of storm water flows, the Project's water quality basins would accept and accommodate runoff that would result from Project construction at pre-Project conditions.

As identified in the Preliminary Hydrology Calculations prepared for the Project, to adequately contain and store the greatest volume that would be generated, the Project site would require a minimum storage volume of 13.6 acre-feet. The proposed amount of storage area (20.3 acre-feet) is greater than the required amount of storage area. Based on this, it appears there is excess capacity of 6.7 acre-feet (20.3 acre-feet – 13.6 acre-feet = 6.7 acre-feet) of storage area available from the on-site detention basins; therefore, the Project appears to have adequate drainage capacity that would result in post-development flows being reduced to pre-development flows before leaving the Project site. However, to ensure that impacts associated with on-site drainage capacity are reduced to a less significant level, the **Mitigation Measures 4.9.6.1A** and **4.9.6.1B** and **4.16.1.6.2A** has been identified to reduce potential impacts to less than significant levels. (FEIR, Volume 3, pgs. 4.9-22 to 4.9-25)

### c. Cumulative Impacts to Water Supply Services

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could result in cumulative impacts to the water supply.

**Findings:** With implementation of the WLC Specific Plan as proposed and **Mitigation Measures 4.16.6.1A** through **4.16.6.1C**, potential cumulative impacts to regional long-term water supplies will not be cumulatively considerable.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR, Volume 3, the cumulative area for water supply-related issues is the EMWD service area. Existing and future development within

<sup>25</sup> As part of the MS4 Permit issuance requirements, projects must identify any Hydrologic Conditions of Concern and demonstrate that changes to hydrology are minimized to ensure that post-development runoff rates and velocities from a site do not adversely affect downstream erosion, sedimentation, or stream habitat.

<sup>26</sup> A detention basin is an area where excess storm water is stored or held temporarily and then slowly drains when water levels in the receiving channel recede. In essence, the water in a detention basin is temporarily detained until additional room becomes available in the receiving channel.



the EMWD's service area would demand additional quantities of water. The adopted UWMP (2010) projects population within the EMWD service area to increase to 1,111,729 persons by the year 2035. Increases in population, square footage, and intensity of uses would contribute to increases in the overall regional water demand. The anticipated conversion of water-intensive uses (i.e., agriculture) and the implementation of existing water conservation measures and recycling programs would reduce the need for increased water supply.

As previously identified, Metropolitan will continue to rely on the plans and policies outlined in its Regional Urban Water Management Plan (RUWMP) and Integrated Resources Plan (IRP) to address water supply shortages and interruptions (including potential shut downs of SWP pumps) to meet water demands. An aggressive campaign for voluntary conservation and recycled water usage, curtailment of groundwater replenishment water and agricultural water delivery are some of the actions outlined in the RUWMP. As previously stated, Metropolitan currently does not have surplus water available, due in part to pumping restrictions imposed on the SWP in place to avoid and minimize impacts to Federal- and State-protected fish species in the Delta. However, Metropolitan has analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and RUWMP conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035. The EWMD would have water supplies for projected growth through 2035 in wet, dry, and multiple-dry years, so cumulative impacts to water supply would be less than significant. The WLC Project would connect to existing conveyance infrastructure and adequate treatment capacity is available, so the WLC Project would not make a significant contribution to any cumulatively considerable impacts on water supply or infrastructure.

With implementation of the WLC Specific Plan as proposed and **Mitigation Measures 4.16.6.1A** through **4.16.6.1C**, potential cumulative impacts to regional long-term water supplies will not be cumulatively considerable. (FEIR, Volume 3, pg. 4.16-26)

#### **d. Construction or Expansion of Electrical and Natural Gas Facilities**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could result in the construction or expansion of electrical and natural gas facilities, the construction of which could cause significant environmental effects.

**Findings:** Implementation of the following mitigation measures will reduce the impact to the construction or expansion of electrical and natural gas facilities to less than significant:

**4.16.4.6.1A** Each application for a building permit shall include energy calculations to demonstrate compliance with the California Energy Efficiency Standards confirming that each new structure meets applicable Building and Energy Efficiency Standards. The plans shall also ensure that buildings are in conformance with the State Energy Conservation Efficiency Standards for Nonresidential buildings (Title 24, Part 6, Article 2, California Administrative Code). This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions. Plans shall show the following:

- Energy-efficient roofing systems, such as “cool” roofs, that reduce roof temperatures significantly during the summer and therefore reduce the energy requirement for air conditioning.
- Cool pavement materials such as lighter-colored pavement materials, porous materials, or permeable or porous pavement, for all roadways and walkways not within the public right-of-way, to minimize the absorption of solar heat and subsequent transfer of heat to its surrounding environment.
- Energy-efficient appliances that achieve the 2008 Appliance Energy Efficiency Standards (e.g., EnergyStar Appliances) and use of sunlight-filtering window coatings or double-paned windows.

**4.16.4.6.1B** Prior to the issuance of any building permits within the World Logistics Center Specific Plan, each project developer shall submit energy calculations used to demonstrate compliance with the performance approach to the California Energy Efficiency Standards to the Building and Safety and Planning Divisions that shows each new structure meets the applicable Building and Energy Efficiency Standards. Plans may include but are not necessarily limited to implementing the following as appropriate:

- High-efficiency air-conditioning with electronic management system (computer) control.
- Variable Air Volume air distribution.
- Outside air (100 percent) economizer cycle.
- Staged compressors or variable speed drives to flow varying thermal loads.

- Isolated High-efficiency air-conditioning zone control by floors/separable activity areas.
- Specification of premium-efficiency electric motors (i.e., compressor motors, air handling units, and fan-coil units).
- Use of occupancy sensors in appropriate spaces.
- Use of compact fluorescent lamps in place of incandescent lamps.
- Use of cold cathode fluorescent lamps.
- Use of Energy Star exit lighting or exit signage.
- Use of T-8 lamps and electronic ballasts where applications of standard fluorescent fixtures are identified.
- Use of lighting power controllers in association with metal-halide or high-pressure sodium (high intensity discharge) lamps for outdoor lighting and parking lots.
- Use of skylights (may conflict with installation of solar panels in some instances).
- Consideration of thermal energy storage air conditioning for spaces or hotel buildings, meeting facilities, theaters, or other intermittent-use spaces or facilities that may require air-conditioning during summer, day-peak periods.

**4.16.4.6.1C** Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

- 1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;
- 2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and
- 3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR, Volume 3, the WLC Project would consume approximately 376,426 megawatt-hours (MWh) of electricity and almost 14.6 million cubic feet of natural gas per year. The estimated electrical demand assumes no on-site electrical generation by photovoltaic panels.

The WLC Specific Plan requires future installation of solar photovoltaic panels on the roof of each warehouse building to offset the energy demands of the office portion of the building. Utility improvements are based on a “worst-case” assumption that on-site solar electrical generation is not available and electrical service would have to be provided by Moreno Valley Electric Utility (MVEU). In addition, partial or complete connection to the existing electrical grid may be necessary even with roof-mounted solar photovoltaic panels so there is redundancy (backup) in case of an emergency or during nighttime when no on-site power is being generated (i.e., some warehouses may operate 24/7). At this time, it is not anticipated that any uses will install sufficient on-site power generation and storage to be totally independent of the existing electrical grid.

A number of Southern California Edison (SCE) facilities would still require relocation and expansion of MVEU facilities in order to provide network backup (i.e., if the solar generation equipment were to fail) and accommodate the potential increase in electrical demand no matter the contribution of project alternative energy generated. Power poles, guy poles, and guy anchors for the existing overhead 115 kV line along Theodore Street and Gilman Springs Road will need to be relocated at the time these roadways are widened. The portion of the existing 115 kV line along Eucalyptus Avenue may also need to be relocated into the new Eucalyptus Avenue alignment between Theodore Street and Gilman Springs Road at the time the roadway is constructed. The existing 115 kV line along Brodiaea Avenue may be able to be protected in place except for a few hundred feet where the transmission line intersects with the new Merwin Street, which will need to be relocated to accommodate street and storm drain channel improvements.

The existing 12 kV overhead power distribution lines along Redlands Boulevard will need to be undergrounded when the roadway is developed to its ultimate width. The existing 12 kV overhead power feeder lines located along Theodore Street and Alessandro Boulevard will need to be relocated and undergrounded as these roadway improvements take place during the development of the WLC project. The existing 12 kV overhead power feeder line running south along Virginia Street to the Moreno Compressor Station (planned as Open Space) will be protected in place. The existing overhead service

lines from the Theodore Street 12 kV line along Dracaea Avenue to the east and along Cottonwood Avenue to the west can be abandoned when existing on-site residences served by these facilities are abandoned. Per SCE requirements, SCE 12 kV undergrounded lines cannot be in a common trench with MVEU facilities and require a separate underground facility with a minimum 6 feet from other utility lines.

Based on the *Technical Memorandum – Dry Utilities World Logistics Center, Moreno Valley, CA*, (EIR Appendix N Utility Specialists, September 2014) prepared for the WLC project, construction of the first three logistics buildings that would occur during the initial phase of construction can be served by the existing MVEU substation at Cottonwood Avenue and Moreno Beach Drive, as long as capacity is still available at that station. Subsequent buildings in Phase 1 of construction will require the expansion of this substation. The expansion that would occur to meet this demand would be the addition of two new 28 MW transformer units which can be accommodated within the existing substation property. New 12 kV underground feeder circuits, including trenching, conduit, electrical vaults, and conductors will need to be installed from the substation to the WLC Project site. These improvements will occur along Cottonwood Avenue, along Moreno Beach Drive, and along Alessandro Boulevard, Brodiaea Avenue, and Cactus Avenue. These improvements are expected to take place concurrently with roadway construction.

To meet the WLC Project's ultimate annual demand of 376,426 MW, a new 112 MW substation will be constructed within the project limits at a central location near one of SCE's 115 kV transmission lines that will feed power to the substation. The *Dry Utilities* memo for the Project indicates two potential locations; the first adjacent to the SCE transmission lines along Gilman Springs Road, and the other adjacent to the SCE transmission lines along Brodiaea Avenue. Impacts of constructing the new station at either of these on-site locations may be the same.

SCE will require approximately 2 acres for a switching station near the new 112 kV substation proposed by MVEU to serve the WLC Project. All MVEU primary distribution conductors within the project will be installed within underground conduits and vaults within the public roadway rights-of-way or within easements as a joint trench with telephone, cable television, and natural gas. Since the installation or relocation of electrical facilities would take place concurrently with roadway construction and/or within dedicated easements, or protected in place, the construction of these facilities would not result in significant environmental effects.

The Project intends to achieve applicable elements of certification from the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED), and encourages LEED Certification. The Project will require sophisticated construction techniques that will provide pollution prevention and

control such as noise, air quality, erosion and sediment controls. Both site planning and future building design will require current best practices for use of recycled materials and products, such as recycled steel, and crushed concrete and pavement materials. Low-emitting VOC building materials will be used on site.

Additionally, the WLC Project would be required to adhere to Title 24, Part 6, of the California Code of Regulations, which identifies energy efficiency standards for residential and nonresidential buildings. These standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The most recent standards were adopted and went into effect January 1, 2011. The 2011 standards for residential and non-residential buildings are expected to reduce the growth in electricity use and reduce the growth in natural gas use. Such standards include the provision of cool roofs, demand control ventilation, skylights for day-lighting in buildings, thermal breaks for metal building roofs and lighting power limits.

Compliance with such standards would be reviewed before the issuance of a building permit by the City. Because the WLC Project would be required to adhere to standards contained in Title 24 in addition to requirements set forth by the respective utility providers, development of the WLC Project would not result in the wasteful, inefficient or unnecessary consumption of energy. (FEIR, Volume 3, pgs. 4.16-38 to 4.16-42).

#### e. Cumulative Impacts to Energy Facilities

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could result in the cumulative impacts to the energy facilities.

**Findings:** With implementation of the WLC Specific Plan as proposed and **Mitigation Measures 4.16.4.6.1A** through **4.16.4.6.1C**, potential cumulative impacts to energy facilities will not be cumulatively considerable.

**Facts in Support of the Findings:** According to Section 4.16 of the FEIR, Volume 3, the WLC Project would not result in significant impacts related to energy consumption with implementation of the WLC Specific Plan as proposed, and with the recommended project-specific mitigation measures. The Project will adhere to Title 24, Part 6, of the CCR, which identifies state energy efficiency standards. Adherence to these energy efficiency standards would reduce the amount of energy consumed by the WLC Project. The WLCSP will require future development to install solar photovoltaic panels on the roof of each building to meet the electrical demand of the office portion of each warehouse building. The WLC Project will implement “green building” characteristics and its design will help reduce energy consumption. With

these measures, the WLC Project will not make a significant contribution to cumulative energy facility impacts. (FEIR, Volume 3, pg. 4.16-42).

### C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: aesthetics (individually and cumulative), air quality (individually and cumulative), land use and planning, noise, and transportation. In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the Project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

#### 1. Aesthetics (Individual and Cumulative Impacts)

##### a. Scenic Vistas

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could have adverse effects on one or more scenic vistas, notably views of the Badlands, Mount Russell Range, and Mystic Lake/San Jacinto Wildlife Area.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.1.6.1A through 4.1.6.1D, 4.1.6.3A, 4.1.6.4A, and 4.1.6.4B are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will have a significant impact due to adverse effects on scenic vistas and therefore impacts are considered significant and unavoidable.

**4.1.6.1A** Each Plot Plan application for development along the western, southwestern, and eastern boundaries of the project (i.e., adjacent to existing or planned residential zoned uses) shall include a minimum 250-foot setback measured from the City/County zoning boundary line and any building or truck parking/access area within the project. The setback area shall include landscaping, berms, and walls to provide visual screening between the new development and existing residential areas upon maturity of the



landscaping materials. The existing olive trees along Redlands Blvd. shall remain in place as long as practical to help screen views of the project site. This measure shall be implemented to the satisfaction of the Planning Official.

- 4.1.6.1B** Each Plot Plan application for development adjacent to Redlands Boulevard, Bay Avenue, or Merwin Street, shall include a plot plan, landscaping plan, and visual rendering(s) illustrating the appearance of the proposed development. The renderings shall demonstrate that views of proposed buildings and trucks can be reasonably screened from view from existing residents upon maturity of planned landscaping and to ensure consistency with the General Plan Objective 7.7. “Effective” screening shall mean that no more than the upper quarter (25%) of a building is visible from existing residences, which shall be achieved through a combination of landscaping, berms, fencing, etc. The location and number of view presentations shall be at the discretion of the Planning Division.
- 4.1.6.1C** Prior to the issuance of a certificate of occupancy for buildings adjacent to the western, southwestern, and eastern boundaries of the project (i.e., adjacent to existing residences at the time of application) the screening required in Mitigation Measure 4.1.6.1A shall be installed in substantial conformance with the approved plans to the satisfaction of the Planning Official.
- 4.1.6.1D** Prior to the issuance of permits for any development activity adjacent to Planning Area 30 (74.3 acres in the southwest portion of the Specific Plan), the entirety of Planning Area 30 shall be offered to the State of California for open space purposes. In the event that the State does not accept the dedication, the property shall be offered to Western Riverside County Regional Conservation Authority or an established non-profit land conservancy for open space purposes. In the event that none of these organizations accepts the dedication, the property may be dedicated to a property owners association or may remain in private ownership and may be fenced and access prohibited.
- 4.1.6.3A** Each Plot Plan application for development shall include plans and visual rendering(s) illustrating any changes in views of Mount Russell and/or the Badlands, for travelers along SR-60, as determined necessary by the Planning Official. The plans and renderings shall illustrate typical views based on proposed project plans, with the location and number of view presentations to be determined by the Planning Official. These views shall be simulated from a height of six feet from the edge of the roadway travel lane closest to the visual resource. The renderings must demonstrate that the development will

preserve at least the upper two thirds (67%) of the vertical view of Mt. Russell from SR-60.

**4.1.6.4A** Each Plot Plan application for development adjacent to residential development shall include a photometric plot of all proposed exterior lighting demonstrating that the project is consistent with the requirements of Section 9.08.100 of the City Municipal Code. The lighting study shall indicate the expected increase in light levels at the property lines of adjacent residential uses. The study shall demonstrate that the proposed lighting fixtures and/or visual screening meet or exceed City standards regarding light impacts.

**4.1.6.4B** Each Plot Plan application for development shall include an analysis of all proposed solar panels demonstrating that glare from panels will not negatively affect adjacent residential uses or negatively affect motorists along perimeter roadways. Design details to meet these requirements shall be implemented to the satisfaction of the Planning Official.

**Facts in Support of the Finding:** According to Section 4.1 of the FEIR, Volume 3, the nearest sensitive permanent visual receptors would be the existing single-family residences to the west and southwest along Redlands Boulevard. In addition, the views of the motoring public along SR-60, Gilman Springs Road, Redlands Boulevard, Theodore Street, and Alessandro Boulevard would be significantly affected as well. At present, the Skechers building blocks views of the site for travelers on SR-60 who are immediately north of the Skechers building.

One of the development goals of the Specific Plan is to have the heights of the buildings along the north, west and south perimeter of the site, including SR-60, be approximately the same height as the existing Skechers building (i.e., approximately 55 feet above a ground elevation of 1,740 feet above mean sea level (amsl)). This means, as the site elevation decreases to the south, taller buildings theoretically could be built as long as they do not exceed 1,795 feet elevation (i.e., height above sea level, not building height above ground). This would result in seeing only the buildings adjacent to the freeway for eastbound travelers on SR-60, but it would adversely affect views from other locations around the WLC Specific Plan site regardless of the height comparison to the Skechers building. The motoring public heading westbound on SR-60 would experience impacts to their views of Mount Russell.

Many of the views of the motoring public while on local roadways will fundamentally change instead of views of open agricultural land, these residents and motorists will view new logistics buildings and the associated parking areas, roadways, infrastructure, and landscaping. Therefore, the Project will have a significant visual impact. The degree to which these buildings may block views of major scenic resources (i.e., Mount Russell, the Badlands, and Mystic Lake) will depend on the location and heights of buildings.

This impact requires mitigation; however, this change in views, while substantial, is anticipated in the City's General Plan, which allows development within the Project area. At present, the General Plan allows development of a mixed-use residential community (i.e., Moreno Highlands Specific Plan), which would mainly be one-story and two-story buildings (approximate maximum height 35 feet). The WLC Specific Plan proposes to instead develop the site with logistics warehouse buildings (maximum height 60–80 feet), so this change in itself would represent a significant visual impact. In addition, the eventual change in views from existing (baseline) conditions is substantial and is considered a significant visual impact on scenic vistas. After implementation of the **Mitigation Measures 4.1.6.1A** through **4.1.6.1C**, adverse effects on scenic vistas would remain significant and unavoidable due to the fundamental change in public views for residents within and surrounding the Project site, for travelers on SR-60, Gilman Springs Road, Redlands Boulevard, Theodore Street, and Alessandro Boulevard, and for users of the San Jacinto Wildlife Area. (FEIR, Volume 3, pgs. 4.1-61 to 4.1-73 and 4.1-82 to 4.1-83).

#### b. Scenic Resources and Scenic Highways

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could have a significant impact on the views of scenic resources for motorists traveling on SR-60 and Gilman Springs Road.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.1.6.1A** through **4.1.6.1D**, **4.1.6.3A**, **4.1.6.4A**, and **4.1.6.4B** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project-related impacts to scenic vistas and scenic highways will remain significant and unavoidable.

**Facts in Support of the Finding:** According to Section 4.1 of the FEIR, Volume 3, the City of Moreno Valley identifies SR-60 and Gilman Springs Road as local scenic roads. According to the City's General Plan EIR, major scenic resources within the Moreno Valley study area are visible from SR-60, and Gilman Springs Road, both of which are City-designated local scenic roadways. Development of the Project would significantly alter the existing view by introducing large industrial buildings adjacent to the freeway. Existing eastbound and westbound views on SR-60 and Gilman Springs Road would be fundamentally altered with the future development of the Project.

The perimeter portions of the site will have buildings with heights up to 60 feet, and some of the buildings south of Street C (southeastern portion of the site but not adjacent to the San Jacinto Wildlife

Area), would have heights of up to 80 feet. Since the Skechers building (roof height approximately 1,790 feet amsl) is already visible throughout the Project site and from off-site areas to the east, south, and southwest, it is likely that most new buildings will be visible from these areas or possibly even farther away, depending on building heights and locations. The use of light colors and reflective surfaces such as glass and polished metal near office entrances and building corners, such as required in the WLC Specific Plan design guidelines, will enhance the visibility of these buildings.

The proposed sound walls and ornamental landscaping would soften the visual impacts of future buildings, but the Project would likely result in at least a partial obstruction of a portion of the Mount Russell Range for motorists traveling on SR-60, so the proposed buildings may obstruct the view of a major scenic feature from a City-designated scenic route. The Project meets criteria in both the moderate and major visual intrusion categories. Therefore, it is anticipated that the WLC Specific Plan design guidelines may create a major visual intrusion (i.e., significant impact) for motorists traveling on SR-60 and Gilman Springs Road.

The WLC Specific Plan can preserve significant visual features, significant views, and vistas if the size and location of buildings developed under the WLC Specific Plan can be controlled so as to not substantially block views of Mount Russell, the Badlands, and Mystic Lake. The views from SR-60 and Gilman Springs Road will fundamentally change, but their views of major scenic resources (i.e., Mount Russell, the Badlands, and Mystic Lake) may be preserved through careful limitations on the height and location of future buildings. The WLC Specific Plan outlines how future development along SR-60 and Gilman Springs Road will be made visually attractive and can maintain some view corridors of the surrounding mountains and Mystic Lake through careful limitations on the height and location of future buildings. These are considered significant visual impacts on local scenic roads that will require mitigation.

Construction of future logistics warehousing according to the development standards and design guidelines of the WLC Specific Plan will help soften building façades, and the installation of ornamental landscaping will help buffer the visual appearance of the buildings from SR-60, but the obstruction of local views will still be significant. Implementation of **Mitigation Measures 4.1.6.1A through 4.1.6.1D, 4.1.6.3A, 4.1.6.4A, and 4.1.6.4B** will help reduce these impacts, but not to less than significant levels. (FEIR, Volume 3, pgs. 4.1-73 to 4.1-76).

### c. Existing Visual Character and Surroundings

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could significantly degrade the existing visual character of the Project site from open space to an urbanized setting by introducing large high cube logistics warehouse buildings.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.1.6.1A through 4.1.6.1D, 4.1.6.3A, 4.1.6.4A, and 4.1.6.4B** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, the Project will have significant Project-related impacts to the existing visual character of the site and will remain significant and unavoidable.

**Facts in Support of the Finding:** Visual impacts associated with changes to the general character of the Project site (e.g., loss of open space), the components of the visual settings (e.g., landscaping and architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. According to Section 1.4 of the FEIR, Volume 3, the Project site is currently undeveloped with existing agricultural fields throughout the site. Development of the proposed industrial uses on the Project site would include approximately 40.6 million square feet of warehouse distribution uses with associated parking areas, ornamental landscaping, and roadway and infrastructure on approximately 2,635 acres. Maximum building heights will range from 60 to 80 feet depending on location within the Project and will substantially change the views of both nearby residents and motorists on adjacent roadways.

The Project would also change views for travelers on the adjacent portion of SR-60 and Gilman Springs Road by introducing large industrial buildings in place of agricultural vacant land. The proposed buildings closest to the freeway would most likely have an average height of approximately 55 to 60 feet, although the maximum height may be increased by 10 feet, which would exceed the existing height of the adjacent freeway by approximately 30 feet.

Development of the Project would substantially and fundamentally change the existing character of the Project site from open space to an urbanized setting with many large logistics buildings. The change in the character of the site would constitute a significant alteration of the existing visual character of the WLC Project site, regardless of the architectural treatment and landscaping of the site. These impacts

would be especially significant for residents of the existing residences on the Project site, depending on the timing, location, and size of development in the future.

The WLC Specific Plan includes a variety of architectural elements including façade accents such as corner treatments and roof trim. The Project also provides variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation would create shadow lines at various times of the day.

The proposed setbacks, landscaping, berms, and walls outlined in the Specific Plan appear sufficient to provide adequate visual screening between proposed warehouse buildings and the existing residential uses. However, mitigation is required to ensure the actual design and appearance of setback areas will effectively screen new development from existing residences and neighboring roadways.

However, even with implementation of **Mitigation Measures 4.1.6.1A through 4.1.6.1D, 4.1.6.3A, 4.1.6.4A, and 4.1.6.4B** the substantial change in visual character of the Project site and surrounding area from development of the Project will cause aesthetic impacts to remain significant and unavoidable. (FEIR, Volume 3, pgs. 4.1-76 to 4.1-80)

#### **d. Cumulative Aesthetics Impacts**

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could in connection with past, present, and probable future projects adversely affect one or more scenic vistas.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this cumulative impact to a level of less than significant. Accordingly, Project-related cumulative impacts to scenic vistas will remain significant and unavoidable.

**Facts in Support of the Finding:** The Project, in combination with other projects in the eastern portion of the City and along SR-60 and Gilman Springs Road, would have a cumulatively significant and unavoidable impact related to views, scenic resources, night lighting, and glare in this portion of the City.

The development of the Project would partially obstruct views of surrounding mountain vistas from various vantage points in and around the Project area. Partial view opportunities would continue to be available over future buildings, along roadways, between development areas, etc. Development of lands within the City, particularly along SR-60, would result in the cumulative conversion from open space to urbanized land uses. The Project would continue the development of logistics uses along the south side of SR-60 east of the City's Auto Center. The Project, in conjunction with other cumulative projects, would

be developed in a manner consistent with existing development trends in the City. Since other projects in the area will include similar distribution uses, it can be anticipated that such uses would have a similar design and massing as the Project. Since the Project would affect views of the surrounding mountains, it is reasonable to conclude that similar warehouse distribution uses would also obstruct views of the surrounding mountains. However, the analysis in Section 4.1.6.1 determined visual impacts, though substantial, were consistent with applicable General Plan policies (Policy 7.7.4 in the Conservation Element). Based on this analysis, the Project, in combination with other cumulative projects in the surrounding area, will have a cumulatively significant and unavoidable impact related to aesthetics (i.e., views, scenic resources, and lighting) in this portion of the City.

The proposed, existing, and future development within the planning area will increase the amount of light and glare in the area. The cumulative lighting-related impacts of this new development would be reduced through the adherence to applicable City Municipal Code lighting standards. However, this Project, in combination with the Auto Center and other approved high cube logistics developments in this portion of the City, will result in cumulatively considerable light and glare impacts, and the Project will make a significant contribution to that cumulative impact. (FEIR, Volume 3, pgs. 4.1-82 to 4.1-83)

## 2. Air Quality

### a. Air Quality Management Plan Consistency

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could conflict with implementation of the SCAQMD 2012 Air Quality Plan Management Plan (AQMP).

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts related to air quality plan management plan consistency are significant and unavoidable.

**Facts in Support of the Finding:** An AQMP describes air pollution control strategies to be taken by counties or regions classified as nonattainment areas. The AQMP's main purpose is to bring the area into compliance with the requirements of Federal and State air quality standards. The AQMP uses the assumptions and projections by local planning agencies to determine control strategies for regional compliance status. Therefore, any projects causing a significant impact on air quality would impede the progress of the AQMP. CEQA requires that projects resulting in a General Plan Amendment be analyzed for consistency with the AQMP.



For a Project in the Basin to be consistent with the AQMP, the pollutants emitted from the Project must not exceed the South Coast AQMD significant thresholds or cause a significant impact on air quality. One measurement tool in determining consistency with the AQMP is to determine how a Project accommodates the expected increase in population or employment. The Project site is located in an urbanizing area of the City of Moreno Valley along SR-60, which accommodates traffic in the area. In addition, the proposed warehouse uses would be within walking distance of existing homes and commercial areas in the local vicinity. The Project would add jobs resulting from the development of the warehouse uses to the City, with the potential to minimize the VMT traveled within the Project site and community.

The SCAQMD also has the following consistency criteria: a project cannot result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP; and a project cannot exceed the assumptions in the AQMP in 2010 or increments based on the year of Project build-out phase.

The Project would exceed the regional emission significance thresholds for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> after application of mitigation. This means that Project emissions of VOC and NO<sub>x</sub> could combine with other sources and could result in an ozone, PM<sub>10</sub>, or PM<sub>2.5</sub> exceedance at a nearby monitoring station. The Basin in which the Project is located is in nonattainment for these pollutants; therefore, according to this criterion, the Project would not be consistent with the AQMP. The regional emissions assume a zero baseline for existing emissions and therefore assumes that the AQMP had no emissions for the Project site. The regional significance thresholds can be interpreted to mean that if Project emissions exceed the thresholds, then the Project would also not be consistent with the assumptions in the AQMP. The Project does not meet this criterion.

Although the Project would be consistent with the policies, rules, and regulations in the AQMPs and State Implementation Plans (SIPs), the Project must meet all the criteria to be consistent with the AQMPs. The Project could impede AQMP attainment because its construction and operation emissions exceed the SCAQMD regional significance thresholds, so the Project is considered to be inconsistent with the AQMP. To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in **Mitigation Measures 4.3.6.2A through 4.3.6.2D, 4.3.6.3B, and 4.3.6.4A**. These measures shall be incorporated in all Project plans, specifications, and contract documents. Despite the implementation of mitigation measures, emissions associated with the Project cannot be reduced below the applicable thresholds. In the absence of feasible mitigation to reduce the Project's emission of criteria

pollutants to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable. (FEIR, Volume 3, pgs. 4.3-71 to 4.3-75)

#### b. Construction Emissions

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.

For construction operations, the applicable daily thresholds are:

- 75 pounds per day of ROC/VOC;
- 100 pounds per day of NO<sub>x</sub>;
- 550 pounds per day of CO;
- 150 pounds per day of PM<sub>10</sub>;
- 150 pounds per day of SO<sub>x</sub>; and
- 55 pounds per day of PM<sub>2.5</sub>.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.3.6.2A** through **4.3.6.2D** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will have a significant impact due to equipment exhaust from construction related activities and therefore impacts are considered significant and unavoidable.

**4.3.6.2A** Construction equipment maintenance records (including the emission control tier of the equipment) shall be kept on site during construction and shall be available for inspection by the City of Moreno Valley.

- a) Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each unit's certified tier specification shall be available for inspection by the City at the time of mobilization of each applicable unit of equipment.
- b) During all construction activities, off-road diesel-powered equipment may be in the "on" position not more than 10 hours per day.

- c) Construction equipment shall be properly maintained according to manufacturer specifications.
- d) All diesel powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour.
- e) Electrical hook ups to the power grid shall be provided for electric construction tools including saws, drills and compressors, where feasible, to reduce the need for diesel-powered electric generators. Where feasible and available, electric tools shall be used
- f) The project shall demonstrate compliance with South Coast Air Quality Management District Rule 403 concerning fugitive dust and provide appropriate documentation to the City of Moreno Valley.
- g) All construction contractors shall be provided information on the South Coast Air Quality Management District Surplus Offroad Opt-In “SOON” funds which provides funds to accelerate cleanup of off-road diesel vehicles.
- h) Construction on-road haul trucks shall be model year 2007 or newer.
- i) Information on ridesharing programs shall be made available to construction employees.
- j) During construction, lunch options shall be provided onsite.
- k) A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per AQMD Standards.
- l) Only non-diesel material handling equipment may be used in any logistics building in the WLC.
- m) Off-site construction shall be limited to the hours between 6 a.m. to 8 p.m. on weekdays only. Construction during City holidays shall not be permitted.

#### 4.3.6.2B

Prior to issuance of any grading permits, a traffic control plan shall be submitted to and approved by the City of Moreno Valley that describes in detail the location of equipment staging areas, stockpiling/storage areas, construction parking areas, safe detours around the project construction site, as well as provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. Construction trucks shall be rerouted away from sensitive receptor areas. Trucks shall use State Route 60 using

Theodore Street, Redlands Boulevard (north of Eucalyptus Avenue), and Gilman Springs Road. In addition to its traffic safety purpose, the traffic control plan can minimize traffic congestion and delays that increase idling emissions. A copy of the approved Traffic Control Plan shall be retained on site in the construction trailer.

**4.3.6.2C** The following measures shall be applied during construction of the project to reduce volatile organic compounds (VOC):

- a) Non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the project to the maximum extent practicable. If such products are not commercially available, products with a VOC content of 100 grams per Liter or lower for both interior and exterior surfaces shall be used.
- b) Leftover paint shall be taken to a designated hazardous waste center.
- c) Paint containers shall be closed when not in use
- d) Low VOC cleaning solvents shall be used to clean paint application equipment.
- e) Paint and solvent-laden rags shall be kept in sealed containers.

**4.3.6.2D** No grading shall occur on days with an Air Quality Index forecast greater than 150 for particulates or ozone as forecasted for the project area (Source Receptor Area 24).

**Facts in Support of the Finding:** Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. The use of construction equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other Project construction activities.

Section 4.3 of the FEIR, Volume 3 indicates that construction emissions of criteria pollutants would exceed the SCAQMD daily emission thresholds for all criteria pollutants, with the exception of SO<sub>x</sub>.<sup>27</sup> This is a significant impact requiring mitigation.

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. The Project will be required to comply with SCAQMD Rules

<sup>27</sup> The Project would emit SO<sub>x</sub> from construction equipment exhaust; however, the maximum emissions (6.8 pounds per day) are less than significant as they are far below the threshold of 150 pounds per day.

402 and 403 to control fugitive dust. There are a number of feasible control measures that can be reasonably implemented to significantly reduce PM<sub>10</sub> emissions from construction. Fugitive dust and exhaust emissions (i.e., PM<sub>10</sub>) during the anticipated peak construction day for the Project would exceed SCAQMD daily construction thresholds. (FEIR, Volume 3, pgs. 4.3-75 to 4.3-80)

**c. Localized Construction and Operational Air Quality Impacts**

**Significant Unavoidable Impact.** The EIR evaluated and concluded that the Project would have short-term and long term significant impacts from PM<sub>10</sub> emissions.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.3.6.2A** through **4.3.6.2D** and **Mitigation Measures 4.3.6.3A** through **4.3.6.3E** reduce construction emissions of criteria pollutants are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, localized air quality impacts related are considered significant and unavoidable.

**4.3.6.2A** Construction equipment maintenance records (including the emission control tier of the equipment) shall be kept on site during construction and shall be available for inspection by the City of Moreno Valley.

- a) Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each unit's certified tier specification shall be available for inspection by the City at the time of mobilization of each applicable unit of equipment.
- b) During all construction activities, off-road diesel-powered equipment may be in the "on" position not more than 10 hours per day.
- c) Construction equipment shall be properly maintained according to manufacturer specifications.
- d) All diesel powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour.

- e) Electrical hook ups to the power grid shall be provided for electric construction tools including saws, drills and compressors, where feasible, to reduce the need for diesel-powered electric generators. Where feasible and available, electric tools shall be used
- f) The project shall demonstrate compliance with South Coast Air Quality Management District Rule 403 concerning fugitive dust and provide appropriate documentation to the City of Moreno Valley.
- g) All construction contractors shall be provided information on the South California Air Quality Management District Surplus Offroad Opt-In “SOON” funds which provides funds to accelerate cleanup of off-road diesel vehicles.
- h) Construction on-road haul trucks shall be model year 2007 or newer.
- i) Information on ridesharing programs shall be made available to construction employees.
- j) During construction, lunch options shall be provided onsite.
- k) A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per AQMD Standards.
- l) Only non-diesel material handling equipment may be used in any logistics building in the WLC.
- m) Off-site construction shall be limited to the hours between 6 a.m. to 8 p.m on weekdays only. Construction during City holidays is not permitted.

#### **4.3.6.2B**

Prior to issuance of any grading permits, a traffic control plan shall be submitted to and approved by the City of Moreno Valley that describes in detail the location of equipment staging areas, stockpiling/storage areas, construction parking areas, safe detours around the project construction site, as well as provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. Construction trucks shall be rerouted away from sensitive receptor areas. Trucks shall use State Route 60 using Theodore Street, Redlands Boulevard (north of Eucalyptus Avenue), and Gilman Springs Road. In addition to its traffic safety purpose, the traffic control plan can minimize traffic

congestion and delays that increase idling emissions. A copy of the approved Traffic Control Plan shall be retained on site in the construction trailer.

**4.3.6.2C** The following measures shall be applied during construction of the project to reduce volatile organic compounds (VOC):

- a) Non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the project to the maximum extent practicable. If such products are not commercially available, products with a VOC content of 100 grams per Liter or lower for both interior and exterior surfaces shall be used.
- b) Leftover paint shall be taken to a designated hazardous waste center.
- c) Paint containers shall be closed when not in use
- d) Low VOC cleaning solvents shall be used to clean paint application equipment.
- e) Paint and solvent-laden rags shall be kept in sealed containers.

**4.3.6.2D** No grading shall occur on days with an Air Quality Index forecast greater than 150 for particulates or ozone.

**4.3.6.3A** Prior to issuance of occupancy permits for each warehouse building within the WLCSP, the developer shall demonstrate to the City that vehicles can access the building using paved roads and parking lots.

**4.3.6.3B** The following shall be implemented as indicated:

**Prior to Issuance of a Certificate of Occupancy**

- a) Signs shall be prominently displayed informing truck drivers about the California Air Resources Board diesel idling regulations, and the prohibition of parking in residential areas.
- b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.



- c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.

**On an Ongoing Basis**

- d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.
- e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.
- f) Tenants shall be encouraged to become a SmartWay Partner.
- g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.
- h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.
- i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.
- j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.
- k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
- l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility

operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

- m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.
  - n) Truck and vehicle idling shall be limited to three (3) minutes.
- 4.3.6.3C** Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.
- 4.3.6.3D** Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.
- 4.3.6.3E** Refrigerated warehouse space is prohibited unless it can be demonstrated that the environmental impacts resulting from the inclusion of refrigerated space and its associated facilities, including, but not limited to, refrigeration units in vehicles serving the logistics warehouse, do not exceed any environmental impact for the entire World Logistics Center identified in the program Environmental Impact Report. Such environmental analysis shall be provided with any warehouse plot plan proposing refrigerated space. Any such proposal shall include electrical hookups at dock doors to provide power for vehicles equipped with Transportation Refrigeration Units (TRUs).

**Facts in Support of the Findings:** According to FEIR, Volume 3, Table 4.3.L, during Phase 1 (2012) the Project would exceed the SCAQMD's significance thresholds for NO<sub>2</sub> and PM<sub>10</sub> for receptors located within the Project's boundaries and PM<sub>10</sub> at receptors located outside of the project's boundaries. The majority of the Project's operational emissions are from on-road mobile sources, more particularly, heavy-duty trucks that contribute a disproportionate amount of emissions compared to passenger vehicles.

Emissions from on-road mobile sources are regulated at the State and Federal levels and, therefore, are outside of the control of local agencies such as the City and the SCAQMD. Emission controls on mobile source vehicles already adopted by the (California) Air Resources Board (ARB) particularly dealing with NO<sub>x</sub> and PM<sub>10</sub> controls on heavy duty trucks will reduce truck emissions significantly over the next 10 years.

According to FEIR, Volume 3, Table 4.2.N during Phase 1 and Phase 2 (2012) the Project would exceed the SCAQMD's significance thresholds for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> for receptors located within the Project's boundaries and NO<sub>2</sub> and PM<sub>10</sub> at receptors located outside of the project's boundaries. The majority of the Project's operational emissions are from on-road mobile sources, more particularly, heavy-duty trucks that contribute a disproportionate amount of emissions compared to passenger vehicles. Emissions from on-road mobile sources are regulated at the State and Federal levels and, therefore, are outside of the control of local agencies such as the City and the SCAQMD. Emission controls on mobile source vehicles already adopted by the ARB particularly dealing with NO<sub>x</sub> and PM<sub>10</sub> controls on heavy duty trucks will reduce truck emissions significantly over the next 10 years.

The year 2021 was selected to determine the potential localized impacts from the Project's construction and operational emissions to the existing residences located to the west of the Project across Redlands Boulevard. These residences are the closest sensitive receptors outside of the project's boundaries. According to the conceptual construction schedule provided by the applicant, extensive building construction is expected to take place within the Project site along and to the east of Redlands Boulevard in 2021. The year 2021 also corresponds to the completion of approximated 88 percent of the Phase 1 operation (56 percent of the entire Project) and the attendant operational emissions.

The estimated maximum localized air quality impacts from the construction and operation of the Project in 2021 are summarized in Table 4.3.P for locations within the Project's boundaries (FEIR, Volume 3, pg. 4.3-84). These maximum impacts were found at the locations of the existing residences within the project boundaries of the Specific Plan. Table 4.3.Q (FEIR, Volume 3, pg. 4.3-87) summarizes the highest air quality impacts for sensitive receptors located outside of the boundary of the Specific Plan project boundaries. As noted from these two tables, Project construction impacts would exceed the significance thresholds for NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> for locations within the project boundaries and NO<sub>x</sub> and PM<sub>10</sub> at receptors located outside the project boundaries and thus represents a significant impact without mitigation.

The Project's maximum combined impacts from construction and operations during 2027 are shown in Table 4.3.R (FEIR, Volume 3, pg. 4.3-88) for the existing sensitive receptors located within the Specific

Plan project boundaries along with the SCAQMD-recommended significance thresholds. Table 4.3.S (FEIR, Volume 3, pg. 4.3-89) shows the maximum combined impacts for sensitive receptors located outside of the Specific Plan project boundaries. These latter impacts were found within the residential areas located to the west east of the Project across Redlands Boulevard Gilman Springs Road. As shown in these tables, the Project would only exceed the SCAQMD's significance thresholds for PM<sub>10</sub> at locations within the project boundary.

Operational emissions during 2035 were estimated based on the Project's trip generation and Project-related travel along the local roadway network within and along the Project boundaries of the WLC Specific Plan. Table 4.3.T (FEIR, Volume 3, pg. 4.3-89) shows the maximum localized air quality impacts for 2035 relative to the background air quality levels in 2012 at the existing sensitive receptors located within the WLC Specific Plan project boundaries. Table 4.3.U (FEIR, Volume 3, pg. 4.3-92) identifies the highest localized impacts for sensitive receptors located outside of the Specific Plan project boundaries. These latter impacts were found within the residential areas located to the west of the Project across Redlands Boulevard. As shown in these tables Table 4.3.T, the concentrations of PM<sub>10</sub> exceed the SCAQMD's significance thresholds due principally to the inclusion of entrained road dust in the impact assessment and would, therefore, represent a significant impact without mitigation.

After application of mitigation, the Project would continue to exceed the localized significance thresholds at the existing residences located within the Project boundaries for PM<sub>10</sub> during the Project Phase 1 (2012) condition, PM<sub>10</sub> during the Project Phase 1 and Phase 2 Full Build Out (2012), PM<sub>10</sub> during the year 2021 when construction is projected to occur adjacent to the existing residence across Redlands Boulevard, PM<sub>10</sub> during the Year 2027 when Project's combined construction and operational emissions are highest for several pollutants, and PM<sub>10</sub> after the final Project build out in 2035.

#### d. Long-Term Operational Emissions

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.3.6.3A through 4.3.6.3E, and 4.3.6.4A**, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

**4.3.6.3A** Prior to issuance of a Certificate of Occupancy, vehicles must be able to access the building using paved roads and parking lots.

**4.3.6.3B** The following shall be implemented as indicated:

**Prior to Issuance of a Certificate of Occupancy**

- a) Signs shall be prominently displayed informing truck drivers about the California Air Resources Board diesel idling regulations, and the prohibition of parking in residential areas.
- b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.
- c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.

**On an Ongoing Basis**

- d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.
- e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.
- f) Tenants shall be encouraged to become a SmartWay Partner.
- g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.
- h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.

- i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.
- j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.
- k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
- l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.
- n) Truck and vehicle idling shall be limited to three (3) minutes.

**4.3.6.3C** Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.

**4.3.6.3D** Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This

facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.

**4.3.6.3E**

Refrigerated warehouse space is prohibited unless it can be demonstrated that the environmental impacts resulting from the inclusion of refrigerated space and its associated facilities, including, but not limited to, refrigeration units in vehicles serving the logistics warehouse, do not exceed any environmental impact for the entire World Logistics Center identified in the program Environmental Impact Report. Such environmental analysis shall be provided with any warehouse plot plan application proposing refrigerated space. Any such proposal shall include electrical hookups at dock doors to provide power for vehicles equipped with Transportation Refrigeration Units (TRUs).

**4.3.6.4A**

The following measures shall be incorporated as conditions to any Plot Plan approval within the Specific Plan:

- a) All tenants shall be required to participate in Riverside County's Rideshare Program
- b) Storage lockers shall be provided in each building for a minimum of three percent of the full-time equivalent employees based on a ratio of 0.50 employees per 1,000 square feet of building area. Lockers shall be located in proximity to required bicycle storage facilities.
- c) Class II bike lanes shall be incorporated into the design for all project streets.
- d) The project shall incorporate pedestrian pathways between on-site uses.
- e) Site design and building placement shall provide pedestrian connections between internal and external facilities.
- f) The project shall provide pedestrian connections to residential uses within 0.25 mile from the project site.
- g) A minimum of two electric vehicle-charging stations for automobiles or light-duty trucks shall be provided at each building. In addition, parking facilities with 100 parking spaces or more shall be designed and constructed so that at least three percent of the total parking spaces are capable of supporting future electric vehicle supply equipment (EVSE) charging locations. Only sufficient sizing of conduit and service capacity to install Level 2 Electric Vehicle Supply Equipment (EVSE) or greater are required to be installed at the time of construction.



- h) Each building shall provide indoor and/or outdoor - bicycle storage space consistent with the City Municipal Code and the California Green Building Standards Code.- Each building shall provide a minimum of two shower and changing facilities for employees.
- i) Each building shall provide preferred and designated parking for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles equivalent to the number identified in California Green Building Standards Code Section 5.106.5.2 or the Moreno Valley Municipal Code whichever requires the higher number of carpool/vanpool stalls.
- j) The following information shall be provided to tenants: onsite electric vehicle charging locations and instructions, bicycle parking, shower facilities, transit availability and the schedules, telecommunicating benefits, alternative work schedule benefits, and energy efficiency.

**Facts in Support of the Finding:** Long-term air pollutant emission impacts that would result from the Project are those associated with stationary sources and mobile sources involving any Project-related change (e.g., emissions from the use of motor vehicles by Project-generated traffic). The FEIR, Volume 3, also analyzed the on-going agricultural operations in combination with construction activated and operational activities that will occur at the same time. Although implementation of **Mitigation Measures 4.3.6.3B through 4.3.6.3D, and 4.3.6.4A** may reduce vehicle trips associated with the Project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of vehicular management plans will result in a reduction of operational Project emissions to below existing SCAQMD thresholds. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions of CO, ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> to below SCAQMD thresholds. No other feasible mitigation measures have been identified to reduce the operational emissions of CO, ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> to a less than significant level. Because the Project site is located in a nonattainment air basin for criteria pollutants, the addition of air pollutants resulting from operation of the Project would contribute to the continuation of nonattainment status in the Basin. In the absence of mitigation to reduce the Project's emission of contribution of ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> to below SCAQMD thresholds, long-term air quality impacts resulting from the operation of the Project would remain significant and unavoidable. (FEIR, Volume 3, pgs. 4.3-94 to 4.3-102)

e. **Cumulative Air Quality Impacts**

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

**Facts in Support of the Finding:** As set forth in Section 4.3 of the FEIR, Volume 3, the Project would contribute criteria pollutants to the area during Project construction. A number of individual projects in the area may be under construction simultaneously with the Project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulative air quality impacts.

The traffic study included vehicular trips from all present and future projects in the Project vicinity; therefore, the CO hot spot concentrations calculated at these intersections include the cumulative traffic effect. Based on this, no significant cumulative CO impacts would occur.

Long-term operation of the Project would exceed the standards for CO, ROC, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The Basin is in nonattainment for PM<sub>10</sub> and ozone at the present time; therefore, the construction and operation of the Project would exacerbate nonattainment of air quality standards for PM<sub>10</sub> and ozone within the Basin and contribute to cumulative air quality impacts. Therefore, long-term cumulative air quality impacts are considered to be significant and unavoidable.

The Health Risk Assessment (HRA) conducted for the Project identified the increase in health risks to the nearby sensitive receptors from the Project's air pollutant emissions. This HRA identified that the Project's incremental increase is only a very small fraction of the ambient condition. Therefore, the concentration of diesel particulates at the Project site is below the established risk threshold. Individuals living and working in southern California may be exposed to levels of diesel emissions that are cumulatively significant; however, that circumstance is not created by the Project.

As noted from the results shown in Impact 4.3.6.5 in the subsection *Cancer Risks* (FEIR, Volume 3 Section 4.2 page 4.3-104 to 4.3-111), since the Project would implement mitigation measures resulting in the cleanest on-road and off-road diesel equipment and such equipment has been shown through extensive health effects studies to not result in cancer, the project would therefore not result in a cumulatively considerable impact. (FEIR, Volume 3, pgs. 4.3-111 to 4.3-112).

### 3. Land Use and Planning

#### a. Physically Divide an Established Community

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project would adversely affect existing rural residences on the Project site.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant as there is no effective mitigation available to protect or separate these existing residences from future warehousing buildings and operations. Accordingly, Project-related conflicts with existing rural residences will remain significant and unavoidable.

**Facts in Support of the Finding:** According to Section 4.10 of the FEIR, Volume 3, the adjacent properties surrounding the WLC Project are residential, light industrial, open space and undeveloped. Essentially, the Project site is located along the eastern urban boundary of the City of Moreno Valley with development only adjacent to the western boundary and northwest corner of the site. At present, there are seven rural residences on the Project site. These properties vary in size from 0.5 to 10 acres and are located on the east side of Redlands Boulevard and Theodore Street. These properties represent less than 1.5% of entire WLC Specific Plan area. The WLC Specific Plan designates these properties as “Light Logistics” and allows various logistics-related uses. It is believed these properties are currently occupied. It is possible that, as development of the Project site occurs according to the WLC Specific Plan, large warehouse buildings may eventually be located in close proximity to the existing residences. It would be ineffective and inefficient to try to incorporate these residences into the WLC Specific Plan land plan of large logistics warehouses to accommodate these residences. In addition, logistics operations would cause air pollutant, noise, lighting, and health risk impacts on residents living in these units if they were adjacent to operating warehouses.

The WLC Specific Plan currently shows a 250-foot buffer or setback along the western boundary of the site to separate existing residences from the proposed warehouse buildings. However, it would be ineffective and inefficient to try to incorporate similar buffers or setbacks, for the existing residences, into the WLC Specific Plan land plan. Under CEQA, the question is whether a project will affect the

environment or persons in general, not whether a project will affect particular persons. For instance, CEQA addresses how view sheds are impacted by a proposed project, but would not address the specific view that an individual resident sees. Therefore, the effect on the estimated 15 people (7 homes x 2.2 persons average occupancy) who live in the 7 houses does not constitute an impact and is insignificant. The council has erred on the side of caution treating the impact as if it were significant.

Installation of solid block walls around the warehouse buildings or the existing residence would help reduce noise and lighting impacts, but they would not help reduce air pollutant or health risk impacts. Therefore, there is no effective mitigation available to protect or separate these existing residences from future warehousing buildings and operations. (FEIR, Volume 3, pgs. 4.10-36).

#### 4. Noise

##### a. On-Site Short-term Construction Impacts

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project would adversely affect residences located within 500 feet of a construction area would still be exposed to noise levels greater than 60 dBA (Leq).

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant as there is no effective mitigation available to protect existing residences within 500 feet of a construction area from significant noise levels. Accordingly, Project-related noise impacts during construction on existing rural residences will remain significant and unavoidable.

**Facts in Support of the Finding:** Construction within 1,580 feet of residential areas south of the freeway has the potential to exceed the daytime Moreno Valley Noise Ordinance criteria of 60 dBA (Leq). With implementation of **Mitigation Measure 4.12.6.1E**, any existing residences within 1,580 feet of a construction area would be shielded from construction noise with a 12-foot temporary sound barrier. A sound barrier will reduce the noise levels by about 10 dB resulting in a reduction of noise below City thresholds at residences 500 feet or further from the construction area. Although the installation of the temporary sound barrier would reduce noise levels experienced at the closest residences, those residences that are located within 500 feet of a construction area would still be exposed to noise levels greater than 60 dBA (Leq). Therefore, impacts associated with this issue would remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-36 to 4.12-39)

### b. Off-Site Short-term Construction Impacts

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project would adversely affect off-site residences located adjacent to off-site construction projects would still be exposed to noise levels greater than 60 dBA (Leq).

**Finding:** Based on the entire record before us, this Council finds that the off-site construction impact is potentially significant as there is no effective mitigation available to protect existing residences adjacent to a construction area from significant noise levels. Accordingly, Project-related noise impacts during off-site construction on existing residences will remain significant and unavoidable.

**Facts in Support of the Finding:** With the implementation of **Mitigation Measure 4.12.6.1I**, off-site construction activities would be limited to daytime hours (6 am to 8 pm) during the weekdays only while **Mitigation Measure 4.12.6.1J** would require the installation of a temporary sound barrier. With these mitigation measures in place, residences adjacent to construction activities (depending on the loudness of the construction equipment) could experience noise levels greater than 60 dBA (Leq) for off-site construction projects lasting less than one month. These impacts would only occur during weekday daytime hours. However, even with implementation of these mitigation measures, noise levels experienced at these residences would be above the City's threshold. Therefore, impacts would remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-39)

### c. Long-Term Traffic Noise Impacts

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project would result in noise levels at the closest residences within and adjacent to the WLC Specific Plan area exceeding the maximum noise level allowed under the City's Municipal Code.

**Finding:** Based on the entire record before us, this Council finds that the Project-related traffic noise impacts is potentially significant as there is no effective mitigation available to protect existing residences adjacent to roadways from significant noise levels. Even with implementation of **Mitigation Measures 4.12.6.2A** through **4.12.6.2D**, potential impacts due to long-term traffic noise impacts on existing residences will remain significant and unavoidable.

**4.12.6.2A** When processing future individual buildings under the World Logistics Center Specific Plan, as part of the City's approval process, the City shall require the Applicant to take the following three actions for each building prior to approval of discretionary permits for individual plot plans for the requested development:

Action 1: Perform a building-specific noise study to ensure that the assumptions set forth in the FEIR prepared for the programmatic level entitlement remain valid. These procedure used to conduct these noise analyses shall be consistent with the noise analysis conducted in the programmatic FEIR and shall be used to impose building-specific mitigation on the individually-proposed buildings.

Action 2: If the building-specific analyses identify that the proposed development triggers the need for mitigation from the proposed building, including all preceding developments in the specific plan area, the Applicant shall implement the mitigation identified in the WLC FEIR. Prior to implementing the mitigation, the Applicant shall send letters by registered mail to all property owners and non-owner occupants of properties that would benefit from the proposed mitigation asking them to provide a position either in favor of or in opposition to the proposed noise abatement mitigation within 45 days. Each property shall be entitled to one vote on behalf of owners and one vote per dwelling on behalf of non-owner occupants.

If more than 50% of the votes from responding benefited receptors oppose the abatement, the abatement will not be considered reasonable. Additionally, for noise abatement to be located on private property, 100% of owners of property upon which the abatement is to be placed must support the proposed abatement. In the case of proposed noise abatement on private property, no response from a property owner, after three attempts by registered mail, is considered a *no* vote.

At the completion of the vote at the end of the 45 day period, the Applicant shall provide the tentative results of the vote to all property owners by registered mail. During the next 15 calendar days following the date of the mailing, property owners may change their vote. Following the 15-day period, the results of the vote will be finalized and made public.

Action 3: Upon consent from benefited receptors and property owners, the Applicant shall post a bond for the cost of the construction of the necessary mitigation as estimated by the City Engineer to ensure completion of the mitigation. The certificate of occupancy permits shall be issued upon posting of the bond or demonstration that 50% of the votes from responding benefited receptors oppose the abatement or, if the abatement is located on private property, any property owners oppose the abatement (per Noise Study MM N-8, pg. 53).

- 4.12.6.2B** Prior to issuance/approval of any building permits, the centerline of Cactus Avenue Extension will be located no closer than 114 feet to the residential property lines along Merwin Street. An alternative is to locate the roadway closer to the residences and provide a soundwall along Cactus Avenue Extension. The soundwall location and height should be determined by a Registered Engineer, and the soundwall shall be designed to reduce noise levels to less than 65 CNEL at the residences. The Engineer shall provide calculations and supporting information in a report that will be required to be submitted to and approved by the City prior to issuing permits to construct the road (per Noise Study, pg.51, Cactus Avenue Extension, ID #50).
- 4.12.6.2C** Prior to the approval of any discretionary permits, cumulative impact areas shown in the WLC EIR Noise Study shall be included in the soundwall mitigation program outlined in Mitigation Measures 4.12.6.2A and 4.12.6.2D (per Noise Study MM N-9, pg. 62).
- 4.12.6.2D** Prior to issuance of a building permit, the applicant shall demonstrate that the development maintains a buffer with soundwall for noise attenuation at residential/warehousing interface (i.e., western and southwestern boundaries of the project site). To keep the noise levels at nearby residential areas less than typical ambient conditions, the warehousing property line shall be located a minimum of 250 feet from the residential zone boundary, and a 12-foot noise barrier shall be located along the perimeter of the property that faces any residential areas. The 12 foot noise barrier may be a soundwall, berm, or combination of the two. The height shall be measured relative to the pad of the warehouse. This requirement shall be implemented anytime residential areas are within 600 feet of the warehousing property line to insure that a noise level of 45 dBA (Leq) will not be exceeded at the residential zone. This requirement is consistent with Item 10 of Municipal Code Section 9.16.160 Business park/industrial that states, “All manufacturing and industrial uses adjacent to residential land uses shall include a buffer zone and/or noise attenuation wall to reduce outside noise levels” (per Noise Study MM N-10, pg. 62).

**Facts in Support of the Finding:** Areas within the WLC Specific Plan area, these include two groups of residences that may remain with the implementation of the Project. (FEIR, Volume 3, pgs. 4.12-49 to 4.12-54). Under CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons. For instance, CEQA addresses how view sheds are impacted by a proposed project, but would not address the specific view that an individual resident sees. Therefore, the effect on the estimated 15 people (7 homes x 2.2 persons average occupancy)



who live in the 7 houses does not constitute an impact and is insignificant. The council has erred on the side of caution treating the impact as if it were significant.

- *Theodore Street/Street A (Street B to Street F)*. There are two residences in this area. These residences are anticipated to experience noise increases up to 16 dB due to the implementation of the Specific Plan. As a result, existing noise levels at these two residences will be changed significantly. The exact alignment of the roadway is to be determined, but the homes may be roughly 100 feet from the centerline on the roadway. One residence fronts onto Street A (Theodore Street), and the driveway access would make a soundwall ineffective. The other residence is on to Street A. It is difficult to determine where an outdoor living area is for this residence. However, since it is a single residence, a soundwall would have a limited effectiveness. Since mitigation is not feasible, impacts remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-49)
- *Dracaea Avenue/Street F (east of Theodore Street)*. There is one residence in this area fronting onto the future alignment of Street F (currently Dracaea Avenue). Existing conditions identify low levels of traffic noise on Dracaea Avenue. The 65 CNEL contour is projected to lie 84 feet from the centerline of Street F and it is likely that the one residence would lie within this zone. With build out of the Project, noise levels would reach as high as 68.1 CNEL, which exceeds the City's 65 CNEL threshold. Installation of a soundwall would not be effective in reducing noise levels due to the opening for the driveway. Since mitigation is not feasible, impacts remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-54)

For the noise impact locations adjacent to the WLC Specific Plan area for which significant noise impacts have been identified, mitigation measures are not feasible or will not fully reduce the impact to less than significant levels. (FEIR, Volume 3, pgs. 4.12-49 to 4.12-50)

- *Gilman Springs Road (between Eucalyptus Avenue and Street C, and between Jack Rabbit Trail and Bridge Street)*. There are three single-family homes scattered along these roadway segments. All of the houses are set back from the roadway, but none has soundwalls. A significant noise increase is projected for at least one of these segments in three of the four case years. Homes that are widely separated from other homes cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

- *Ironwood Avenue (between Redlands Boulevard and Highland Boulevard)*. There are two single-family homes that front onto Ironwood Avenue. There are also two churches along this roadway. A significant noise increase is projected for all four study years the 2012 time horizon. In 2035, the Project is projected to increase noise levels by 52.1 dB, bringing the noise level to 60.8 CNEL. Land uses that are widely separated from one another cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.
- *Locust Avenue (between Moreno Beach Drive and Smiley Boulevard)*. There are three single-family homes along this roadway and they front onto the roadway. The 2035 time horizon results in a significant noise increase for this area. In 2035, the Project will increase noise levels by 1.5 dB, bringing the noise level to 66.9 CNEL. As discussed above, homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.
- *Redlands Boulevard (Eucalyptus Avenue to State Route 60)*. There are scattered homes in this area that either face Redlands Boulevard (or Shubert Street) or are on Redlands Boulevard. The 2012 and 2035 time horizons result in a significant noise increase for this area. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.
- *Redlands Boulevard (State Route 60 to San Timoteo Canyon Road)*. There are approximately 28 homes along this roadway that would be affected. The single-family homes are scattered and generally front the roadway. The 2012, 2022, and 2035 time horizons result in a significant noise increase for this area. The increases in noise are around 2 dB with a resultant noise level in the 70 to 71 CNEL range. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.
- *San Timoteo Canyon Road (from Alessandro Road to Live Oak Canyon Road to Redlands Boulevard)*. There are approximately four scattered residences along this roadway that would be affected. The existing baseline plus Project time horizon results in a significant noise increase for this area. The noise increases by a little over 3.0 dB with resultant noise levels in the 65 to 66 CNEL range. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

- *Theodore Street (State Route 60 to Highland Boulevard)*. The noise analysis indicates that the Project will cause a 1.2 dB increase in the year 2035 with a resulting noise level of 66.3 CNEL. There are four existing homes on Theodore Street that front onto the roadway. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

## 5. Transportation

### a. Off-Site Improvements to TUMF Facilities

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project would cause an increase in traffic relative to the existing traffic load and capacity of the street system.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measure 4.15.7.4A** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the City does not have direct control over TUMF funding the City cannot ensure that the identified improvements would be made are considered significant and unavoidable.

**Facts in Support of the Finding:** As indicated in Section 4.15 of the FEIR, Volume 3, there are improvements and changes to roads that are part of the TUMF Regional System of Highways and Arterials, some of which are under the jurisdiction of Moreno Valley and others of which are located in other jurisdictions. The developer shall be responsible for paying the TUMF fees in effect at the time of approval. These payments shall constitute the developer's mitigation of Project impacts to this category of roads. The City will work with the other member agencies of WRCOG to program TUMF funds to implement the mitigation measures identified in Table 4.15.AT through Table 4.15.AY (FEIR, Volume 3, pgs. 4.15-185 to 4.15-213) pertaining to TUMF facilities outside the jurisdiction of the City of Moreno Valley. To the extent that TUMF fees provided by the developer are used to implement the recommended improvements the Project's impacts would be less-than-significant. However, because the City does not have direct control over TUMF funding the City cannot ensure that the identified improvements would be made. Thus at this point the Project's impacts on these facilities must be considered significant and unavoidable. (FEIR, Volume 3, pgs. 4.15-239)

**b. Off-Site Improvements to Roads Outside the Jurisdiction of the City and Not Part of the TUMF Program.**

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the Project would cause an increase in traffic relative to the existing traffic load and capacity of the street system.

**Finding:** Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measure 4.15.7.4E** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, Project impacts to off-site roads outside the jurisdiction of the City and not part of the TUMF Program are considered significant and unavoidable.

**Facts in Support of the Finding:** At this time, the City does not have cooperative agreements with neighboring jurisdictions that would serve as a mechanism for collecting and distributing developer funds to cover the cost of cross-jurisdictions mitigation measures, other than the TUMF program. The City will work with the City of Redlands and Riverside County to collect fair share funds from the developer and to implement the signalization of the San Timoteo Road/Alessandro Road intersection and the San Timoteo Road/Live Oak Canyon intersection (respectively). The City will also work with the City of Riverside to collect a fair-share contribution from the developer to signalize the Martin Luther King Boulevard/I-215 northbound ramp intersection. To the extent that the City is able to establish such a mechanism and the other jurisdiction constructs the recommended improvement, the Project's impacts would be less-than-significant. However, because the City cannot guarantee that such a mechanism will be established and does not have direct control over facilities outside of its jurisdiction, the City cannot ensure that the identified improvements would be made. Thus, at this point the Project's impacts on these facilities must be considered significant and unavoidable.

Similarly, the City has not entered into an agreement with Caltrans for the collection of developer fair share payments for improvements to the state highway system other than freeway interchange improvements funded through the TUMF program. Nor has Caltrans established a program to collect fair-share contributions to freeway improvements such as those identified in Table 74 and Table 79 of the Traffic Impact Analysis FEIR, Volume 3, Appendix L. Instead, Caltrans has traditionally relied on other means to fund freeway improvements; means involving multiple stages of review and input from other agencies, with priorities and constraints applied at each stage, that preclude a direct connection between developer-provided fair-share funds and specific highway improvements.

The key feature of this system pertaining to the recommended freeway mitigation measures is that this system is outside the control of the City of Moreno Valley. The City will work with Caltrans to establish a mechanism for collecting fair share funds from developers for use in funding needed freeway improvements. However, since at the present time no such mechanism exists that would ensure that WLC funds contributed to Caltrans or any other state agency would be used to implement specific improvements that mitigate WLC impacts, and because there is no mechanism by which the City can construct or guarantee the construction of any improvements to the freeway system by itself, the Project's impacts on the state highway system must be considered significant and unavoidable. (FEIR, Volume 3, pgs. 4.15-239 to 4.15-240)

## **D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES**

The EIR analyzed four alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess the maximum net change in the environment as a result of implementation of the Project. The No Project Alternative, referred to as the No Project/No Build, assumes no ground-disturbing activities would take place, nor would any form of structure or facility be erected. No Project/Existing General Plan Alternative, a Reduced Density Alternative, and two Mixed Use Alternatives were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

### **1. No Project/No Build Alternative**

**Description:** Under the No Build Alternative, no development would take place within the project limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. This alternative provides a baseline comparison to the Project. (FEIR, Volume 3, pg. 6-14 to 6-15)

**Impacts:** The No Project/No Build Alternative, as referenced in Section 6.0 of the FEIR, Volume 3, would not result in any new physical environmental effects.

**Objectives:** Under the No Project/No Build Alternative, the subject site would not be developed and all twelve of the Project Objectives would not be achieved.

**Finding:** Under the No Build Alternative, No ground-disturbing activities would take place, nor would any form of structure or facility be erected. This Alternative would not result in the same significant and unavoidable impacts associated with agricultural resources, air quality, and traffic that have been

identified within the FEIR, Volume 3 for the Project. In the absence of development, no impacts would occur and this alternative would be the environmentally superior alternative. However, prohibiting development of the site, as suggested by this alternative, would not fulfill any of the primary objectives of the Project. Retention of the project site in its current condition would not create a high cube logistics facility consisting of approximately 2,610 acres of high-cube warehouse uses and it would not expand employment opportunities within the City and surrounding area. This Alternative provides a baseline comparison to the Project. Because the No Build Alternative does not meet any the Project objectives, the City Council hereby rejects the No Build Alternative.

## 2. No Project/Existing General Plan Alternative

**Description:** Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. It is reasonable in the event the Project were not approved that the site would be developed in accordance with the existing General Plan land uses in the future.

The No Project/Existing General Plan Alternative would result in development of the Project with the land uses currently shown in the City's General Plan. The City's General Plan currently designates the project area as a mix of residential, commercial, business park, and open space land uses in accordance with the Moreno Highlands Specific Plan (MHSP). The approved 2,038-acre MHSP (without the CDFW Conservation Buffer Area) is a master planned, mixed-use community, consisting of up to 4,051 residential dwelling units on approximately 1,435 acres and approximately 603 acres of business, retail, institutional, and other uses. The 1,084 acres owned by the CDFW are currently designated as Residential, Public Facilities, and Open Space in the City's General Plan. However, as it is owned by the CDFW, this area would not be developed and the property will not remain with these designations as part of this alternative, but it is unlikely that this area would be developed by the CDFW. (FEIR, Volume 3, pg. 6-15 to 6-16)

**Impacts:** Under the No Project/Existing General Plan Alternative, impacts related to short-term construction-related air quality would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced from that identified for the Project but would remain significant and unavoidable. Under this alternative, population and housing impacts would be greater in magnitude as residential uses are proposed. Similar to the Project, the associated increases in employment are accounted for in the City General Plan and other applicable local and regional plans.



The development of the No Project/Existing General Plan Alternative would have increased demands on public services and recreation facilities due to the residential component and population growth; however, the payment of fees, provision of onsite parkland and open space, higher property tax revenues, and adherence to development requirements would reduce these impacts to a less than significant level. Water supply availability is expected to be available although water demand is increased. Water demand was determined to be available for the Project. Because of the increase in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the Project; therefore, long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be greater in magnitude and noise impacts would be significant and unavoidable like the Project. (FEIR, Volume 3, pg. 6-16 to 6-22)

**Objectives:** The No Project/Existing General Plan Alternative would, to some degree, realize a few of the Project Objectives. Development of this Alternative would provide new employment opportunities for residents of Moreno Valley but not nearly to the degree as the Project. It would establish design standards and development guidelines to a consistent and attractive appearance throughout the entire project. This alternative would also encourage new development consistent with regional and municipal service capabilities and would provide appropriate transitions or setbacks between on-site and off-site uses. (FEIR, Volume 3, Table 6.K, pg. 6-22: Comparison of No Project/Existing General Plan Alternative to the Project Objectives)

The No Project/Existing General Plan Alternative would not meet the objectives of the Project because it would not provide the land use designation and infrastructure plan necessary to meet current market demands and to support the City's Economic Development Action Plan; it would not create a major logistics center; and it would not create a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity. (FEIR, Volume 3, Table 6.K: Comparison of No Project/Existing General Plan Alternative to the Project Objectives, pg. 6-22)

**Finding:** Under the No Project/Existing General Plan Alternative, a mix of residential, commercial, business park, and open space land uses in accordance with the Moreno Highlands Specific Plan (MHSP) would be built. The City Council hereby finds that the No Project/Existing General Plan Alternative will not avoid or substantially reduce the significant and unavoidable construction and operational air quality impacts, and long-term traffic impacts and noise would remain significant and unavoidable identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the Alternative would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the No Project/Existing General Plan Alternative would



diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The No Project/Existing General Plan Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the No Project/Existing General Plan Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this Alternative that is independently sufficient to support the City Council's rejection of this alternative.

### 3. **Alternative 1 - Reduced Density Alternative**

**Description:** As identified in Section 6.0 of the FEIR, Volume 3, the Reduced Density Alternative has been considered with the intent of avoiding or substantially reducing significant impacts, and in particular the significant impacts that cannot be reduced to a less than significant level through implementation of mitigation measures created by the Project's traffic, air quality, and noise impacts. This Alternative includes development of the project site with approximately 28 million square feet of logistics warehousing, including 74.3 acres for open space. The 1,084 acres owned by the CDFW would be designated as Open Space in the City's General Plan, similar to the Project. Under this alternative, the proposed logistics uses would represent a net decrease of approximately 31 percent (28 million square feet) as compared with the Project.

Because of the large area, approximately 2,610 acres, of the Project that is proposed for development, public facilities, or off-site improvements, a variety of reduced density alternatives could be considered that might substantially reduce or eliminate one or more of the significant and unavoidable impacts of the Project. For example, warehousing development on the site would have to be reduced to approximately one percent of the project site, or 400,000 square feet, of the WLC Project's proposed high-cube logistics warehouse building area in order to eliminate significant and unavoidable impacts associated with air quality in order to reduce air pollution emissions to less than applicable SCAQMD thresholds. The only way this could logically occur would be to develop a small portion of the site (i.e., less than one percent) and leave the rest of the site vacant. In addition, even this substantial reduction in the proposed high-cube logistics warehouse building area and/or developable area would not eliminate the Project's other significant and unavoidable impacts associated with aesthetics, air quality, noise, and transportation. Any of the viable alternatives that are examined in this EIR would entail some type of development on all or most of the project site, rather than development of an illogically small portion of the site (i.e., one percent). (FEIR, Volume 3, pg. 6-23 to 6-24)

**Impacts:** As identified in Section 6.0 of the FEIR, Volume 3, the Reduced Density Alternative would result in similar impacts for the following nine environmental issues: Aesthetics; Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Recreation. Under the Reduced Density Alternative, development of the same high-cube logistics land uses, building heights and mass, but at a floor area level approximately 70 percent of the Project, would be constructed resulting in significant and unavoidable impacts associated with scenic vistas, local scenic roads, character of the site and surroundings, and on a cumulatively considerable basis in the same exact manner as the Project. Impacts related to short-term construction-related air quality would be the same as the Project, because the same amount of land would be disturbed and the same mix of equipment would be utilized. The Reduced Density Alternative would result in significant and unavoidable air quality impacts from CO, VOC, NO<sub>x</sub>, and PM<sub>10</sub>, emissions during project construction, in the same exact manner as the Project. Long-term operational-related air quality impacts would be incrementally reduced when compared to the Project, but the emissions cannot be mitigated to below SCAQMD thresholds and would remain significant and unavoidable in approximately the same manner as the Project. Similarly, impacts related to short-term construction-related noise cannot be mitigated to a less than significant level and would be significant and unavoidable in the exact same manner as the Project. Although traffic-related noise would be reduced when compared to the Project, impacts would have a similar effect on local roadway segments and would remain significant and unavoidable as there are no feasible mitigation measures that would be able to reduce impacts to a less than significant level, in approximately the same manner as the Project. Under this alternative, the volume of water required and the amount of wastewater and solid waste generated would be reduced in comparison to the Project and the decrease in the amount of logistics uses would result in a reduction of permanent jobs that would be created. Consequently, this Alternative would have incrementally reduced demand on public services, recreation, and water use. Similar to the Project, increased property tax revenues, the payment of fees, and adherence to City development and utility requirements would reduce these impacts to less than significant levels.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from those identified for the Project. However, under this Alternative, the future increases in traffic volumes would have a similar effect on freeways and interchanges, resulting in significant impacts similar to those identified for the Project. Since the City does not have control over when freeway improvements would occur, traffic impacts to freeways and interchanges would remain significant and unavoidable for impacts associated with freeway

segments in approximately the same manner as the Project, as the City does not have control of when such freeway improvements can be installed or constructed by Caltrans.

In summary, the Reduced Density Alternative would incrementally reduce almost all of the Project impacts by reducing the total square footage of development. However, all of the impacts identified as significant and unavoidable under the Project, including aesthetics, air quality, greenhouse gas emissions, noise, and traffic would still be significant and unavoidable under this alternative. (FEIR, Volume 3, pg. 6-24 to 6-29).

**Objectives:** Under this Alternative, some of the Project objectives are met, but not nearly to the same degree as the Project which includes creating substantial employment opportunities for the citizens; providing the land use designations and infrastructure plans necessary to meet current market demands and to support the City’s Economic Development Action Plan; creates a major logistics center with good regional and freeway access; provides a major logistics center to accommodate to some degree the ever-expanding volumes at the Ports of Los Angeles and Long Beach; creates a project that will provide a balanced approach to the City’s fiscal viability, economic expansion, and environmental integrity; provides the infrastructure improvements required to meet project needs in an efficient and cost-effective manner; encourages new development consistent with regional and municipal service capabilities; improves employment opportunities within the City to improve the City’s jobs/housing balance and help reduce systemic unemployment within the City; provides thousands of construction job opportunities during the Project’s buildout phase to improve the jobs/housing balance and help reduce systemic unemployment; and provide appropriate transitions or setbacks between on-site and off-site uses. (FEIR, Volume 3, Table 6.M: Comparison of Reduced Density Alternative to the Project Objectives, pg. 6-29)

**Findings:** Under the Reduced Density Alternative, development of the project site with approximately 28 million square feet of logistics warehousing, including 74.3 acres for open space would occur. This Alternative would have similar impacts that have been identified within the FEIR, Volume 3. However, the Reduced Density Alternative would result in a decrease in trip generation in comparison to the Project, and would result in a decrease in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The City Council finds that the Reduced Density Alternative would fulfill three of the twelve Project Objectives by establishing design standards and development guidelines to ensure a consistent and attractive appearance throughout the entire project; establishing a master plan for the entire project area to ensure that the project is efficient and business-friendly, accommodating the next-generation of logistics buildings; and providing appropriate transitions or setbacks between on-site and off-site uses. Moreno Valley

residents would also have more opportunities for employment. Because the Reduced Density Alternative will not fulfill nine of the twelve objectives of the Project and the severity of significant and unavoidable impacts would be not be reduced, the Council hereby rejects the Reduced Density Alternative.

#### 4. Alternative 2 - Mixed Use A

**Description:** As identified in Section 6.0 of the FEIR, Volume 3, with the intent of avoiding or substantially reducing significant impacts created by the Project's traffic, air quality, and noise impacts, the City considered Mixed Use A Alternative. This alternative includes development of the project site with approximately 1,410 acres of logistics warehousing (22 million square feet), 1,000 acres of light industrial uses (2,120 million square feet), 50 acres of retail commercial uses (500,000 square feet), 100 acres of professional or medical office uses (1.0 million square feet), and 150 acres of open space. The 1,085 acres owned by the CDFW would be designated as Open Space in the City's General Plan, similar to the Project. (FEIR, Volume 3, pg. 6-29 to 6-30)

**Impacts:** Section 6.0 of the FEIR, Volume 3, identifies nine environmental issues that would have similar impacts as the Project. These issues are: Aesthetics, Agricultural and Forestry Resources, Cultural Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, and Recreation. Under this alternative, impacts related to short-term construction-related air quality and noise impacts would remain significant and unavoidable, similar to the Project. Long-term air quality operational impacts under this alternative would be increased in magnitude, remain significant and unavoidable, and would result in similar conditions as identified for the Project. The Mixed Use A Alternative would decrease the amount of logistics warehousing and would add light industrial, commercial, and office uses that would generate more permanent and more varied jobs than the Project, but some uses may require skilled workers and it is not known if or to what degree these workers already reside in the City. In addition, the developer will be supporting a local employment center to help City residents find positions within the WLCSP before the positions are advertised on a regional basis. The office uses proposed under this alternative may incrementally increase the total number of people that would be added to the City's population and could have greater demands on public services and recreation. However, the increased property tax revenues, payment of fees, and dedication of parkland would reduce these impacts to a less than significant level. This alternative would increase the amount of wastewater generated, increase the amount of potable water required, and increase the amount of solid waste produced on site. Similar to the Project, adherence to utility requirements would reduce these impacts to less than significant levels. Because of the increase in vehicle trips resulting from this alternative, impacts to the operation of local roadways and intersections would be proportionally increased from the Project and remain significant and unavoidable.

Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally increased from what was identified for the Project. Long-term traffic impacts would remain significant and unavoidable for impacts associated with freeway segments as the City does not have control of when such freeway improvements would occur. Similarly, traffic-related noise would be increased in magnitude and cannot be mitigated to a less than significant level in a manner similar to the Project.

In summary, the Mixed Use A Alternative would increase employment opportunities but would substantially increase traffic, noise, and air quality impacts. All the impacts identified as significant under the Project, including air quality health risks, would still be significant under this alternative. (FEIR, Volume 3, pgs. 6-29 through 6-34)

**Objectives:** Under this alternative, nearly all of the Project objectives are met, with the exception of the following: creates a major logistics center with good regional and freeway access; provides a major logistics center to accommodate to some degree the ever-expanding volumes at the Ports of Los Angeles and Long Beach; creates a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity; and provides the infrastructure improvements required to meet project needs in an efficient and cost-effective manner; encourages new development consistent with regional and municipal service capabilities. (FEIR, Volume 3, Table 6.O: Comparison of the Mixed Use A Alternative to the Project Objectives, pg. 6-34)

**Finding:** Under the Mixed Use A Alternative, the project site would be developed with approximately 1,410 acres of logistics warehousing (22 million square feet), 1,000 acres of light industrial uses (2,120 million square feet), 50 acres of retail commercial uses (500,000 square feet), 100 acres of professional or medical office uses (1.0 million square feet), and 150 acres of open space. The Mixed Use A Alternative would increase employment opportunities but would substantially increase traffic, noise, and air quality impacts. All the impacts identified as significant under the Project, including air quality health risks, would still be significant under this alternative.

Most of the objectives of the Project would be met; however, the Mixed Use A Alternative would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Council finds that the Mixed Use A Alternative would have similar impacts to all environmental issues. Because the Mixed Use A Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Council hereby rejects the Mixed Use A Alternative.

## 5. Alternative 3 - Mixed Use B

**Description:** As identified in Section 6.0 of the FEIR, Volume 3, the Mixed Use B Alternative would develop the project site similar to the land use plan of the Moreno Highlands Specific Plan (MHSP) but with 10 million square feet of logistics warehousing on the 603 acres proposed for business, retail, institutional, and other uses under the MHSP. The 1,085 acres owned by the CDFW would be designated as Open Space in the City's General Plan, similar to the Project. (FEIR, Volume 3, pg. 6-34 to 6-35)

**Impacts:** Section 6.0 of the FEIR, Volume 3, Under Alternative 3, impacts related to short-term construction-related air quality would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air pollutant emissions would be higher than the Project and would remain significant and unavoidable, with the exception of PM<sub>2.5</sub> and SO<sub>x</sub>. Like the Project, long-term air quality relative to criteria pollutants would still be significant, with the exception of SO<sub>x</sub>. Assuming the same level of mitigation as the proposed Project, there would be no cancer risks associated with this alternative since the use of new technology diesel engines do not contribute to cancer risk as described in Final EIR Volume 3 Section 4.3. The development of the Mixed Use B Alternative would have increased demands on public services and recreation facilities to serve future residential uses. However, increased property tax revenues, payment of development impact fees, and adherence to development requirements would reduce these impacts to a less than significant level. Water supply availability is expected to be available as water demand is expected to be the same. Water demand was determined to be available for the Project. There would be an increase in vehicle trips under this alternative, and impacts to the operation of local roadways and intersections would be similarly increased compared to that identified for the Project; therefore, long-term traffic impacts would remain significant and unavoidable. Development of the Mixed Use B Alternative would provide new employment opportunities and homes for residents of Moreno Valley, but new employment opportunities would be significantly reduced compared to the Project.

In summary, the Mixed Use B Alternative would incrementally increase traffic and not improve the City's jobs/housing balance over the long-term. However, this is the only alternative that would reduce a significant impact of the Project (aesthetics – views) by substantially reducing the amount of warehousing on the site and replacing it with residential uses. Views of the area would still transition from vacant agricultural land to suburban development, but it would have a residential appearance compared to the Project. All the other impacts identified as significant under the Project, including likely air quality health risks, would still be significant under this alternative. (FEIR, Volume 3, pgs. 6-34 through 6-38)



**Objectives:** Under this alternative, some of the Project objectives are met, with the exception of the following: provides the land use designation and infrastructure plans necessary to meet current market demands and to support the City’s Economic Development Action Plan; creates a major logistics with good regional and freeway access; establishes a master plan for the entire project area to ensure that the project is efficient and business-friendly, accommodating the next-generation of logistics buildings; provides a major logistics center to accommodate to some degree the ever-expanding trade volumes at the Ports of Los Angeles and Long Beach; creates a project that will provide a balanced approach to the City’s fiscal viability, economic expansion, and environmental integrity; provides the infrastructure improvements required to meet project needs in an efficient and cost-effective manner; encourages new development consistent with regional and municipal service capabilities; and provides thousands of construction job opportunities during the project’s buildout. (FEIR, Volume 3, Table 6.Q: Comparison of the Mixed Use B Alternative to the Project Objectives, pg. 6-38)

**Finding:** Under the Mixed Use B Alternative, development of the project site with approximately develop the project site similar to the land use plan of the Moreno Highlands Specific Plan (MHSP) but with 10 million square feet of logistics warehousing on the 603 acres proposed for business, retail, institutional, and other uses under the MHSP. The Mixed Use B Alternative would incrementally increase traffic and not improve the City’s jobs/housing balance over the long-term. However, this is the only alternative that would reduce a significant impact of the Project (aesthetics – views) by substantially reducing the amount of warehousing on the site and replacing it with residential uses. Views of the area would still transition from vacant agricultural land to suburban development, but it would have a residential appearance compared to the Project. All the other impacts identified as significant under the Project, including likely air quality health risks, would still be significant under this alternative. (FEIR, Volume 3, pgs. 6-37)

Some of the objectives of the Project would be met; however, the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system would not be met. The Council finds that the Mixed Use B Alternative would have similar impacts to all environmental issues except for aesthetic because this Alternative would eliminate the significant and unavoidable impacts to aesthetics. Because the Mixed Use B Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating major distribution services near transportation corridors and clustering such uses near the state highway system, provide land use designations and infrastructure plans necessary to meet current market demands and to support the City’s Economic Development Action Plan, and create a project that will provide a balanced



approach to the City’s fiscal viability, economic expansion, and environmental integrity the Council hereby rejects the Mixed Use B Alternative.

## 6. Alternatives Considered and Rejected

A variety of additional alternatives were considered as part of the FEIR, Volume 3’s Alternatives Analysis. (FEIR, Volume 3, pgs. 6-3 through 6-5) Two possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated Project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the Project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City’s economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the Project:

- All Residential Alternative: A number of residential uses, including very low density (2-acre or 5-acre lots) were considered prior to deciding on all warehousing uses, but it was concluded that any residential alternatives, or alternatives that emphasized residential uses, would further exacerbate the City’s jobs/housing imbalance and did not meet any of the Project goals. In addition, the City’s Economic Strategy Plan excludes additional residential development in this area. For these reasons, all Residential Use Alternatives were rejected for further analysis. However, an evaluation of the largely residential Moreno Highlands Specific Plan (MHSP) was provided under the No Project/Existing General Plan alternative. (FEIR, Volume 3, pg. 6-X)
- Mixed Use Alternative: The EIR examines two Mixed Use Alternatives with varying amounts of residential and non-residential uses. The No Project-Existing General Plan Alternative is based on the approved mixed use Moreno Highlands Specific Plan (MHSP). In addition, Alternative 3 (Mixed Use B) evaluates the impacts of substituting logistics warehouse uses for the non-residential uses currently included in the MHSP. After extensive evaluation, it was concluded that any reasonable combination of residential and non-residential uses (i.e., light industrial, business park, office, commercial) would result in impacts similar to those of the MHSP, Alternative 2 (mixed non-residential uses but no residential uses), or Alternative 3 (Moreno Highlands Specific

Plan with logistics warehousing as the main non-residential use). For this reason, no other Mixed Use Alternatives were considered further in this analysis. (FEIR, Volume 3, pg. 6-X)

- **Alternative Sites.** Section 6.0 of the FEIR, Volume 3 examines different sites in the surrounding region to determine if an alternative location would reduce or eliminate one or more significant impacts of the Project. This analysis must be based on feasible sites that could realistically support the Project (i.e., a contiguous 2,610-acre site for 40.6 million square feet of high-cube and light logistics warehouse uses as envisioned by the WLC Specific Plan). The surrounding jurisdictions, including Cities of Riverside, Perris, San Jacinto, Menifee, Calimesa, Banning, and Beaumont and the County of Riverside, along with Moreno Valley were contacted to identify potential alternative sites for the Project. FEIR, Volume 3, Figure 6.1 pg. 44 shows the locations of the various jurisdictions that were contacted and/or analyzed in this evaluation and FEIR, Volume 3, Table 6.R pg. 45 presents the results of that analysis. Table 6.R indicates that there are no feasible alternative sites in the surrounding or nearby jurisdictions that could support the Project (i.e., that have enough vacant land zoned or available for logistics warehousing with good freeway and/or rail access). For these reasons, Alternative Sites were not considered further in this analysis. (FEIR, Volume 3, pgs. 6-38 through 6-41.)

## 7. **Environmentally Superior Alternative**

As identified in the FEIR, Volume 3, the No Project/Existing General Plan Alternative has mixed impacts relative to the Project; it reduces aesthetic impacts to less than significant levels but worsens the jobs/housing ratio by introducing more housing than employment-generating uses. The Mixed Use A Alternative substantially increases traffic and related impacts compared to the Project impacts, but it does not create any additional significant impacts. The Mixed Use B Alternative would incrementally increase traffic and would not improve the jobs/housing balance. It would incrementally reduce health risks to existing residents along Redlands Boulevard (i.e., approximately 30 percent less warehousing), but could create health risks for new residents depending on the ultimate location of warehouses and new residences. In addition, this alternative would also worsen the jobs/housing ratio of the City by allowing the construction of many more homes than job-creating land uses. Regarding air quality impacts, development of any land uses would likely exceed SCAQMD thresholds mainly due to the size of the Project site. (FEIR, Volume 3, pg. 6-45 to 6-47)

The *CEQA Guidelines* (Section 15126.6 (e[2])) requires that an environmentally superior alternative be identified in the EIR. Based on the analysis in EIR Section 6 and the summary contained in DEIR Table 6.S, Alternative 1 – Reduced Density – is the only alternative that reduces traffic, air quality, and

related impacts by reducing the total square footage of warehousing by approximately 30 percent. Alternative 3—Mixed Use B—is the only alternative that would reduce a significant impact of the proposed project (i.e., aesthetics – views). However, it could create health risks for future residents of the project, and would worsen the jobs/housing balance of the City over the long term. For these reasons, the EIR concluded that Alternative 1 – Reduced Density — was environmentally superior to the proposed project.

DEIR Table 6.T compared Alternative 1 to the project objectives and determined Alternative 1 does not meet 9 of the 12 major goals of the proposed project mainly because reducing the total square footage by 30 percent also reduces the amount of new employment and property tax revenues. Therefore, Alternative 1 - Reduced Density, was rejected in favor of the proposed project.

## **E. GROWTH-INDUCING IMPACTS**

CEQA requires a discussion of ways in which the Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states that an EIR must describe the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The Project area is largely vacant undeveloped land, although there are seven existing single-family homes in various locations on the WLC Project site along with associated ranch/farm buildings. The site has been farmed since the early 1900s and has supported dry (non-irrigated) farming, livestock grazing, and limited citrus groves. Much of the site continues to be used for dry farming.

The City’s population has grown steadily over the past decades. Population projections developed by SCAG estimate the City’s population will reach approximately 213,700 persons by the year 2020 and approximately 255,200 persons by the year 2035. The extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth-inducing effect of a Project. Construction of the WLC Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the WLC Project will not generate a permanent increase in population within the Project area. Development envisioned under the Specific Plan consists of approximately 40.6 million square feet of logistics warehouse and general warehouse facilities.

Development of the high-cube logistics warehouse and general warehouse facilities will create jobs in the local economy. It is estimated that the WLCSP Project would result in approximately 24,000 new job opportunities (20,307 on-site permanent jobs plus 3,693 direct/induced permanent jobs).

The new employment opportunities resulting from development of the proposed high-cube logistics warehouse and general warehouse uses will raise the City's current jobs-to-housing ratio by providing additional jobs to local residents. While the place of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs/housing ratio, it is reasonable to assume that a large percentage of these jobs would be filled by persons already living within the City or Project area. The Project does not include a residential component. The WLC Project is located within an area that is currently largely vacant and currently planned for a mix of residential, commercial, business park, and open space land uses in accordance with the General Plan Community Development Element. The WLC Project includes a General Plan Amendment to change the existing mix of land use designations to Logistics Development and Light Logistics. Therefore, no significant increase in population of the City would result from the development or operation of the WLC Project.

The *Fiscal and Economic Impact Study World Logistics Center Moreno Valley, California* (EIR Appendix O "Study," DTA 2014) estimates that approximately 7,386 indirect/induced jobs will be created in the County, of which 3,693 jobs are projected to be within the City as a result of Project implementation. While the specific location of the potential additional indirect/induced jobs created within the County cannot be specifically determined, it is reasonable to assume that a large percentage of these jobs will be support service jobs and are likely to be located in the WLC Project vicinity, and therefore the City. As detailed in the Study, total recurring revenues available to the City are estimated at approximately \$11,257,466 per year. The greatest percentage of revenue is attributed to the Property Tax In-Lieu of Vehicle License Fee (40.2%), followed by Secured Property Tax (29.1%), and Business Receipts Tax and Licenses (10.8%). Total recurring costs to the City are estimated at approximately \$5,557,674 per year. The greatest percentage of cost is attributed to the Police Services (35.8%), followed by Infrastructure and Parks Maintenance Costs (34.1%), and Fire Services (13.3%).

Project recurring annual fiscal surplus that would be available to the City is estimated at approximately 7 million which is equal two times the Project annual City General Fund costs.

The Project proposes to eliminate the potential for 7,700 units of residential housing planned under the Moreno Highlands Specific Plan, although this anticipated change is already included in the City's current Housing Element which has been certified by California Housing and Community Development. This change would incrementally reduce the population and housing growth potential for this property from that projected in the current SCAG regional growth forecast. However, the Project would add 40.6 million square feet of logistics warehouse space in the eastern portion of the City. Since the City currently has a jobs-to-housing ratio substantially lower than the region (i.e., SCAG region), it is

likely that much of the employment that would be generated by this Project can be accommodated by the existing workforce in the City and surrounding area. In that way, the Project is growth-inducing in terms of employment. Due to relatively high vacancy rates in the City, it is also likely that the housing needs of new employees that do not already live in the City (i.e., own or rent) could largely be accommodated by the City's existing housing stock. Therefore, the WLC Project would only produce modest (i.e., not significant) growth inducement within Moreno Valley.

As previously noted, the specific location of the additional indirect jobs created within the County cannot be specifically determined; however, it is likely that a large some percentage of these jobs will be support service jobs and are likely to be located in the Project vicinity. The Study assumes that one-half of these indirect jobs will be located within the City. The Study indicates that the creation of new jobs to the City will lead to more consumer spending by employees in existing retail establishments within the City, as well as new retail development that will be attracted to the City as a result of this spending. Job creation also results in increased tax revenues to the City through increased property taxes and sales taxes associated with development of the WLC Project. However, it is important to note that because of the difference in timing of the development of the various phases of the WLC Project, the number of employees summarized above will not be realized at the same time.

Development of the WLC Project is projected to create approximately 16,521 construction-related jobs within the City. Similar to recurring employment (i.e., permanent), it is likely that a large percentage of these jobs will be located in the general vicinity of the WLC Project and therefore within the City.

The WLC Project does not include a residential component; therefore, the jobs generated by the WLC Project would not need to support new households as a result of direct employment or indirect employment. Based on the potential increase in jobs (additional 20,307 direct jobs) within the City and no substantial increase in population as a result of the project, the City's jobs-to-housing ratio would improve from the existing (2011) ratio of 0.47 to 0.91, thus achieving a greater jobs-to-housing balance within the City. As development of the WLC Project is expected to occur over the course of many years, the jobs-to-housing ratio will not be significantly changed immediately. The City's current jobs-to-housing ratio is exceptionally low when compared to SCAG standards; therefore, the need for employment is immediate. A balance between jobs and housing within the City would have a positive impact by decreasing costs associated with commuting, traffic congestion, air pollution, and improves the standard of living. It also provides savings and a better quality of life to consumers in the operation and

maintenance of automobiles, lessening commute times and saving to local public agencies in terms of the need to construct and maintain new road improvements.

Streets, water and sewer utilities, and municipal services would be extended to serve the WLC Project. The WLC Project will benefit other development projects in the project area, and therefore, could potentially induce additional business and job growth by removing an impediment to growth, such as a lack of basic infrastructure or services. However, the WLC Project is located proximate to other existing warehouse, commercial, and residential uses. Therefore, the Project will necessitate extension of major infrastructure; however, the project will not result in substantial population growth that has not already been planned for in the City's General Plan. As discussed in Section V.9.c and in the Statement of Overriding Considerations in Section VI, the adoption of the WLCSP and the proposed use for the project site would further the overall goals of the General Plan, and because the improvements necessary for development of the site would not facilitate growth that has not been anticipated in the project area, no significant growth-inducing effect would occur, and no mitigation is required. (Section 5.0 of the FEIR, Volume 3, pgs. 5-4 through 5-6)

## **F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

*Section 15126(c) of the CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

1. The project would involve a large commitment of non-renewable resources;
2. The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
3. The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
4. The project will consume large amounts of energy that are produced from non-renewable fossil fuels, although the WLC Specific Plan indicates the proposed uses will efficiently consume energy and water resources.

Determining whether the WLC Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that



there would be little possibility of restoring them. The project site is generally marginal agricultural land; however, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the WLC Project would permanently alter the site by converting predominantly agricultural uses to urban warehousing. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to this issue would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the WLC Project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is not expected to result in a negative impact related to the availability of these resources. Existing scenic vistas were identified as being visible from the project limits. Implementation of the WLC Project would result in the obstruction of views of the Badlands, Mt. Russell and Mystic Lake/San Jacinto Wildlife Preserve from the nearest sensitive visual receptors and those traveling along roadways in the project vicinity. This is a significant and irreversible environmental change that would occur as a result of project implementation. Cumulatively, future development along SR-60 would also result in the obstruction of the existing views of surrounding mountains and visual features.

In addition, this logistics warehouse project, in concert with the other built or approved industrial warehouse projects to the north and west, will fundamentally change the character and land use pattern of this portion of the City. Many of the Project-specific impacts are addressed, as outlined above, but the land use change represented by this and other industrial projects represents a substantial irreversible change in community character for this area. (FEIR, Volume 3 pgs. 5-4).

## **VI. STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to Section 15093 of the CEQA Guidelines, the City Council must balance the benefits of the proposed Project against unavoidable environmental risks in determining whether to approve the proposed Project, and, CEQA Guidelines Section 15093(b) provides that when a public agency approves a project that will result in significant impacts that are identified in the Final EIR but are not avoided or substantially lessened, the agency must state in writing the specific reasons to support its decision based on the Final EIR and/or other information in the whole administrative record. If the specific economic, legal, social, technological or other benefits of a proposed project outweigh its unavoidable adverse environmental impacts, the adverse effects may be considered "acceptable."



As set forth in sections V.A and V.B above, many of the World Logistics Center's impacts on the environment will either be insignificant or, through the imposition of mitigation measures as conditions of approval of the Project, can be reduced to less than significant.

Some impacts of The World Logistics Center will remain significant and unavoidable even after the imposition of all feasible mitigation measures which include impacts to aesthetics, air quality, including associated health risks, land use, noise, transportation and circulation. There are no feasible alternatives to the Project which would mitigate or avoid those environmental impacts as indicated in section V.D above.

In consideration of the above and as set forth below, the Council has determined that the benefits which will accrue from the development of the Project outweigh the significant and unavoidable impacts which the Project will produce.

**Finding:** Notwithstanding the significant unavoidable impacts to aesthetics (individually and cumulative), air quality (individually and cumulative), land use and planning, noise, and transportation discussed in subsection V.C above, the development of otherwise underused land, the creation of jobs by the Project, both during construction and after the Project is in operation, the multiplier effect which will create secondary jobs to support the Project and those who work in it, the substantial economic benefits which will be generated, directly and indirectly, by the Project, the reduction in commute times and the reduction of trips on the County's highways during peak morning and evening hours in the peak travel direction, the reduction of water consumption over currently planned uses, the achievement of the City's goal of attracting new business opportunities, the improvement of the City's jobs/housing balance and the generation of revenues which will go into the City's general fund constitute benefits which outweigh the unavoidable adverse environmental impacts to aesthetics, agricultural resources, air quality, land use, noise and transportation and circulation. Each of the benefits, individually, constitutes a sufficient basis for approving the Project notwithstanding the significant and unavoidable impact on aesthetics, agricultural resources, air quality, land use, noise and transportation and circulation which will result.

**Factual Basis for the Finding:**

**Approval of the Project Will Create Jobs and Increase Economic Activity.** At full build out, the Project is estimated to generate over 20,000 ongoing direct jobs in the City, and an additional approximately 7,400 indirect and induced jobs, approximately 3,700 of these indirect and induced jobs will be in the City. (Appendix O, Table 4B.) In constant 2012 dollars, these jobs will result

in estimated annual wages of approximately \$830,000,000 for direct jobs and approximately \$300,000,000 in wages resulting from indirect and induced jobs. Of the estimated \$300,000,000 indirect and induced jobs approximately \$150,000,000 in wages will occur within the City. (Appendix O, Table 4B.). This translates into an overall annual estimated economic output of approximately \$2,370,000,000, approximately \$1,940,000,000 of which will occur within the City (Appendix O, Table 4C.). The Project also is estimated to generate in aggregate, almost 13,000 direct construction jobs over the 15 year build out period, equivalent to approximately 850 full-time equivalent jobs every year for the duration of the 15-year construction period. These jobs will result in estimated wages, in constant 2012 dollars, of approximately \$625,000,000. (Appendix O, Table 4D.) Added to this will be approximately 7,400 estimated indirect and induced jobs, with approximately 3,700 of them within the City, with wages, in constant 2012 dollars, of approximately \$300,000,000 half of which, approximately \$150,000,000 will be for jobs within the City. (Appendix O, Table 4D.) Construction is estimated to result in approximately \$2,600,000,000 in total economic output, which includes in wages and sales income of which approximately \$2,140,000,000 will occur within the City. (Appendix O, Table 4D.)

**Approval of the Project Will Increase the City’s Tax Revenues and Generate a Substantial Annual tax Surplus.** At full build out, the Project is estimated to generate approximately \$11,300,000 in annual revenues (in constant 2012 dollars) for the City (Appendix O, Table 3A) with approximately \$5,500,000 in costs (Appendix O, Table 3B) resulting in an estimated annual surplus of almost \$5,700,000. (Appendix O, Table 3C.) In addition, the City will receive an estimated additional \$1,800,000 in Moreno Valley Fire property taxes over the cost of the fire protection services which will be provided to the Project, money that can be spent on fire services in other parts of the City (Appendix O, page 18).

**Approval of the Project Will Provide Money for Schools.** The Project is estimated to provide approximately \$20,300,000 in school impact mitigation fees (calculated based on a total 40,600,000 sq. ft. times the 2014 Moreno Valley School District and San Jacinto Unified School District’s respective development fees) that can be used to improve educational opportunities for students within both the Moreno Valley Unified School District and the San Jacinto Unified School District. (Final EIR, Table 4.14.D.) The Project is estimated to also generate approximately \$22,000,000 in additional State education revenue annually as a result of the 1% ad valorem property taxes assessed against the developed Project property. Finally, the Project will also benefit education as a result of income taxes paid to the State on jobs created by the Project, which will be used to fund elementary and high schools, both locally and throughout the State. (Education Code § 14002.)

**Approval of the Project Will Improve the City's Jobs/Housing Balance.** As shown in Section 4.13.1.3 of the Final EIR, the City's current jobs/housing balance of 0.47 is one of the lowest in Southern California and is almost 60% below the Southern California Association of Government's 1.14 average, resulting in long commutes for many of the City's residents. At full build out, the jobs within the City associated with the Project, direct, indirect and induced, are projected to increase the jobs/housing balance to 0.91 (Appendix O, Table 4F).

**Approval of the Project Will Further the State of California's Goals of Improving the Urban Jobs/Housing Balance.** California Government Code 65890.1 declares the following:

- State land use patterns should be encouraged that balance the location of employment-generating uses with residential uses so that employment-related commuting is minimized.
- Balance in employment and residential land use patterns reduces traffic congestion and may contribute to improvement of air quality in urban areas.
- Balancing of employment-generating land uses and residential land uses improves economic and housing opportunities and reduces loss of economic productivity caused by transportation delay.
- The attainment of a more balanced land use pattern requires the cooperation of government agencies with the private sector to assure that public and private decisions affecting land use take into consideration the need to seek balance in the location of employment-generating land uses and residential land uses.
- Local agencies and state agencies should cooperate to facilitate the balancing of employment-generating land uses and residential land uses and provisions of transportation to serve these uses.
- Local governments have the primary responsibility to plan for local land use patterns, within the parameters established by state law to achieve statewide needs.
- It is the intent of the Legislature to move toward the goal that every California worker have available the opportunity to reside close to his or her jobsite.

By creating an estimated 20,000 direct jobs and more indirect and induced jobs in Moreno Valley, the Project improves the City's jobs/housing balance and helps the City meet this State-mandated goal.

**Approval of the Project Will Further the General Plan's Goal to Create an Orderly and Balanced Land Use Pattern that Accommodates a Range of Residential, Cultural, Recreational, Business and Employment Opportunities (Goal 9.1, I).** The Project adds a major jobs-rich, high-demand land use which is projected to provide a substantial number of both construction and permanent job opportunities to significantly improve the City's low jobs-housing balance and establish a long-term stable tax base to fund City services. The Project includes a Specific Plan which incorporates extensive project design standards and project review processes to ensure that all project development occurs in an orderly and balanced manner.

**Approval of the Project Will Further the General Plan's Goal of Creating Clean, Attractive Conditions, Free of Blight and Deteriorated Conditions (Goal 9.1, II).** The Project will convert more than 2,600 acres of unused, unproductive marginal farmland into a comprehensively designed logistics campus incorporating project-wide guidelines for site planning, architecture, and landscaping. The WLC project will advance many of the City's General Plan goals, objectives and policies. This Project will replace the 20-year old Moreno Highlands Specific Plan which proved to be unmarketable. The Project includes a Specific Plan which requires compliance with these guidelines for all development within the WLC, all of which will be subject to a discretionary plan review process including provisions for public review.

**Approval of the Project Will Further the General Plan's Goal of Creating a Community that Enjoys a Healthy Economic Climate that Benefits Both Residents and Businesses (Goal 9.1, IV).** The Project will create substantial long-term economic growth and stability for the City as a whole through the creation of tens of thousands of short-term and long-term employment opportunities, increased property values, substantial on-going revenue sources from property taxes and retail sales, low cost of municipal services for logistics uses and payment of substantial development fees. Based on the projections from three separate economic analyses contained in the EIR, the Project will provide substantial annual tax surpluses that will generate funds for use by the City to address city-wide needs.

**Approval of the Project Will Further the General Plan's Goal of Creating Recreational Amenities, Recreational Services and Open Space, Including but not Limited to Parks, Multi-Use Trails, Community Centers and Open Space (Goal 9.1, V).** The Project includes the offer of dedication of 74.3 acres of significant open space in the Mt. Russell area. This area is immediately adjacent to the State of California's 8,800-acre Lake Perris State Recreation Area and the 9,000-acre San Jacinto Wildlife

Area. The 74.3 acres will be offered for dedication to the state and to the City for open space use. In addition, the WLC Specific Plan includes the provision for more than five miles of new mixed-use trails to be developed through the Project extending the existing trail system to provide public access opportunities to the Lake Perris Recreation Area and the San Jacinto Wildlife Area.

**Approval of the Project Will Further the General Plan’s Goal to Create a Pattern of Land Uses Which Organizes Future Growth, Minimizes Conflicts Between Land Uses and Which Promotes the Rational Utilization of Presently Underdeveloped and Undeveloped Parcels (Goal 2.1).** The Project will develop a major undeveloped section of the City into a self-contained, master-planned logistics park featuring major buffer areas between the Project and adjacent land uses. Development of the Project will occur in an organized rational manner subject to the review and approval by the City of all development proposals.

**Approval of the Project Will Further the General Plan’s Goal to Create an Organized, Well-Designed, High Quality, and Functional Balance of Urban and Rural Land Uses that Will Meet the Needs of a Diverse Population and Promote the Optimum Degree of Health, Safety, Well-being and Beauty for All Areas of the Community While Maintaining a Sound Economic Base (Goal 2.2).** The Project will convert more than 2,600 acres of unused, unproductive marginal farmland into a comprehensively designed logistics campus incorporating project-wide guidelines for site planning, architecture, and landscaping. The WLC project will advance many of the City’s General Plan goals, objectives and policies. This Project will replace the 20-year old Moreno Highlands Specific Plan west of Gilman Springs Road which proved to be unmarketable. The Project is projected to create thousands of job opportunities in the City of Moreno Valley within a master-planned logistics campus that will feature unified building design concepts, on-site and off-site landscaping, architecture, street design and a project-wide drainage and water quality system that emphasizes the creation of a sustainable business environment, a safe working environment for thousands of employees, in an attractive comfortable setting while creating a source of major economic benefits and stability to the City and its residents.

**Approval of the Project Will Further the General Plan’s Goal of Achieving an Overall Design Statement that Will Establish a Visually Unique Image Throughout the City (Goal 2.3).** The Project will be subject to extensive design guidelines which guide all elements of the development of the Project including grading, streets, buildings, lighting, landscaping, architecture, screening, parking, and signage all focused on creating a unified, aesthetically pleasing, functional design across the entire project area. The Project’s proximity to SR60 and Gilman Springs Road will provide a comprehensively

planned, architecturally-significant entry statement for the City. Every element of the Project will be subject to City review and approval to ensure that all applicable standards and these City goals are met.

**Approval of the Project Will Further the General Plan’s Goal of Providing Systems for Water Supply and Distribution; Wastewater Collection, Treatment and Disposal; and Energy Distribution Which are Capable of Meeting the Present and Future Needs of All Residential, Commercial and Industrial Customers Within the City of Moreno Valley (Goal 2.5).** The Project will provide necessary infrastructure systems to accommodate the future water, wastewater and utility needs of all users within the WLC. Such infrastructure systems will be constructed to keep pace with demand and will be monitored by the City and the Eastern Municipal Water District in connection with the review of each individual building application. Infrastructure improvements will be required to be operational at such time as buildings are occupied.

**Approval of the Project Will Further the General Plan’s Goal of Balancing the Provision of Urban and Rural Lands Within Moreno Valley by Providing Adequate Land for Present and Future Urban and Economic Development Needs, While Retaining the Significant Natural Features and the Rural Character and Lifestyle of the Northeastern Portion of the Community (Objective 2.1).** The Project will establish a major center of jobs-rich land uses to provide thousands of job opportunities for residents of the City and the region and will generate substantial long-term tax revenues to the City, the County and the State to assist in the funding of public services throughout the region. The development of the Project will be accomplished without impact on the rural character and lifestyle of the northeastern portion of the community. The SR60 corridor will provide a significant visual and functional separation between the WLC project and the northeastern portion of the community.

**Approval of the Project Will Further the General Plan’s Goal of Providing a Mix of Industrial Uses Which Will Provide a Sound and Diversified Economic Base and Ample Employment Opportunities for the Citizens of Moreno Valley with the Establishment of Industrial Activities that Have Good Access to the Regional Transportation System, Accommodate the Personal Needs of Workers and Business Visitors; and which Meets the Service Needs of Local Businesses (Objective 2.5).** The Project will provide a large-scale, master-planned logistics center specifically designed for the unique goods movement needs of the national and international business community relating to access, circulation, security and technology, all in an attractive, secure and sustainable environment. The project will create thousands of job opportunities for the citizens of Moreno Valley and the region and will provide a substantial long-term source of tax revenues to help provide a stable and diversified economic base for the City. The circulation plan for the Project is oriented toward



the SR60 freeway and to Gilman Springs Road so that traffic, particularly truck traffic, can move to and from the freeway system without interacting with drivers from residential areas in the vicinity. Heavy trucks are prohibited on streets adjacent to residential areas in the vicinity.

**Approval of the Project Will Further the General Plan’s Goal of Designating Business Park/Industrial Areas to Provide for Manufacturing, Research and Development, Warehousing and Distribution as Well as Office and Support Commercial Activities (Policy 2.5.1).** The Project will create a 2,600-acre master-planned logistics park which can provide up to 40,600,000 square feet of logistics uses (warehouse and distribution) and ancillary office uses. Development of the project will create thousands of job opportunities responding to the strong demand of the logistics industry and adding to the depth and variety of employment opportunities in the City. Development of the Project will provide a substantial long-term revenue benefits to the City allowing for the funding of City services across a broader and more stable economic base.

**Approval of the Project Will Further the General Plan’s Goal of Locating Industrial Uses to Avoid Adverse Impacts on Surrounding Land Uses (Policy 2.5.2).** The Project site is located at the most easterly end of the City and is buffered by SR60 on the north, Gilman Springs Road and the Badlands on the east, and the permanent open space of the San Jacinto Wildlife Area on the south. The Project includes several design features specifically to address the interface with the residential areas to the west of the Project. An extensive landscaped buffer runs the full length of the Project along Redlands Boulevard, Bay Avenue and Merwin Street. This buffer includes an earthen berm and a landscape design oriented to the adjacent residential neighborhoods. Special building height restrictions are applicable to the Project along its western edge to reduce the visibility of WLC buildings from the properties to the west. Other design features include: substantial development buffers along all edges of the Project, extensive landscape treatments within these buffers, a circulation system designed to direct trucks toward the freeways and away from residential areas, revisions to city-enforced Truck Routes to prohibit large trucks in residential areas, lighting restrictions, noise restrictions, building height limitations and architectural and landscape guidelines. These design features will be implemented by the City in connection with its review and approval of all development proposals within the WLC area.

**Approval of the Project Will Further the General Plan’s Goal of Screening Manufacturing and Industrial Uses When Necessary to Reduce Glare, Noise, Dust, Vibrations and Unsightly Views (Policy 2.5.3)** The Project provides extensive design guidelines in the Specific Plan to provide appropriate screening of WLC uses. The Specific Plan contains provisions for extensive landscape buffers around the WLC project, including an earthen berm along the western project edge. In addition,



guidelines addressing building height limitations, on-site and off-site landscape requirements, equipment screening, light shielding and noise restrictions are contained in the Specific Plan. Implementation of these design features will ensure that adjacent properties are not adversely affected by the development of the WLC project. The City will implement these guidelines in connection with its Plot Plan review of all development proposals in the WLC as required in the Specific Plan.

**Approval of the Project Will Further the General Plan’s Goal of Designing Industrial Developments to Discourage Access Through Residential Areas (Policy 2.5.4).** The Project provides for a circulation system that directs traffic toward the freeways and away from local residential areas. The circulation plan provides no vehicular access to Redlands Blvd. between the existing intersections with Eucalyptus Ave. on the north and Cactus Ave. on the south. The City’s Truck Routes will be amended such that heavy truck traffic will be prohibited on Redlands Blvd. south of Eucalyptus Ave. and on Cactus Ave. west of the WLC project.

**Approval of the Project Will Further the General Plan’s Goal of Encouraging Open Space Preservation through Policies that Recognize Valuable Natural Resources and Areas Required for Protection of Public Safety that Exist in the City (Objective 2.7).** The Project includes the redesignation of more than 1,000 acres of land to Open Space to reflect its present use as part of the San Jacinto Wildlife Area. In addition, 74.3 acres of land on the slopes of Mt. Russell will be offered for dedication to the State of California or to the City of Moreno Valley as permanent open space

**Approval of the Project Will Further the General Plan’s Goal of Supporting and Encouraging the Annexation of Unincorporated Areas within the General Plan Study Area for which: a) Long-term Benefits Will be Derived by the City, b) Adequate Infrastructure and Services Have Been or Can Be Economically Provided in Accordance with Current City Standards, and c) the Proposed Annexation Will Generate Sufficient Revenues to Adequately Pay for the Provision of City Services Within a Reasonable Period of Time (Policy 2.9.1)** The Project includes the annexation of an 85-acre parcel at the intersection of Gilman Springs Road and Alessandro Blvd., the development of which is incorporated into the WLC Specific Plan. The site’s location west of Gilman Springs Road makes its inclusion in the Specific Plan both practical and logical from a Project design perspective as well as for the delivery of public services.

**Approval of the Project Will Further the General Plan’s Goal of Ensuring that All Development within the City of Moreno Valley Is of High Quality, Yields a Pleasant Living and Working Environment for Existing and Future Residents and Attracts Business as the Result of**

**Consistent Exemplary Design (Objective 2.10).** The Project establishes extensive design guidelines in the Specific Plan and establishes project review procedures by the City to ensure that all development is of high quality, compatible design, and incorporates features to enhance its environmental sustainability. The City will conduct a discretionary review of all development proposals to ensure that the overall WLC and each project within it will result in a pleasant environment for employees and visitors. Through the provisions of the Specific Plan, the Project will have a consistent design theme (Policy 2.10.1), will contain regulations regarding screening of outdoor storage and trash facilities (Policy 2.10.2), will require architecturally attractive building elevations (Policy 2.10.3), will require landscaping as an integral part of the project design (Policy 2.10.4), requires a landscape buffer along the freeway right-of-way (Policy 2.10.5), will require a comprehensive sign program for the entire Project area (Policy 2.10.6), provides regulations for the control of on-site lighting (Policy 2.10.7 and 8), provides design standards for fences and walls (Policy 2.10.9), provides design standards for street frontages (Policy 2.10.10), provides design features (buffers, berms, landscaping, height restrictions, etc.) to screen and buffer the Project from residential properties (Policy 2.10.11), provides screening requirements for on-site parking areas (Policy 2.10.12) and requires compliance with the Municipal Code for landscaping in parking areas (Policy 2.10.13).

**Approval of the Project Will Further the General Plan’s Goal of Maintaining a Water System Capable of Meeting Daily and Peak Demands of Moreno Valley Residents and Businesses Including the Provision of Adequate Fire Flows (Objective 2.11).** The Project will be designed to minimize water consumption to the greatest degree possible. In addition to incorporating water-saving design features in all buildings, the Project will feature a landscape design that will minimize the use of mechanical irrigation to the greatest degree possible. The Project is required to confirm the availability of infrastructure to provide adequate water service (including fire flows) to serve development prior to the occupancy of each building in the WLC. Improvement plans will be reviewed and approved by the City and by Eastern Municipal Water District for all development within the WLC.

**Approval of the Project Will Further the General Plan’s Goal of Maintaining a Wastewater Collection, Treatment and Disposal System Capable of Meeting the Daily and Peak Demands of Moreno Valley Residents and Businesses (Objective 2.12).** The Project’s commitment to reducing water consumption throughout the project will significantly reduce the amount of wastewater that will be generated. The Project is required to confirm the availability of infrastructure to provide adequate wastewater services to serve development prior to the occupancy of each building in the WLC. Improvement plans will be reviewed and approved by the City and by Eastern Municipal Water District for all development within the Project.

**Approval of the Project Will Further the General Plan’s Goal of Coordinating Development Activity With the Provision of Public Infrastructure and Services (Objective 2.13).** The Project is subject to state-mandated subdivision procedures as well as discretionary project review procedures both carried out by the City prior to the development of any property within the Project area. These procedures establish the nature and extent of infrastructure improvements needed to serve any proposed development project. All development plans will be reviewed and approved by the service provider and such development will be limited to that which can be adequately served (Policy 2.13.1). Backbone facilities shall be constructed with the initial phases of the development served (Policy 2.13.2). Such improvements are required to be operational prior to the occupancy of any new buildings (Policy 2.13.3). The Project will include advanced technology infrastructure, including high-speed internet access and solar energy. (Policy 2.13.4).

**Approval of the Project Will Further the General Plan’s Goal of Developing a System of Trails Which Contribute to Environmental Quality and Energy Conservation by Providing Alternatives to Motorized Vehicular Travel and Opportunities for Recreational Equestrian Riding, Bicycle Riding and Hiking and that Connects With Major Regional Trail Systems (Objective 4.3).** The Project includes the extension of the City’s multi-use trail system with five miles of trails to be constructed within the WLC. These trails will provide linkages between the residential area west of the Project to the Lake Perris Recreation Area and the San Jacinto Wildlife Area to the south of the Project and to the Badlands area east of the Project. The trails will extend along Eucalyptus Ave. providing a nearby linkage to the future trails on the north side of SR60 (Policy 4.3.1). In addition, a public Trail Head will be constructed along Alessandro Boulevard (Policy 4.3.5). All such multi-use trails will be constructed along with adjacent development (Policy 4.3.3).

**Approval of the Project Will Further the General Plan’s Goal of a Safe, Efficient, Environmentally and Fiscally Sound Integrated Vehicular Circulation System which Provides Access to Development and Supports Mobility Requirements of the System’s Users (Goal 5.1)** The Project incorporates a circulation systems that fully meets the needs of the WLC project through the provision of enhanced freeway interchanges, new and expanded arterial highways, and collector streets within the WLC (Objective 5.1). The design of this system of roadways will be evaluated with each proposed building to ensure that adequate access and circulation is provided for planned vehicles (autos and trucks) as well as emergency vehicles, trash trucks, pedestrians and bicycles (Policy 5.1.1). Class II bikeways will be constructed on all streets in the WLC to reduce conflicts between vehicular, pedestrian and bicycle traffic (Policy 5.1.2). Off-street parking is required to meet Municipal Code requirements (Policy 5.1.3) and additional truck pull-out parking bays along collector streets will be installed to offer

additional truck parking without obstructing traffic flow. The circulation system is designed to preclude project truck traffic from traveling through residential areas by interrupting through traffic on Alessandro Blvd. and by not designating Redlands Blvd. south of Eucalyptus Ave. and Cactus Avenue west of the WLC project as Truck Routes.

**Approval of the Project Will Further the General Plan’s Goal of Maintaining Level Of Service (LOS) “D” in the Vicinity of SR60 and High Employment Centers (Objective 5.3).** The Project has been designed to meet the LOS “D” standard throughout the Project and each building project will be required to prepare and process a focused traffic impact analysis to confirm that this standard is met. Road improvements to maintain this standard will be constructed prior to occupancy of each building (Policy 5.3.1). Other traffic improvements will be funded through the collection of DIF and TUMF fees in connection with the construction of each building (Policy 5.3.5). Mitigation Measures imposed on the development of the Project will ensure that surrounding streets will not be exposed to additional traffic or traffic delays.

**Approval of the Project Will Further the General Plan’s Goal of Maximizing the Efficiency of the Local Circulation System (Objective 5.5).** The Project’s circulation system includes a system of roadways to provide safe and efficient access to all development parcels within the WLC. Each individual project will be reviewed and approved by the City to ensure that roadway spacing is appropriate (Policy 5.5.1), turn lanes are provided where necessary (Policy 5.5.2) and points of access are coordinated to ensure adequate capacity, efficiency and safety (Policy 5.5.3 and 5.5.4).

**Approval of the Project Will Further the General Plan’s Goal of Encouraging Development of an Efficient Public Transportation System for the Entire Community (Objective 5.8).** The Project has been designed to accommodate public transit vehicles on all Project streets, including future bus turnouts and bus shelters at such time as bus routes are established to serve the WLC (Policy 5.8.4).

**Approval of the Project Will Further the General Plan’s Goal of Encouraging Development of Safe, Efficient and Aesthetic Pedestrian Facilities (Objective 5.9).** The Project includes a system of pedestrian walkways that will link all Project sites to one another as well as to transit facilities, trails, bikeways, and off-Project locations (Policies 5.9.1 and .2). Such pedestrian walks will be designed into adjacent Project plans to enhance the aesthetics of the pedestrian experience while encouraging non-vehicular transportation. (Policies 5.9.3 and .4).

**Approval of the Project Will Further the General Plan’s Goal of Encouraging Bicycling as an Alternative to Single Occupant Vehicle Travel for the Purpose of Reducing Fuel Consumption,**

**Traffic Congestion and Air Pollution (Objective 5.10).** The Project provides a comprehensive network of bikeways along all Project streets to link all project sites as well as links to off-Project bicycle facilities and circulation facilities (Policy 5.10.1). Plot Plans for each building will ensure that facilities are incorporated (storage lockers, showers, etc.) to encourage the use of bicycles.

**Approval of the Project Will Make Major Progress Toward Fulfilling Goals of the Moreno Valley Economic Development Action Plan.** The Moreno Valley Economic Development Action Plan, approved by the City Council, first as a two-year plan in April, 2011, and again as a three-year plan in April, 2013, specifically identified logistics development in eastern Moreno Valley as a primary economic opportunity for the City. The logistics industry has been a leader in job creation in the Inland Empire and is expected to remain a strong business sector for the region (Inland Empire Quarterly Economic Report, January, 2014). Accordingly, the Project will create jobs well-suited for the local population in a community with an unemployment rate of 9.7% (April, 2014), which is well above the State average of 7.3% (April, 2014). (City Manager’s Report, pages 13-14 (June, 2014).

**Approval of the Project Will Provide Quality Jobs.** As set forth in Appendix O, Section 4.I.A.2, development of the Project is projected to create over 20,000 jobs with an estimated average annual income of \$40,926 (David Taussig & Associates, Fiscal and Economic Impact Study, 2014). This average income, taken from the U.S. Census Bureau for Riverside County and the Inland Empire, is slightly higher than the \$40,124 average income of current Moreno Valley residents according to the U.S. Bureau of Labor Statistics. These numbers represent average incomes in 2012, the latest date on which the information is available.

**Approval of the Project Will Create Jobs in the Industry Where Demand Exists.** For twenty years, the Moreno Highlands Specific Plan allowed for the development of a mix of residential, commercial, and small business park uses. However, due to a lack of demand, the uses allowed by the Specific Plan were never realized. Throughout Moreno Valley, there remains undeveloped residentially and commercially zoned property that sits underutilized due to a lack of demand resulting in a lack of job creation. Recognition of the lack of job creation was one of the driving elements of the City’s Economic Development Action Plan (April, 2011 and April, 2013), which sought to increase investment in the City and create job opportunities within the City. The Economic Development Action Plan identified healthcare and the logistics industries as the two major areas of economic opportunity for the City, where job creation is directly linked to market demand. The City has lost job creation opportunities due to the mismatch between zoning and market demand for those land uses. By selectively

aligning some of the City’s land uses with market demands, the City will create job opportunities within the City that would not be achievable based on current zoning and market demand.

**Approval of the Project Will Increase Employment, Furthering the City’s Goal of Improving Quality of Life and Creating a Healthy Economic Climate by Reducing Poverty and Its Impacts.** The Project will create jobs improving the economic vitality of the City and help reduce its 10.7% unemployment rate as of August 2014, according to the City Manager’s October, 2014, Update. Increased employment in the City is one of many actions that will raise the quality of life and help improve the economic environment for the 1 in 6 residents , including 1 in 4 children, that live below the poverty line. By approving the Project, thereby creating an estimated 20,000 jobs, the City will help reduce poverty and its resulting impacts, which will result in an improved quality of life and economic climate (Ultimate General Plan Goals II and IV).

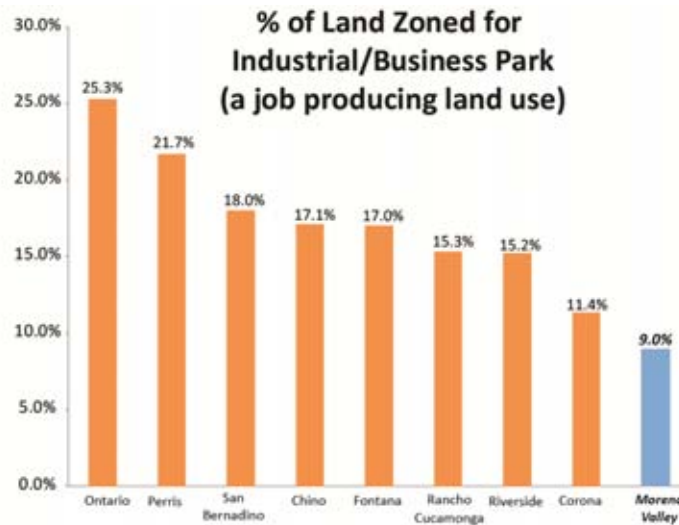
**Approval of the Project Will Improve Public Health.** One method of improving public health in Moreno Valley is to improve economic opportunities in the City because poverty is strongly correlated with many negative outcomes, particularly health. Public health research groups like the Robert Wood Johnson Foundation find that socioeconomic difficulties, not environmental issues, are the principal causes of public health risks (<http://www.dailynews.com/opinion/20131025/californias-poor-kept-in-poverty-by-job-killing-elite-john-husing>). And according to “IS POVERTY A DEATH SENTENCE? The Human Cost of Socioeconomic Disparities” by Senator Bernie Sanders (<http://www.sanders.senate.gov/>), almost as many people die from poverty as from lung cancer. Therefore, one of the best ways to improve public health in Moreno Valley is to increase the number of employment opportunities in the City. By approving the Project, thereby creating an estimated 20,000 direct jobs, the City will help reduce poverty and its resulting public health impacts.

**Approval of the Project Will Allow for the Economic Use of Currently Underused Land.** As set forth in Appendices C-1 and C-4 of the Final EIR, the Project site is currently suitable only for dry farming as the high cost and uncertain availability of irrigation water make irrigated farming economically infeasible. Further, as stated in section 3.3.1 of the Final EIR, there are numerous uses permitted by the current zoning on the site (the Moreno Highlands Specific Plan), but, because there has been no market for the planned and permitted uses, the Project site has remained undeveloped for over 20 years. As set forth in the Project Objectives in Section 3.6 of the Final EIR and in the Fiscal and Economic Impact Study dated May 21, 2014 (Appendix O to the Final EIR), the approval of the Project will allow the conversion of vacant, marginally productive agricultural land into a jobs- and revenue-producing facility.



**Approval of the Project Will Ensure the Availability of Industrially-Zoned Land in Moreno Valley to Meet Demand.** With the exception of the project site, the City of Moreno Valley has less than 150 acres, remaining for industrial development that does not already have an application for development pending. Over 14 million square feet of industrial development has been constructed in Moreno Valley with only one building currently vacant (City of Moreno Valley Economic Development Summary, July 10, 2014). As noted, inclusive of the 14 million square feet of industrial buildings already developed in the city, the City will still suffer from a substantial deficit of jobs compared to housing and the remaining 150 acres of industrial land in the City is insufficient to create the jobs needed to reduce poverty in the City and to meet the City’s employment goals set forth in the Economic Development Action Plan. Land for logistics development is in high demand and is one of the fastest growing sectors in the Inland Empire (Inland Empire Quarterly Economic Report, January, 2014). Without additional industrially zoned land, the City will not be able to meet the regional demand for logistics facilities which the city has identified as a prime area of economic opportunity in the City. Approval of the Project will provide more than 2,400 acres of land for logistics use, responding to the demand for those uses.

**Approval of the Project Will Allow Moreno Valley to be More Competitive for Industrial Projects.** Moreno Valley substantially lags other cities in the Inland Empire in the percentage of land zoned for industrial/business park uses (see chart below):



City of Moreno Valley’s Economic Development Action Plan, Survey of Inland Region - Industrial/Business Park Zoning (April, 2011)



With hardly any other available land remaining in the City for industrial development, the City cannot effectively compete and gain its fair share of industry in the region. With an insufficient amount of industrially zoned land, Moreno Valley is unable to attract the jobs necessary to provide economic opportunities for its residents.

**Approval of the Project Will Make Major Progress Toward Fulfilling the Regional Need for Logistics Development.** The Southern California Association of Governments, of which the City is a member, came to the following conclusions in its June, 2010, report, Industrial Space in Southern California: Future Supply and Demand for Warehousing and Intermodal Facilities, at pages ES-1-2:

“According to assumed growth rates, the region will run out of suitably zoned vacant land in about the year 2028. At that time, forecasts show that the demand for warehousing space will be approximately 1,023 million square feet.

“During the year 2035, there will be a projected shortfall of space of about 228 million square feet, unless other land not currently zoned for warehousing becomes available.”

The Project will be developed over the time period that the region needs additional appropriately zoned land for warehousing and intermodal facilities. As a result, the Project will help meet the forecasted demand for such facilities and will allow the City to be well placed to reap the benefits from serving the demand for logistics services.

**Approval of the Project Will Implement Aggressive Air Quality Strategies.** The Project will implement the most stringent air quality requirements. All trucks serving the facility will be required to meet U.S. Environmental Protection Agency’s (USEPA) and California Air Resources Board’s (CARB) most stringent engine emissions standards (2010 standards) that apply to new heavy-duty vehicles (Mitigation Measure 4.3.6.2A). By prohibiting trucks that do not meet 2010 emissions standards, the Project will exceed the operational requirements of USEPA and CARB and other agencies. In addition, the Project will 1) construct an alternative fueling station to encourage the use of alternatively-fueled vehicles (Mitigation Measure 4.3.6.3C), 2) prohibit the use of diesel in onsite facility equipment (Mitigation Measure 4.3.6.3B), 3) restrict idling (Mitigation Measure 4.3.6.3B), and 4) prohibit the use of diesel backup generators (Mitigation Measure 4.3.6.3B).

**Approval of the Project Will Ensure that the Health of Residents, School Children and Workers, both Within and Outside of the Project Area, Will Not Be Adversely Affected by the Construction and Operation of the Project.** The development of a logistics facility necessarily involves

the use of large numbers of diesel trucks. Numerous studies have found that the exhaust from the older diesel trucks can cause cancer and other adverse health effects. As set forth in EIR Section 4.3, the recent study conducted by the Health Effects Institute demonstrates that diesel trucks which comply with stringent USEPA and CARB 2010 standards do not cause cancer or adverse health effects. Project conditions of approval prohibit diesel trucks which do not comply with the 2010 standards from accessing the Project. As a result, the city will enjoy the numerous benefits which will flow from the construction and operation of the project without subjecting anyone to the risk of cancer and other adverse health effects which result from the use of older diesel trucks.

**Approval of the Project Will Reduce Commuting Time and Decrease Traffic on the County's Highways during Peak Hours.** As shown in Section 4.15.3.2 of the Final EIR, the jobs created by the Project will result in shorter commutes for the City's residents, shorter commutes for those who do not reside in the City but who have been forced to seek jobs closer to Los Angeles and will allow workers from outside of the City to travel to and from the Project on the County's freeways in the off peak directions which will reduce commute times. (Appendix L, section 4.D.)

**Approval of the Project Will Result in Substantially Fewer Vehicle Trips Compared to Current Zoning.** The traffic study for the Moreno Highlands Specific Plan (current zoning) forecasted a total of 178,608 average vehicle trips per day (ADT) resulting from the development of the Moreno Highlands plan. Deducting the land in the Moreno Highlands plan purchased by the California Department of Fish and Wildlife, San Diego Gas and Electric Company and Southern California Gas Company, none of which will be developed further, reduces the Average Daily Trips to 119,668. (FEIR, Volume 3, Table 6.G.) The development of the Moreno Highlands plan (current zoning) would result in more than a 70% increase in Average Daily Trips as compared to the development of the World Logistics Center project (69,542 ADT). (FEIR, Volume 3, Table 6.G.) It is important to note that the approved Moreno Highlands traffic studies did not provide separate counts for car and truck traffic and did not provide a forecast in terms of passenger car equivalents (PCEs) therefore the Average Daily Trips for the Moreno Highlands plan may understate total traffic as compared to the World Logistics Center Average Daily Trips. However, even if the Moreno Highlands plan were to generate no truck trips at all (only passenger car trips), it would still generate substantially more PCE trips than the proposed Project.

**Approval of the Project Will Result in the Consumption of Substantially Less Water Compared to Current Zoning.** When compared to the currently approved Moreno Highland Specific Plan, there will be a 64% decrease in projected water demand, 1,761,260 gallons per day, compared to 4,888,456 gallons per day after accounting for the land within the Specific Plan area which will never be

developed. (Final EIR, Table 6.I.) As a result, the Project's water usage consumption will be substantially below that anticipated in the City's General Plan and the 2010 Eastern Municipal Water District's Urban Water Management Plan. (FEIR, Volume 3, pg. 4.16-20.).

**Approval of the Project Will Create a Master-Planned, Sustainable Development.**

The development of the Project will be governed by the World Logistics Center Specific Plan which will result in a master-planned industrial development that will create a jobs center in eastern Moreno Valley that is separated from residential communities. By governing the development of the Project through the use of the Specific Plan, the City has ensured that all development at the Project site will meet the highest environmental standards while limiting impacts on the community. The Project achieves these standards through requirements such as LEED certification for buildings, minimal irrigation landscaping, solar power which ensures sustainable design and the smallest environmental footprint. In addition, the use of a master-planned development ensures that the Project will meet the highest aesthetic standards, creating a world-class facility, subject to rigorous design standards.

## **VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT**

The Moreno Valley City Council declares that it has reviewed and considered the FEIR in evaluating the Project and that the FEIR reflects the independent judgment of the City Council and finds that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines. The City Council further finds that no new significant information as defined by CEQA Guidelines Section 15088.5, has been received by the City Council after the circulation of both the DEIR and the FEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

### **A. FINDINGS**

#### **1. CEQA Compliance**

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations.

The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council has complied with CEQA's procedural and substantive requirements.

## 2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings:

- Aesthetics - Scenic Vistas
- Aesthetics - Scenic Resources and Scenic Highways
- Aesthetics - Substantial degradation of the existing visual character or quality of the site and its surroundings
- Aesthetics - Cumulative Aesthetic Impacts
- Air Quality - Construction Air Pollutant Emissions
- Air Quality - Operational Air Pollutant Emissions
- Air Quality - Consistency with Air Quality Management Plan (AQMP)
- Air Quality - Cumulative Air Pollutant Emissions
- Air Quality - Sensitive Receptors
- Land Use and Planning - Physically divide an established neighborhood (impacts on existing residences)
- Noise - Short-Term Construction Noise
- Noise - Long-Term Traffic Noise
- Noise - Cumulative Noise Levels
- Transportation - Off-Site Impacts to TUMF Facilities
- Transportation - Off-Site Improvements to Roads Outside the Jurisdiction of the City and Not Part of the TUMF Program

The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining

unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

### 3. Conclusions

- a. All potentially significant environmental impacts from implementation of the Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section VII.A.2 above.
- b. Other reasonable alternatives to the Project that could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project.
- c. Environmental, economic, social and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

## VIII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in the FEIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
<b>4.1 Aesthetics</b>						
<b>4.1.6.1A</b> Each Plot Plan application for development along the western, southwestern, and eastern boundaries of the project (i.e., adjacent to existing or planned residential zoned uses) shall include a minimum 250-foot setback measured from the City/County zoning boundary line and any building or truck parking/access area within the project. The setback area shall include landscaping, berms, and walls to provide visual screening between the new development and existing residential areas upon maturity of the landscaping materials. The existing olive trees along Redlands Blvd. shall remain in place as long as practical to help screen views of the project site. This measure shall be implemented to the satisfaction of the Planning Official.	City Planning Division	Once before permitting	Prior to Plot Plan Approval	Plot Plan Review		Withhold Building Permits
		Once before permitting	Prior to issuance of Building permit.	Building Permit		Withhold Plot Plan Approval
		Once before issuance of certificate of occupancy.	Prior to issuance of certificate of occupancy.	On-site inspection		Withhold Certificate of Occupancy
<b>4.1.6.1B</b> Each Plot Plan application for development adjacent to Redlands Boulevard, Bay Avenue, or Merwin Street, shall include a plot plan, landscaping plan, and visual rendering(s) illustrating the appearance of the proposed development. The renderings shall demonstrate that views of proposed buildings and trucks can be reasonably screened from view from existing residents upon maturity of planned landscaping and to ensure consistency with the General Plan Objective 7.7. "Effective" screening shall mean that no more than the upper quarter (25%) of a building is visible from existing residences, which shall be achieved through a combination of landscaping, berms, fencing, etc. The location and number of view presentations shall be at the discretion of the Planning Division.	City Planning Division	Once before permitting	Prior to Plot Plan Approval	Plot Plan Review		Withhold Building Permits
		Once before permitting	Prior to issuance of Building permit.	Building Permit		Withhold Plot Plan Approval
		Once before issuance of certificate of occupancy.	Prior to issuance of certificate of occupancy.	On-site inspection		Withhold Certificate of Occupancy

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<b>4.1.6.1C</b> Prior to the issuance of a certificate of occupancy for buildings adjacent to the western, southwestern, and eastern boundaries of the project (i.e., adjacent to existing residences at the time of application) the screening required in Mitigation Measure 4.1.6.1A shall be installed in substantial conformance with the approved plans to the satisfaction of the Planning Official	City Planning Division	Once before issuance of certificate of occupancy.	Prior to issuance of certificate of occupancy.	On-site inspection		Withhold Certificate of Occupancy
<b>4.1.6.1D</b> Prior to the issuance of permits for any development activity adjacent to Planning Area 30 (74.3 acres in the southwest portion of the Specific Plan), the entirety of Planning Area 30 shall be offered to the State of California for open space purposes. In the event that the State does not accept the dedication, the property shall be offered to Western Riverside County Regional Conservation Authority or an established non-profit land conservancy for open space purposes. In the event that none of these organizations accepts the dedication, the property may be dedicated to a property owners association or may remain in private ownership and may be fenced and access prohibited.	City Planning Division	Once before permitting of any development activity adjacent to Planning Area 30.	Prior to issuance before of any discretionary permit	Review and Approval of Site Plans		Withhold Discretionary Permit
<b>4.1.6.3A</b> Each Plot Plan application for development shall include plans and visual rendering(s) illustrating any changes in views of Mount Russell and/or the Badlands, for travelers along SR-60, as determined necessary by the Planning Official. The plans and renderings shall illustrate typical views based on proposed project plans, with the location and number of view presentations to be determined by the Planning Official. These views shall be simulated from a height of six feet from the edge of the roadway travel lane closest to the visual resource. The renderings must demonstrate that the	City Planning Division	Once before plot plan review.	Prior to issuance of building permit.	Review and Approval of Renderings		Withhold Building Permit



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development will preserve at least the upper two thirds (67%) of the vertical view of Mt. Russell from SR-60.						
<b>4.1.6.4A</b> Each Plot Plan application for development adjacent to residential development shall include a photometric plot of all proposed exterior lighting demonstrating that the project is consistent with the requirements of Section 9.08.100 of the City Municipal Code. The lighting study shall indicate the expected increase in light levels at the property lines of adjacent residential uses. The study shall demonstrate that the proposed lighting fixtures and/or visual screening meet or exceed City standards regarding light impacts.	City Planning Division	Once before plot plan review for any building adjacent to residential development.	Prior to issuance of any building permit	Review and Approval of Lighting Study		Withhold Building Permit
<b>4.1.6.4B</b> Each Plot Plan application for development shall include an analysis of all proposed solar panels demonstrating that glare from panels will not negatively affect adjacent residential uses or negatively affect motorists along perimeter roadways. Design details to meet these requirements shall be implemented to the satisfaction of the Planning Official.	City Planning Division	Once before plot plan review  Once before Building Permit	Prior to issuance of any building permit	Review and Approval of Building Plans for solar panels.		Withhold Building Permit
<b>4.2 Agriculture</b>						
<b>4.2.6.1A</b> Prior to the issuance of any grading permit affecting land designated as "Unique Farmland" (Figure 4.2.2 in the World Logistics Center Environmental Impact Report), an Agricultural Conservation Easement shall be recorded over land of equivalent or better agricultural economic productivity of the offsite easement property compared to the World Logistics Center property. The analysis will include a comparison of the project's "Unique Farmland" considering its relative economic	City Planning Division	Once before issuance of grading permits on lands that contain unique farmland.	Prior to issuance of any grading permits.	City review of form and content of agricultural easement proposed by the developer. And City receives written verification of an agricultural easement.		Withhold Grading Permit.

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potential as the best measure of productivity (i.e., net profitability per acre or potential net rental income per acre). It will include a consideration of various important physical factors including location and accessibility, soils and topography, micro and macro climatic conditions, water availability and quality, as well as local practices, good farm management and cultural (growing) costs. The form and content of this easement, as well as the estimates of agricultural productivity, shall be reviewed and approved in advance by the Planning Official.						
<b>4.3 Air Quality</b>						
<p><b>4.3.6.2A</b> Construction equipment maintenance records (including the emission control tier of the equipment) shall be kept on site during construction and shall be available for inspection by the City of Moreno Valley.</p> <p>a) Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each unit's certified tier specification shall be available for inspection by the City at the time of mobilization of each applicable unit of equipment.</p> <p>b) During all construction activities, off-road diesel-powered equipment may be in the "on" position not more than 10 hours per day.</p> <p>c) Construction equipment shall be properly maintained according to manufacturer</p>	City Planning Division	As need during construction	During construction	On-site Inspection of construction equipment maintenance records and data sheets.		Issuance of Stop Work Order

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specifications.						
d) All diesel powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour.						
e) Electrical hook ups to the power grid shall be provided for electric construction tools including saws, drills and compressors, where feasible, to reduce the need for diesel-powered electric generators. Where feasible and available, electric tools shall be used						
f) The project shall demonstrate compliance with South Coast Air Quality Management District Rule 403 concerning fugitive dust and provide appropriate documentation to the City of Moreno Valley.						
g) All construction contractors shall be provided information on the South Coast Air Quality Management District Surplus Off-road Opt-In "SOON" funds which provides funds to accelerate cleanup of off-road diesel vehicles.						
h) Construction on-road haul trucks shall be model year 2007 or newer.						
i) Information on ridesharing programs shall be made available to construction employees.						
j) During construction, lunch options shall be						

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<p>provided onsite.</p> <p>k) A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per AQMD Standards.</p> <p>l) Only non-diesel material handling equipment may be used in any logistics building in the WLC.</p> <p>m) Off-site construction shall be limited to the hours between 6 a.m. to 8 p.m. on weekdays only. Construction during City holidays shall not be permitted.</p>						
<p><b>4.3.6.2B</b> Prior to issuance of any grading permits, a traffic control plan shall be submitted to and approved by the City of Moreno Valley that describes in detail the location of equipment staging areas, stockpiling/storage areas, construction parking areas, safe detours around the project construction site, as well as provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. Construction trucks shall be rerouted away from sensitive receptor areas. Trucks shall use State Route 60 using Theodore Street, Redlands Boulevard (north of Eucalyptus Avenue), and Gilman Springs Road. In addition to its traffic safety purpose, the traffic control plan can minimize traffic congestion and delays that increase idling emissions. A copy of the approved Traffic Control Plan shall be retained on site in the construction trailer.</p>	Transportation Division	Once prior issuance of any grading permits to issuance of any grading permits.	Prior to issuance of any grading permits.	Review and Approval of Traffic Control Plan.		Withhold Grading Permit

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<p><b>4.3.6.2C</b> The following measures shall be applied during construction of the project to reduce volatile organic compounds (VOC):</p> <p>a) Non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the project to the maximum extent practicable. If such products are not commercially available, products with a VOC content of 100 grams per Liter or lower for both interior and exterior surfaces shall be used.</p> <p>b) Leftover paint shall be taken to a designated hazardous waste center.</p> <p>c) Paint containers shall be closed when not in use</p> <p>d) Low VOC cleaning solvents shall be used to clean paint application equipment.</p> <p>e) Paint and solvent-laden rags shall be kept in sealed containers.</p>	City Engineering and Building and Safety and Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
<p><b>4.3.6.2D</b> No grading shall occur on days with an Air Quality Index forecast greater than 150 for particulates or ozone as forecasted for the project area (Source Receptor Area 24).</p>	Land Development Division/Public Works	As needed during construction	During construction	Review of Construction Documentation and On-site Inspection		Issuance of a Stop Work Order
<p><b>4.3.6.3A</b> Prior to issuance of occupancy permits for each warehouse building within the WLCSP, the developer shall demonstrate to the City that vehicles can access the building using paved roads and parking lots.</p>	City Planning Division	Once Before Permitting	Prior to issuance of occupancy permits for each warehouse	Review and Approval of building plans.		Withhold Occupancy Permit

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<p><b>4.3.6.3B</b> The following shall be implemented as indicated:</p> <p><b>Prior to Issuance of a Certificate of Occupancy</b></p> <p>a) Signs shall be prominently displayed informing truck drivers about the California Air Resources Board diesel idling regulations and the prohibition of parking in residential areas.</p> <p>b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.</p> <p>c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.</p>	<p>City Planning Division and Building and Safety</p>	<p>Once before issuance of any certificate of occupancy and ongoing basis.</p>	<p>building</p> <p>Prior to issuance of Certificate of Occupancy</p>	<p>On-site Inspections</p> <p>Collection of VIN data will be identified as the primary method of verifying truck compliance for future project-specific approvals.</p>		<p>Withhold Certificate of Occupancy</p>
<p><b>On an Ongoing Basis</b></p> <p>d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.</p>	<p>Public Works Inspector</p>	<p>On an ongoing basis</p>	<p>During on-site inspections</p>	<p>On-site Inspections</p> <p>Collection of VIN data will be identified as the primary method of verifying truck compliance for future project-</p>		<p>If a CUP has been issued, revocation of the CUP.</p>

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<p>e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.</p> <p>f) Tenants shall be encouraged to become a SmartWay Partner.</p> <p>g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.</p> <p>h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.</p> <p>i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.</p> <p>j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.</p> <p>k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to</p>				specific approvals		



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<p>Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.</p> <p>l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.</p> <p>m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.</p> <p>n) Truck and vehicle idling shall be limited to three (3) minutes.</p>						
<p><b>4.3.6.3C</b> Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.</p>	City Building and Safety	Once before issuance of building permits	Prior to issuance of building permits for more than 25 million total square feet of logistics warehousing within the WLC Specific Plan	Review and Approval of Building Plans		Withhold Building Permit

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<b>4.3.6.3D</b> Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.	City Building and Safety	Before issuance of building permits	Prior to issuance of building permits	Review and Approval of Building Plans		Withhold Building Permit
<b>4.3.6.3E</b> Refrigerated warehouse space is prohibited unless it can be demonstrated that the environmental impacts resulting from the inclusion of refrigerated space and its associated facilities, including, but not limited to, refrigeration units in vehicles serving the logistics warehouse, do not exceed any environmental impact for the entire World Logistics Center identified in the program Environmental Impact Report. Such environmental analysis shall be provided with any warehouse plot plan proposing refrigerated space. Any such proposal shall include electrical hookups at dock doors to provide power for vehicles equipped with Transportation Refrigeration Units (TRUs).	City Planning Division	Once before plot plan review for any building.	Prior to issuance of any building permit	Review and Approval of Building Plans		Withhold Building Permit
<b>4.3.6.4A</b> The following measures shall be incorporated as conditions to any Plot Plan approval within the Specific Plan:  a) All tenants shall be required to participate in Riverside County's Rideshare Program.  b) Storage lockers shall be provided in each building for a minimum of three percent of the full-time equivalent employees based on a ratio of 0.50 employees per 1,000 square feet of building area. Lockers shall be located in proximity to required bicycle storage facilities.	City Building and Safety, City Planning Division, and Transportation Engineering Division/Public Works	Once before plot plan review for any building.	Prior to issuance of building permits	Review and Approval of Building Plans		Withhold Building Permit

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<p>c) Class II bike lanes shall be incorporated into the design for all project streets.</p> <p>d) The project shall incorporate pedestrian pathways between on-site uses.</p> <p>e) Site design and building placement shall provide pedestrian connections between internal and external facilities.</p> <p>f) The project shall provide pedestrian connections to residential uses within 0.25 mile from the project site.</p> <p>g) A minimum of two electric vehicle-charging stations for automobiles or light-duty trucks shall be provided at each building. In addition, parking facilities with 100 parking spaces or more shall be designed and constructed so that at least three percent of the total parking spaces are capable of supporting future electric vehicle supply equipment (EVSE) charging locations. Only sufficient sizing of conduit and service capacity to install Level 2 Electric Vehicle Supply Equipment (EVSE) or greater are required to be installed at the time of construction.</p> <p>h) Each building shall provide indoor and/or outdoor - bicycle storage space consistent with the City Municipal Code and the California Green Building Standards Code.-Each building shall provide a minimum of two shower and changing facilities for employees.</p> <p>i) Each building shall provide preferred and designated parking for any combination of low-</p>						

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<p>emitting, fuel-efficient, and carpool/vanpool vehicles equivalent to the number identified in California Green Building Standards Code Section 5.106.5.2 or the Moreno Valley Municipal Code whichever requires the higher number of carpool/vanpool stalls.</p> <p>j) The following information shall be provided to tenants: onsite electric vehicle charging locations and instructions, bicycle parking, shower facilities, transit availability and the schedules, telecommunicating benefits, alternative work schedule benefits, and energy efficiency.</p>						
<b>4.4 Biological Resources</b>						
<p><b>4.4.6.1A</b> All Plot Plan applications within Planning Areas 10 and 12 (i.e. adjacent to the San Jacinto Wildlife Area as shown in Final EIR Volume 2 Figure 4.1.6B) shall provide a 250-foot setback from the southerly property line. Permitted uses within this setback area include landscaping, drainage and water quality facilities, fences and walls, utilities and utility structures, maintenance access drives, and similar related uses. No logistics buildings or truck access/parking/maneuvering facilities are permitted in this setback area.</p>	City Planning Division	Once before issuance of building permits and as needed during construction and operating	Prior to issuance of building permits	Planned Check and Review of Buffer Area		Withhold Building Permits
<p>In addition, logistics buildings within Planning Areas 10 and 12 may not be located within 400 feet of the southerly property line. All development proposals in Planning Areas 10 and 12 shall include a minimum six-foot tall chain link fence or similar barrier to separate warehouse activity from the setback area. This fence/barrier shall have metal mesh installed below and above ground level to prevent animals from moving</p>	City Planning Division	Once before issuance of building permits and as needed during construction and operating	Prior to issuance of building permits	On-site inspection of 250-foot minimum setback		Withhold Building Permits

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<p>between the development area and the setback area.</p> <p>Within Planning Areas 10 and 12, all truck activity areas adjacent to the 250-foot buffer area along the southern property line shall be enclosed by minimum 11-foot tall solid walls to reduce noise and lighting impacts on the adjacent property. This measure shall be implemented to the satisfaction of the Planning Official.</p>	City Land Development Division Manager	Once before issuance of building permits and as needed during construction and operating	Prior to issuance of building permits	On-site inspection of 250-foot minimum setback		Withhold Building Permits
<p>A preliminary landscape plan for the 250-foot setback area shall be submitted with all Plot Plan applications for lots adjacent to the California Department of Fish and Wildlife property. Precise landscape plans shall be submitted with any grading permit for said lots and must be approved prior to the issuance of any building permit on said lots. The landscape plan shall be prepared by a licensed landscape architect in consultation with a qualified biologist and shall be consistent with the design standards contained in the World Logistics Center Specific Plan. No plant species listed in Section 6.1.4 of the Western Riverside County Multiple Species Habitat Conservation Plan shall be installed within the setback area. Cottonwood trees shall be planted within the setback area consistent with the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division Manager.</p>	City Land Development Division Manager	Once before issuance of building permits and as needed during construction and operating	Prior to issuance of building permits	On-site inspection of 250-foot minimum setback		Withhold Building Permits
<p><b>4.4.6.1B</b> Each Plot Plan application in Planning Areas 10 and 12 shall provide runoff management and water quality facilities</p>	City Engineering Division and City Land Development	Once upon submittal of plot plan	Prior to approval of Plot Plan	Review and Approval of plot plans within		Withhold Approval of Plot Plan

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adequate to minimize downstream erosion, maintain water quality standards and retain pre-development flows in a manner meeting the approval of the City Engineer. All drainage improvements shall be designed to minimize runoff and erosional impacts on adjacent property. This measure shall be implemented to the satisfaction of the Land Development Division Manager of Public Works.	Division Manager	application		Planning Areas 10 and 12		
<b>4.4.6.2A</b> Each Plot Plan application shall include a focused plant survey of the proposed development site prepared by a qualified biologist to identify if any of the following sensitive plants (i.e., Coulter's goldfields, smooth tarplant, Plummer's mariposa lily, or thread-leaved brodiaea) are present. If any of the listed plants are found, they may be relocated to the 250-foot setback area outlined in the Specific Plan and discussed in Mitigation Measure 4.4.6.1A. Alternatively, at the applicant's discretion, an impact fee may be paid to the Western Riverside County Regional Conservation Authority (RCA) or other appropriate conservation organizations to offset for the loss of these species. This measure shall be implemented to the satisfaction of the Planning Official.	City Planning Division	Once upon submittal of plot plan application	Prior to approval of Plot Plan	Review and Approval of biological assessment		Withhold Approval of Plot Plan
<b>4.4.6.2B</b> Prior to the approval of any tentative maps for development including or adjacent to any Criteria Cells identified in the Western Riverside County Multiple Species Habitat Conservation Plan, the applicant shall prepare and process a Joint Project Review (JPR) with the Riverside County Resource Conservation Agency (RCA). All criteria cells shall be identified on all such tentative maps. This measure shall be	City Planning Division	Once upon submittal of tentative maps	Prior to approval of any tentative maps	Review and Approval of biological assessment		Withhold Approval of Tentative Maps

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implemented to the satisfaction of the City Planning Division and Riverside County Resource Conservation Agency ("RCA").						
<p><b>4.4.6.3A</b> Prior to the issuance of grading permits the applicant shall secure a jurisdictional determination from the United States Army Corps of Engineers (USACE) and confirm with the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) if drainage features mapped on the property to be developed are subject to jurisdictional authority. If the features are subject to regulatory protection, the applicant will secure permit approvals with the appropriate agencies prior to initiation of construction. Compensatory riparian habitat mitigation will be provided at a minimum ratio of 1:1 (replacement riparian habitat to impacted riparian habitat) to ensure no net loss of riparian habitat or aquatic resources. It should be noted that this is a minimum recommended ratio but the actual permitting ratio may be higher. These detention basins will be oversized to accommodate the provision of areas of riparian habitat. Maintenance of the basins will be limited to that necessary to ensure their drainage and water quality functions while encouraging habitat growth. Riparian habitat mitigation will be provided concurrent to or prior to impacts. A Compensatory Mitigation Plan will be prepared for all unavoidable impacts and will be consistent with the United States Army Corps of Engineers (USACE)/United States Environmental Protection Agency's Compensatory Mitigation for Losses of Aquatic Resources; Final Rule and the United States Army Corps of Engineers Standard Operating Procedure for Determination of Mitigation Ratios.</p>	City Planning Division and Land Development Division Manager	Once prior to issuance of grading permits	Prior to the issuance of grading permits	Written verification of USACE approval of jurisdictional determination and Clean Water Act Section 404 permit.		Withhold Grading Permit



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Applicant: Highland Fairview

Date: May 2015

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<p>The applicant shall consult with United States Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board to establish the need for permits based on the results of a recent jurisdictional delineation and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained for project-level development. Compensation for losses associated with the altering of drainages on site shall be in agreement with the permit conditions and in coordination with compensation outlined below.</p> <p>Mitigation will consist of onsite creation, offsite creation, or purchase of mitigation credits from an approved mitigation bank. As outlined in the WLC programmatic DBESP report, onsite riparian habitat will be created at a minimum 1:1 ratio due to the poor quality of onsite habitat. New habitat will be created within the onsite detention/infiltration basins to the extent allowed by the resource agencies to reduce storm flows, improve water quality, and reduce sediment transport. Habitat creation will include the installation of mule fat scrub or similar riparian scrub habitat to promote higher quality riparian habitat, but still maintain the basins for their primary role as detention facilities. The use of these areas as conservation areas would require consent from CDFW and the City of Moreno Valley (MM BIO-2b and MM DBESP 1 through 3).</p>						
<p><b>4.4.6.3B</b> As required by the Resource Conservation Agency (RCA), a program-level Determination of a Biological Equivalent or</p>	City Planning Division	Once upon submittal of plot plan	Prior to the approval of any Plot Plans	Review and Approval of site specific DBESP and		Withhold Approval Plot Plans

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<p>Superior Preservation (DBESP) for impacts to Riverine/Riparian habitat has been prepared and shall be approved by the Resource Conservation Agency prior to project approval. The Determination of a Biological Equivalent or Superior Preservation includes a general discussion of mitigation options for impacts to riverine/riparian areas as well as general location and size of the mitigation area and includes a monitoring program.</p> <p>If impacts to riparian habitat within the World Logistics Center Specific Plan (WLCSP) cannot be avoided at the time of specific development, then a separate project-level Determination of Biologically Equivalent or Superior Preservation (DBESP) shall be prepared to identify project-specific impacts to riparian habitat and incorporate mitigation options identified in Mitigation Measure 4.4.6.3A.</p> <p>A project-level Determination of a Biological Equivalent or Superior Preservation for each specific development shall be prepared to document measures to reduce impacts to riparian/riverine habitats in accordance with the Western Riverside County Multiple species Habitat Conservation Plan (MSHCP). The project-level Determination of a Biological Equivalent or Superior Preservation shall include specific measures to reduce impacts to riparian areas and provide mitigation in the form of onsite preservation of riparian areas and/or a combination of compensation through purchase and placement of lands with riparian/riverine habitat into permanent conservation through a conservation easement and/or restoration or</p>		application		review and approval of plot plans.		

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<p>enhancement efforts at offsite or onsite locations. Therefore, mitigation required for compensation for impacts to riparian/ riverine areas will require a minimum of 1:1 mitigation ratio of riparian/riverine mitigation land.</p> <p>As outlined in the WLC programmatic DBESP, erosion control improvements will be installed within Drainage 9 to reduce sediment transport, and additional riparian habitat will be enhanced within this drainage following the installation of the erosion control improvements (MM DBESP 4 and 5).</p>						
<p><b>4.4.6.3C</b> Prior to issuance of any grading permit for any offsite improvements that support development within the World Logistics Center Specific Plan, the developer shall retain a qualified biologist to prepare a jurisdictional delineation (JD) for any drainage channels affected by construction of the offsite improvements. This jurisdictional delineation shall be submitted to the U.S. Army Corps of Engineers (USACE) and California Department of Fish and Wildlife (CDFW) for review and concurrence. If the offsite improvements will not affect any identified jurisdictional areas, no United States Army Corps of Engineers permitting is required. However, permitting through the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (i.e., Streambed Alternation Agreement) may still be required for these improvements. The applicant shall consult with United States Army Corps of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board to establish the need for permits based on the</p>	City Planning Division	Once before issuance of grading permit	Prior to issuance of grading permit	Review and Approval of jurisdictional delineation		Withhold Grading Permit
	City Planning Division	Once before issuance of grading permit	Prior to issuance of grading permit	Written verification of USACE approval of jurisdictional determination and Clean Water Act Section 404 permit.		Withhold Grading Permit

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results of the 2012 jurisdictional delineation and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained. Compensation for losses associated with any altered offsite drainages shall be in agreement with the permit conditions. Any landscaping associated with these offsite improvements shall use only native species to help protect biological resources residing within or traveling through these drainages per Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Table 6.1.2. This measure shall be implemented to the satisfaction of the City Planning Division in consultation with the U.S. Fish and Wildlife Service, U.S. Army Corps. of Engineers, and the California Department of Fish and Wildlife.						
<b>4.4.6.4A</b> Pursuant to the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC), site preparation activities (removal of trees and vegetation) shall be avoided during the nesting season of potentially occurring native and migratory bird species (generally February 1 to August 31). If site preparation activities must occur during the nesting season, a pre-activity field survey shall be conducted by a qualified biologist prior to issuance of grading permits for such development. The survey shall determine if active nests of species protected by the Migratory Bird Treaty Act or California Fish and Game Code are present in the construction zone. If active nests of these species are found, the developer shall establish an appropriate buffer zone with no grading or heavy equipment activity within of 500 feet from an active listed species or raptor nest, 300 feet from other sensitive or	City Planning Division	Once before issuance of grading permit	Prior to issuance of grading permit	If grading activities will take place within nesting season provide written evidence a qualified biologist has been retained by the applicant to conduct an onsite nesting survey prior to grading.		Withhold Grading Permit
	City Planning Division	Onsite inspection	Prior to issuance of grading permit	If nesting birds are present biologist will establish a		Issuance of a Stop Work Order

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protected bird nests (non-listed), 250 feet from passerine birds, or 100 feet for sensitive or protected songbird nests. All construction activity within the vicinity of active nests must be conducted in the presence of a qualified biological monitor. Construction activity may encroach into the buffer area at the discretion of the biological monitor in consultation with CDFW. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, mitigation measure 4.4.6.4B shall also apply. This measure shall be implemented to the satisfaction of the City Planning Division.				construction buffer zone of a minimum from an active listed species or raptor nest, 300 feet from other sensitive or protected bird nests (non-listed), or 100 feet for sensitive or protected songbird nests		
<b>4.4.6.4B</b> If it is determined that project-related grading or construction will affect nesting migratory bird species, no grading or heavy equipment activity shall take place within the limits established in Mitigation Measure 4.4.6.4A until it has been determined by a qualified biologist that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. This measure shall be implemented to the satisfaction of the City Planning Division.	City Planning Division	Once Before Construction and onsite inspection	Prior to disturbance of site	On-site inspection		Issuance of a Stop Work Order
<b>4.4.6.4C</b> The loss of foraging habitat for golden eagle and white-tailed kite will be mitigated by payment of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) fee and the creation of a landscaped buffer area adjacent to the San Jacinto Wildlife Area property (SJWA). First, the payment of the Western Riverside County Multiple species Habitat Conservation Plan fee will be required on a project-by-project basis. Second, a 250-foot setback as described in Mitigation Measure	City Planning Division	Once before issuance of grading permits	Prior to disturbance of site	Written verification of payment of MSHCP fees		Withdraw Grading Permit



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<p>California Department of Fish and Wildlife. A relocation plan may be required by California Department of Fish and Wildlife if active and/or passive relocation is necessary. The relocation plan will outline the basic process and provides options for avoidance and mitigation. Artificial burrows -may be constructed within the buffer area south of the World Logistics Center Specific Plan. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor in consultation with CDFW.</p> <p>A relocation plan may be required by California Department of Fish and Wildlife if active or passive relocation is necessary. Artificial burrows may be constructed within appropriate burrowing owl habitat within the proposed open space/conservation area (Planning Area 30), a 74.3-acre area in the southwest portion of the Specific Plan. This area abuts the Lake Perris State Recreation Area (LPSRA) which is already in conservation. If suitable habitat is not present in Planning Area 30, owls may be relocated to the SJWA, the 250-foot buffer area or other suitable on-site or off-site areas. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor.</p>	City Planning Division	Onsite inspection once 30-days prior to construction/grading	Prior to issuance of any grading permits and during construction	<p>passive relocation plan shall be prepared by a qualified biologist and approved by the City.</p> <p>Written verification a relocation plan has been approved by the California Department of Fish and Wildlife</p>		Issuance of a Stop Work Order
<p><b>4.4.6.4E</b> Prior to the approval of any Plot Plans proposing the development of land including or adjacent to Drainage 9, a protocol survey for the Los Angeles Pocket Mouse (LAPM), including 100 feet upstream and downstream of the affected reach shall be prepared by a qualified biologist and submitted to the City. If the affected drainage is not occupied, the area is considered not to be occupied and development can continue without further action. If the species is</p>	City Planning Division	Once prior to plot plan approval for development of land including or adjacent to Drainage 9	Prior to plot plan approval	Submittal of a LAPM protocol survey report to the City.		Withhold Approval Plot Plans



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found within the specific survey area, no development shall occur until an appropriate mitigation fee is paid or appropriate amount of land set aside on the project site or off site to compensate for any loss of occupied Los Angeles Pocket Mouse habitat. Alternatively, individuals may be relocated to the 250-foot setback zone along the southern boundary of the property identified in Mitigation Measure 4.4.6.1A, or other appropriate areas as determined by the United States Fish and Wildlife Service. If necessary, this measure shall also be coordinated with Mitigation Measure 4.4.6.2B regarding preparation and processing of a Determination of a Biological Equivalent or Superior Preservation report. This measure shall be implemented to the satisfaction of the City Planning Division.						
<p><b>4.4.6.4F</b> Prior to approval of any discretionary permits for development within Planning Areas 10 and 12, a Biological Resource Management Plan (BRMP) shall be prepared to prescribe how the 250-foot setback area outlined in Mitigation Measure 4.4.6.1A will be developed and maintained This plan will identify frequent and infrequent vegetation management requirements (i.e., removal of invasive plants) and the planting and maintaining trees to provide roosting and nesting opportunities for raptors and other birds. The Biological Resource Management Plan will also describe how relocation of listed or sensitive species will occur from other locations as outlined in Mitigation Measures 4.4.6.2A, 4.4.6.4D, and 4.4.6.4E.</p> <p>The Biological Resource Management Plan shall be reviewed and approved by the Planning</p>	City Planning Official	Once before approval of any discretionary permits within Planning Areas 10 & 12 Onsite inspection	Prior to approval of any discretionary permits within Planning Areas 10 & 12	Review and approval of a BRMP		Withhold Discretionary Permit

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Official in consultation with the San Jacinto Wildlife Area Manager. The Biological Resource Management Plan shall cover all the land within the 250-foot setback zone within Planning Areas 10 and 12 Implementation of the plan shall be supervised by a qualified biologist, to the satisfaction of the City Planning Division.						
<p><b>4.4.6.4G</b>Mitigation Measure 4.4.6.1A specifies that a landscape plan shall be submitted with any development proposal for lots adjacent to the California Department of Fish and Wildlife (CDFW) San Jacinto Wildlife Area (SJWA) property prior to issuance of a precise grading permit. The landscape plan shall be prepared by a licensed landscape architect in consultation with a qualified biologist and shall be consistent with the design standards contained in the Specific Plan. No plant species listed in Section 6.1.4 or Table 6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) shall be installed within the setback area. In conjunction with development adjacent to the San Jacinto Wildlife Area (SJWA), cottonwood trees shall be planted within the 250-foot setback area, consistent with the World Logistics Center Specific Plan plant palette (per DBESP MM 8).</p> <p>During construction, the runoff leaving construction areas will be directed to onsite detention basins and away from downstream drainage features located offsite. All projects within the WLCSP will be required to prepare a Storm Water Pollution Prevention Plan (as outlined in MM 4.9.6.2B). Regarding the 250-foot setback area, pedestrian and vehicular access to areas of riparian/riverine habitat will be prohibited</p>	City Planning Division and Land Development Division Manager	Once before to issuance of a precise grading permit	Prior to issuance of a precise grading permit	Review and approval of landscape plan		Withhold Grading Permit

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except for controlled maintenance access. Finally, no grading shall be permitted within conserved riparian/riverine habitat areas except for grading necessary to established or enhance habitat areas (DBESP MM 6, 7, 9, and 10).						
<b>4.4.6.4H</b> As outlined in Mitigation Measure 4.4.6.1A, development adjacent to the 250-foot open space setback shall have a six-foot chain link fence or similar barrier to help separate human activity and the buffer area. Any chain link fencing installed on any properties adjacent to the 250-foot buffer area shall have metal mesh installed below and above ground level to prevent animals from accessing new development areas.	City Planning Division	Once before building permits	Prior to issuance of certificate of occupancy	Review and approval of fencing plan		Withhold Certificate of Occupancy
<b>4.4.6.4I</b> The individual property owner and/or Property Owners Association (POA) as appropriate shall be responsible for maintaining the various onsite landscaped areas, open improved or natural drainage channels, and detention or flood control basins in a manner that provide for fuel management and vector control pursuant to standards maintained by the City Fire Marshall and County Department of Environmental Health- Vector Control Group. This measure requires the individual owner or Property Owners Association (POA) to manage vegetation in and around these areas or improvements so as to not represent a fire hazard as defined by the City Fire Department through the substantial buildup of combustible materials. This measure also requires the individual owner or Property Owners Association to manage vegetation and standing water in drainage channels and basins such that they do not encourage or allow vectors to occur (primarily	City Fire Department Land Development Division and Stormwater Management Section of Public Works	As needed basis	Onsite Inspections during operations	Onsite Inspections		Issuance of Code Enforcement Citations

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rats and mosquitoes). Runoff shall not be allowed to stand in channels or basins for more than 72 hours without treatment or maintenance to prevent establishment of mosquitoes per published County vector control guidelines and "Best Management Practices for Mosquito Control on California State Properties" which is available from the California West Nile Virus website at <a href="http://www.westnile.ca.gov/resources">http://www.westnile.ca.gov/resources</a> . This measure shall be implemented by the Property Owners Association in consultation with the City Fire Department and Riverside County Department of Environmental Health – Vector Control Group.						
<p><b>4.4.6.4J</b> A Fuel Management Plan shall be prepared on a project-by-project basis for those Planning Areas adjacent to the south and east boundary of the World Logistics Center Specific Plan adjacent to Western Riverside County Multiple Species Habitat Conservation Plan Conservation Areas. The Fuel Management Plan shall be prepared by the project proponent and submitted for approval to the prior to plot plan approval for those projects on the southern and eastern Western Riverside County Multiple Species Habitat Conservation Plan boundary. Per the Western Riverside County Multiple Species Habitat Conservation Plan guidelines, the Fuel Management Plan shall include the following:</p> <ul style="list-style-type: none"> <li>• A plant palette of adequate plant species that may be planted within the Fuel Management Area, which will be approved by a biologist familiar with the plant requirements of the area.</li> <li>• A list of non-native invasive plants that are</li> </ul>	City Planning Division	Prior to Issuance of Building Permit	Prior to Issuance of Building Permit	Review and Approval of Building Permit and Onsite Inspection		Withhold Building Permit

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<p>prohibited from installation.</p> <ul style="list-style-type: none"> <li>Maintenance activities and a maintenance schedule.</li> </ul> <p>Fuel modification zones shall be mapped and include an impact assessment as required under California Environmental Quality Act guidelines for a project-level analysis. The plan shall demonstrate that the adjacent Western Riverside County Multiple Species Habitat Conservation Plan Areas are adequately protected from expected fire risks.</p>						
<p><b>4.4.6.4K</b> Prior to approval of any plot plans for development adjacent to the SJWA, the applicant shall demonstrate that direct light rays have been contained within the development area, per requirements of the MSHCP Section 6.0 which states, "Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting." This measure shall be implemented to the satisfaction of the City Planning Division.</p>	City Planning Division	Prior to Issuance of Building Permit	Prior to Issuance of Building Permit	Review and Approval of Building Permit and Onsite Inspection		Withhold Building Permit
<b>4.5 Cultural Resources</b>						
<p><b>4.5.6.1A</b> Prior to the approval of any grading permit for any of the "Light Logistics" parcels, the parcels shall be evaluated for significance by a qualified archaeologist. A Phase 1 Cultural Resources Assessment shall be conducted by the project archaeologist and an appropriate tribal representative(s) on each of the "Light Logistics" parcel to determine if significant archaeological or historical resources are present.</p> <p>A Phase 2 significance evaluation shall be</p>	Planning Division And Land Development Division/Public Works	Once Before Permitting	Prior to the approval of any grading or discretionary permit for any of the "Light Logistics"	Review and Approval of Phase I Cultural Resources Assessment		Withhold Grading or Discretionary Permits

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completed for any of these sites in order to determine if they contain significant archaeological or historical resources. Cultural resources include but are not limited to stone artifacts, bone, wood, shell, or features, including hearths, structural remains, or historic dumpsites. All resources determined to be prehistoric or historic shall be documented using DPR523 forms for archival research/storage in the Eastern Information Center (EIC). If the particular resource is determined to be not significant, no further documentation is required. If prehistoric resources are determined to be significant, they shall be considered for relocation or archival documentation. If any resource is determined to be significant, a Phase 3 recovery study shall be conducted to recover remaining significant cultural artifacts. If prehistoric archaeological/cultural resources are discovered during the Phase 1 survey and it is determined that they cannot be avoided through site design, they shall be subject to a Phase 2 testing program. The project archaeologist in consultation with appropriate tribal group(s) shall determine the significance of the resource(s) and determine the most appropriate disposition of the resource(s) in accordance with applicable laws, regulations and professional practices (per Cultural Report MM CR-1, MM CR-2, MM CR-7 Table 3, pg.74).						
<b>4.5.6.1B</b> Prior to the issuance of any grading or ground-disturbing permit for construction of off-site improvements a qualified archaeologist shall be retained to prepare a Phase I cultural resource assessment (CRA) of the project site if an up to date Phase I cultural resource assessment is not available for the site at the	City Planning Division	Once before issuance of grading permits for off-site improvements and As	Prior to the approval of any grading or ground-disturbing permit	Review and Approval of Phase I Cultural Resources Assessment		Withhold Grading Permit or Issuance of Stop Work Order

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<p>time of development per Cultural Report MM CR-5, Table 3, pg.74).</p> <p>Appropriate tribal representatives as identified by the City shall be invited by the Project Archeologist to participate in this assessment. If archaeological resources are discovered during construction activities, no further excavation or disturbance of the area where the resources were found shall occur until a qualified archaeologist evaluates the find. If the find is determined to be a unique archaeological resource, appropriate action shall be taken to (a) plan construction to avoid the archeological sites (the preferred alternative); (b) cap or cover archeological sites with a layer of soil before building on the affected project location; or (c) excavate the site to adequately recover the scientifically consequential information from and about the resource. At the discretion of the project archaeologist, work may continue on other parts of the project site while the unique archaeological resource mitigation takes place. This measure shall be implemented to the satisfaction of the Planning Official.</p> <p>If the project archaeologist, in consultation with the monitoring Tribe(s), determines that the find is a unique archaeological resource, the resource site shall be evaluated and recorded in accordance with requirements of the State Office of Historic Preservation (OHP). If the resource is determined to be significant, data shall be collected by the qualified archaeologist and the findings of the report shall be submitted to the City. If the find is determined to be not significant no mitigation is necessary.</p>		Needed During Construction				



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<p>Should a future project-level analysis show that cultural resource site CA-RIV-3346 will be directly or partially impacted by project-level construction, an Addendum cultural resource report must be prepared and include an analysis of the alternatives associated with mitigation for impacts to this resource following CEQA Guidelines Section 15126.4(b)(3). This information must be included in any project-level CEQA compliance documentation. It should be noted that Phase 3 data recovery is an acceptable mitigation action under CEQA Guidelines Section 15126.4(b)(3)(C) (per Cultural Report MM CR-3, Table 3, pg.74).</p> <p>Should it be determined through a future project-level EIR analysis that prehistoric cultural resource sites CA-RIV-2993 and/or CA-RIV-3347 shall be directly impacted by future construction, these sites must be Phase 2 tested for significance (per Cultural Report MM CR-4, Table 3, pg.74).</p>						
<p><b>4.5.6.1C</b> Prior to the issuance of any grading permits a qualified archaeologist shall be retained to monitor all grading and shall invite tribal groups to participate in the monitoring. Project-related archaeological monitoring shall include the following requirements per Cultural Report MM CR-6, MM CR-8, Table 3, pg.74):</p> <p>1. All earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative. Once all areas of the development project that have been cut to 10 feet below existing grade have been inspected by</p>	The City Planning Division	Once before issuance of grading permits and As Needed During Construction	Prior to any issuance of grading permits	Provide evidence to the City that a qualified archaeological monitor has been retained to oversee all ground altering activities		Withhold Grading Permit

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<p>the monitor, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected;</p> <p>2. If buried cultural resources are detected, monitoring shall continue until 100 percent of virgin earth within the specific project area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.</p> <p>3. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. A buffer of at a minimum 25 feet around the cultural item shall be established to allow for assessment of the resource. Grading may continue in other areas of the site while the particular find are investigated; and</p> <p>4. If prehistoric cultural resources are uncovered during grading, they shall be Phase 2 tested by the Project Archaeologist, and evaluated for significance in accordance with §15064.5(f) of the CEQA Guidelines. Appropriate actions for significant resources as determined by the Phase 2 testing include but are not limited to avoidance or capping, incorporation of the site in green space, parks, or delineation into open space. If such measures are not feasible, Phase 3 data recovery of the significant resource will be required, and curation of recovered artifacts and/or reburial, shall be required. A report associated with Phase 2 testing or Phase 3 data recovery must be delivered to the City and, if</p>						

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necessary, the museum where any recovered artifacts have been curated.  5. No further grading shall occur in the area of the discovery until the City approves specific actions to protect identified resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.  6. The developer shall make reasonable efforts to avoid, minimize, or mitigate significant adverse impacts on cultural resources. The State Historic Preservation Office (SHPO) and local Native American tribes will be consulted and the Advisory Council on Historic Preservation will be notified within 48 hours of the find in compliance with 36 CFR 800.13(b)(3). This measure shall be implemented to the satisfaction of the Planning Official.						
<b>4.5.6.1D</b> Prior to the issuance of any grading permit the project archaeologist shall invite interested Tribal Group(s) representatives to monitor grading activities. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor grading as long as they provide 48-hour notice to the developer of their desire to monitor, so the developer can make appropriate safety arrangements on the site. This measure shall be implemented to the satisfaction of the Planning Official.	City Planning Division	Once before issuance of grading permits and As Needed During Construction	Prior to the issuance of any grading permit within 3,750 feet of the southwest corner	Evidence of invitation to Tribal Group Representatives		Withhold Grading Permit
<b>4.5.6.1E</b> It is possible that ground-disturbing activities during construction may uncover	Grading Contractor, Land Development	As Needed During	During grading and/or ground	Verification to the City a qualified		Issuance a Stop Work

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<p>previously unknown, buried cultural resources (archaeological or historical). In the event that buried cultural resources are discovered during grading and no Project Archaeologist or Historian is present, grading operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be retained to determine the most appropriate course of action regarding the resource. The Archeologist shall make recommendations to the City on the actions that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the <i>CEQA Guidelines</i>. Cultural resources could consist of, but are not limited to, stone artifacts, bone, wood, shell, or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of CEQA criteria. If the resources are determined to be unique historic resources as defined under §15064.5 of the <i>CEQA Guidelines</i>, appropriate protective actions for significant resources such as avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds shall be implemented by the project archaeologist and the City.</p> <p>No further grading shall occur in the area of the discovery until the City and project archaeologist approve the measures to address these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a</p>	Division/Public Works, and Planning Division	Construction	disturbing activities	archaeologist been retained		Order

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qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.						
<b>4.5.6.2A</b> If any historic resources are found during implementation of Mitigation Measure 4.5.6.1A, the Project Archaeologist or Historian (as appropriate) shall offer any artifacts or resources to the Moreno Valley Historical Society (MVHS) or the Eastern Information Center/County Museum or the Western Science Center in Hemet as appropriate for archival storage. From the time any artifacts are turned over to the Moreno Valley Historical Society or other appropriate historical group, the developer shall have no further responsibility for their management or maintenance.	City Planning Division	As Needed During Construction	During grading	A qualified archaeologist or historian(s) shall be retained by the applicant. A report of findings shall be submitted to the City after the finalization of construction		Issuance of a Stop Work Order
<b>4.5.6.2B</b> As part of construction of the trail segment connecting Redlands Boulevard to the California Department of Fish and Wildlife property, the developer shall contribute \$5,000 to the City for the installation of a historical marker acknowledging the passing of Juan Bautista de Anza through this area during his exploration of California. This measure shall be incorporated into trail plans for this segment which will be subject to review and approval by the City Park and Recreation Department in consultation with the Moreno Valley Historical Society.	City Park and Recreation Department	Once	Prior to approval of trail plans	Review and Approval of Trail Plans Written verification the \$5,000 has been paid		Withhold Approval of Trail Plans
<b>4.5.6.2C</b> Streets C and E shall follow the historical alignment of Alessandro Boulevard and shall be named Alessandro Boulevard.	City Land Development/Public Works City Park and Recreation Department	Once prior to issuance of Plot Plan	Prior to issuance of approval of plot plans for Planning Areas along	Review and Approval of Plot Plans		Withhold Plot Plan approval

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			Alessandro Boulevard.			
<p><b>4.5.6.3A</b> Prior to the issuance of any grading permits, a City-approved Paleontologist shall be retained to conduct paleontological monitoring as needed for all grading related to development. Development monitoring shall include the following actions:</p> <ol style="list-style-type: none"> <li>Monitoring must occur in areas where excavations are expected to exceed twenty (20) feet in depth, in areas where fossil-bearing formations are found during grading, and in all areas found to contain, or are suspected of containing, fossil-bearing formations.</li> <li>To avoid construction delays, paleontological monitors shall be equipped to salvage fossils and remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates if they are unearthed.</li> <li>Monitors shall be empowered to temporarily halt or divert equipment to allow removal of specimens.</li> <li>Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by the Project Paleontologist to have low potential to contain fossil resources. This measure shall be implemented to the satisfaction of the Planning Official. The Project Paleontologist and the Project Archaeologist described in Mitigation Measure 4.5.6.1C may be the same person if he/she meets the qualifications of both positions</li> </ol>	City Planning Division	Once before issuance of grading permits and As Needed During Construction	Prior to issuance of any grading permits for development within the WLCSP	A qualified paleontologist(s) shall be retained by the applicant to monitor full time during the duration of ground disturbing activities. A report of findings shall be submitted to the City after the finalization of construction		Withhold Grading Permit Or Issuance of a Stop Work Order

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per Cultural Report MM PR-1, Table 4, pg.76).						
<p><b>4.5.6.3B</b> Prior to the issuance of any permits for the construction of off-site improvements, a qualified paleontologist shall conduct an assessment for paleontological resources on each off-site improvement location. If any site is determined to have a potential for exposing paleontological resources, the project paleontologist shall monitor off-site grading/excavation, subject to coordination with the City. Development monitoring shall include the following mitigation measures:</p> <p>1. Monitoring must occur in areas where excavations are expected to reach fossil-bearing formations during grading. This monitoring must be conducted by the Project Paleontologist in all areas found to or suspected of containing fossil-bearing formations.</p> <p>2. To avoid construction delays, the Project Paleontologist shall be equipped to salvage fossils and remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates as they are unearthed.</p> <p>3. The Project Paleontologist shall be empowered to temporarily halt or divert equipment to allow removal of specimens.</p> <p>4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by the Project Paleontologist to have low potential to contain fossil resources.</p>	City Planning Division	Once before issuance of grading permits and As Needed During Construction	Prior to issuance of grading permits for construction of any off-site improvements	A qualified paleontologist(s) shall be retained by the applicant to monitor full time during the duration of ground disturbing activities. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit Or Issuance of a Stop Work Order



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<b>4.6 Geology and Soils</b>						
<p><b>4.6.6.1A</b> Prior to approval of any projects for development between Redlands Boulevard and Theodore Street, south of Dracaea Avenue (projected east from Redlands Boulevard), and the area south of Alessandro from the western boundary along the Mount Russell toe of slope easterly into the site 1,500 feet, the City shall determine if a detailed fault study of the Casa Loma Fault Zone area is required based on available evidence. If necessary, any additional geotechnical investigations shall be prepared by a qualified geologist and determine if structural setbacks are needed, and shall identify specific remedial earthwork and/or foundation recommendations. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance</p>	<p>City Engineer and Project Geologist and Land Development/ Public Works</p>	<p>Once before project approvals</p>	<p>Prior to approval of any projects for future development between Redlands Boulevard and Theodore Street, south of Dracaea Avenue (projected east from Redlands Boulevard), and the area south of Alessandro from the western boundary along the Mount Russell toe of slope easterly into the site 1,500 feet.</p>	<p>Review and approval of geotechnical fault study.</p>		<p>Withhold Approval of Projects</p>

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with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur. Structures intended for human occupancy shall not be located within any structural setback zone as determined by those studies. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.						
<b>4.6.6.1B</b> Prior to approval of any projects for development within or adjacent to the San Jacinto Alquist-Priolo Earthquake Fault Zone, the City shall review and approve a geotechnical fault study prepared by a qualified geologist to confirm the alignment and size of any required building setbacks related to the fault zone. If necessary, this study shall identify a "special foundation or grading remediation zone" for the areas supporting structures intended for human occupancy where coseismic deformation (fractures) is observed. This zone shall be determined after subsurface evaluation based on proposed building locations. Specific remedial earthwork and foundation recommendations shall be evaluated as necessary based on proposed building locations. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that	City Engineer and Project Geologist Land Development/Public Works	Once before approval of any development permits and Prior to Plot Plan Approval	Prior to approval of any projects for future development within or adjacent to the San Jacinto Alquist-Priolo Earthquake Fault Zone.	Review and approval of geotechnical fault study.		Withhold Approval of Projects

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<p>all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.</p> <p>This study may involve trenching to adequately identify the location of the Claremont segment of the San Jacinto Fault Zone that crosses the eastern portion of the World Logistics Center Specific Plan property. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.</p>						
<p><b>4.6.6.1C</b> Prior to the approval of grading permits, or permits for construction of off-site improvements, the City shall review and approve plans confirming that the project has been designed to withstand anticipated ground shaking and other geotechnical and soil constraints (e.g., settlement). The project proponent shall submit plans to the City as appropriate for review and approval prior to issuance of grading permits or issuance of permits for the construction of any offsite improvements. This measure shall be</p>	City Engineer and Land Development/ Public Works	Once before issuance of grading permits	Prior to the approval of project grading permits, or permits for construction of off-site improvements	Review and approve grading and construction plans		Withhold Issuance of Grading Permits

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implemented to the satisfaction of the City Engineer.						
<p><b>4.6.6.2A</b> Prior to issuance of building permits for any portion of the project site, a site-specific, design level geotechnical investigation for each parcel shall be submitted to the City, which would comply with all applicable state and local code requirements, and includes an analysis of the expected ground motions at the site from known active faults using accepted methodologies. The report shall determine structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults. The report shall also determine the final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and</p>	City Engineer and Land Development/Public Works	Once before issuance of any building permits	Prior to issuance of any building permits	Review and approval of a site-specific, design level geotechnical investigation for each parcel		Withhold Building Permits

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all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.						
<p><b>4.6.6.3A</b> Each Plot Plan application for development shall include a site-specific, design level geotechnical investigation for each parcel, in compliance with all applicable state and local code requirements, and including an analysis of the expected soil hazards at the site. The report shall determine:</p> <p>1. Structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults.</p> <p>2. The final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.</p> <p>Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable</p>	City Engineer and Land Development/Public Works	Once before plot plan approval	Prior to the approval of a Plot Plan for any development project or associated off-site improvements	Submittal and Approval of Geotechnical Report		Withhold Approval of Plot Plan

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<p>mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. These investigations shall identify any site-specific impacts from compressible and expansive soils based on the actual location of individual pads proposed in the future, so that differential movement can be further verified or evaluated in view of the actual foundation plan and imposed fill or structural loads. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.</p> <p>Compliance with this measure will ensure that future buildings are designed to protect the structure and occupants from on-site soil limitations, consistent with State Building Code requirements. This measure shall be implemented to the satisfaction of the City Engineer.</p>						
<p><b>4.6.6.3B</b> Any cut slopes in excess of five (5) feet in vertical height shall be constructed as "replacement fill slopes" per the project</p>	City Land Development Division and City	Once before issuance of any grading	Prior to issuance of any grading	Review and approval of grading plans		Withhold Grading Permit

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geotechnical report, due to the variable nature of the onsite alluvial soils. This measure shall be implemented to the satisfaction of the City Land Development Division and the City Engineer in consultation with the Project Geologist.	Engineer	permit	permit for development within the Specific Plan			
<b>4.6.6.3C</b> During all grading activities, a geotechnical engineer shall monitor site preparation, removal of unsuitable soils, mapping of all earthwork excavations, approval of imported earth materials, fill placement, foundation installation, and other geotechnical operations. Laboratory testing of subsurface materials to confirm compacted dry density and moisture content, consolidation potential, corrosion potential, expansion potential, and resistance value (R-value) shall be performed prior to and during grading as appropriate. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.	City Engineer and Land Development/Public Works	Once before permitting	Prior to issuance of any discretionary permit for development within the Specific Plan	Review of additional geotechnical and soils site investigations		Withhold Discretionary Permit
<b>4.7 Greenhouse Gases and Global Climate Change</b>						
<b>4.7.6.1A</b> The project shall implement the following requirements to reduce solid waste and greenhouse gas emissions from construction and operation of project development:  a) Prior to January 1, 2020, divert a minimum of 50 percent of landfill waste generated by operation of the project. After January 1, 2020, development shall divert a minimum of 75 percent of landfill waste. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.	Recycling Coordinator/Public Works and City Planning Division	Once each calendar year after project approval	January 1 of each year following project approval	Provide verification sheet to the Planning division. Property Owners Association or the property owner shall certify the percentage of landfill waste		Withholding Future Discretionary Approvals



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<p>b) Prior to January 1, 2020, recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. After January 1, 2020, recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.</p> <p>Develop and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Calculations can be done by weight or volume, but must be consistent throughout.</p>	City Planning Division	Once each calendar year after project approval	January 1 of each year following project approval	<p>diverted on an annual basis.</p> <p>Certification has been submitted to the City.</p> <p>Property Owners Association or the property owner shall certify the percentage of landfill waste diverted on an annual basis.</p>		Implement Land Use and Enforcement Procedures
<p>c) The applicant shall submit a Recyclables Collection and Loading Area Plan for construction related materials prior to issuance of a building permit with the Building Division and for operational aspects of the project prior to the issuance of the occupancy permit to the Public Works Department. The plan shall conform to the Riverside County Waste Management Department's Design Guidelines for Recyclable Collection and Loading Areas.</p>	City Building and Safety Division	Once before issuance of building permits	Prior to issuance of building permits	Review and approval of a Recyclables Collection and Loading Area plan		Withhold Building Permit
<p>d) Prior to issuance of certificate of occupancy, the recyclables collection and loading area shall</p>	City Planning Division	Once before issuance of	Prior to issuance of	Review and Approval of		Withhold Certificate of

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be constructed in compliance with the Recyclables Collection and Loading Area plan.		occupancy permit	occupancy permit	building plans		Occupancy
e) Prior to issuance of certificate of occupancy, documentation shall be provided to the City confirming that recycling is available for each building.	City Planning Division	Once before issuance of occupancy permit	Prior to issuance of occupancy permit	Compliance with Recyclables Collection and Loading Area plan		Withhold Certificate of Occupancy
f) Within six months after occupancy of a building, the City shall confirm that all tenants have recycling procedures set in place to recycle all items that are recyclable, including but not limited to paper, cardboard, glass, plastics, and metals.	City Planning Division	Within six months of building occupancy	Within six months after occupancy of building	Review and approval of a Recyclables Collection and Loading Area plan.		Withhold Certificate of Occupancy
g) The property owner shall advise all tenants of the availability of community recycling and composting services.	City Planning Division	Once before issuance of a Certificate of Occupancy	Prior to issuance of a Certificate of Occupancy	Written verification will be submitted to the City that the property owner advised all tenants of the availability of community recycling and composting services.		Withhold the Certificate of Occupancy
h) Existing onsite street material shall be recycled for new project streets to the extent feasible.	City Engineer Land Development/ Public Works	Once before issuance of grading permits	Prior to issuance of grading permits	Review and approval of construction documents including street plans		Withhold Grading Permits

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<b>4.8 Hazards and Hazardous Materials</b>						
<b>4.8.6.1A</b> Prior to demolition of any existing structures on the project site, a qualified contractor shall be retained to determine if asbestos-containing materials (ACMs) and/or lead-based paint (LBP) are present. If asbestos-containing materials and/or lead-based paint are present, prior to commencement of demolition, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. In addition, onsite soils shall be tested for contamination by agricultural chemicals. If present, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any asbestos-containing materials, lead-based paint, or agricultural chemical residue in conformance with all applicable regulations.	City Building Division	Once Before Permitting and as Needed During Construction	Prior to demolition of any existing rural residences or associated structures	Evidence of qualified contractor provided		Holding and Not Approving Demolition Permits
<b>4.8.6.1B</b> Prior to the issuance of any discretionary permits associated with the proposed fueling facility ("logistic support" site in the LD zone), a risk assessment or safety study that identifies the potential public health and safety risks from accidents at the facility (e.g., fire, tank rupture, boiling liquid, or expanding vapor explosion) shall be submitted to the City for review and approval. This study shall be prepared to industry standards and demonstrate that the facility will not create any significant public health or safety impacts or risks, to the satisfaction of the City Building and Safety Division and the Fire Prevention Bureau.	Fire Prevention Bureau and Building and Safety Division	Once Before Permitting	Prior to issuance of any discretionary permits associated with natural gas fueling facility	Review and Approval of Risk Assessment or Safety Study		Withhold Discretionary Permit
<b>4.8.6.1C</b> Prior to grading, for any discretionary	Building Official and	Once before	Prior to	Review and		Withhold

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permits for development in Planning Areas 9-12 adjacent to the natural gas compressor plant, the applicant shall prepare a risk assessment report analyzing safety conditions relative to the existing compressor plant and planned development. The report must be based on appropriate industry standards and identify the potential hazards from the compressor plant (e.g., fire, explosion) and determine that the distance from the plant to the closest planned buildings in Planning Areas 9-12 is sufficient to protect the safety of workers from accidents that could occur (see Final EIR Volume 2 Figure 4.1.6B) at the compressor plant. This measure shall be implemented to the satisfaction of the City Building and Safety Division and the Fire Prevention Bureau.	Fire Marshal	issuance of discretionary permits for development within Planning Areas 9-12	issuance of discretionary permits for development within Planning Areas 9-12	approval of a risk assessment		Discretionary Permit
<b>4.8.6.1D</b> Prior to the issuance of any grading permit, the developer shall inform the City of any existing solid waste materials within the development area. In conjunction with grading activities, all solid waste matter within the development area shall be removed by a licensed contractor and disposed of in an approved landfill. A record of the removal and disposal of any waste materials, in compliance with applicable laws and regulations, shall be submitted to the City prior to the issuance of any building permits.	Recycling Coordinator/Public Works	Once before issuance of grading permits	Prior to issuance of grading permits	Applicant will inform the City in writing of any existing solid waste materials within the development area		Withhold Grading Permit
<b>4.9 Hydrology and Water Quality</b>						
<b>4.9.6.1A</b> Prior to issuance of any building permit within the Specific Plan area, the developer shall construct storm drain pipes and conveyances, as well as, combined detention and infiltration basin(s), bioretention areas, and spreading area(s) within each proposed watershed, as outlined in the project hydrology plan, to mitigate	Land Development/Public Works	Prior to Occupancy	Prior to issuance of any development permit	Review and approval of construction documents  Field Inspection		Withhold Building Permit

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<p>the impacts of increased peak flow rate, velocity, flow volume and reduce the time of concentration by storing and infiltrating increased runoff for a limited period of time and release the outflow at a rate that does not exceed the pre-development peak flows and velocities for the 2, 5, 10, 25, and 100-year storms and volumes as assessed in the water balance model for historical conditions. For the purpose of this mitigation measure, the term “construct” shall mean to substantially complete construction so as to function for its intended purpose during construction with complete construction prior to occupancy. Field investigations will be conducted to determine the infiltration rate of soils underlying the proposed locations of bioretention areas and detention basins. The infiltration rate of the underlying soils will be used to properly size the bioretention areas and detention basins/infiltration basins to ensure that adequate volumes of runoff, in cumulative total for all bioretention areas and detention basins are captured and infiltrated. The water balance model will be updated and rerun for the site-specific conditions encountered to confirm the water balance. This measure shall be implemented to the satisfaction of the City Engineer. Energy dissipaters shall be used as the spillways of basins to reduce the runoff velocity and dissipate the flow energy. Drainage weir structures shall be constructed at the downstream end of the watersheds flowing to the San Jacinto Wildlife Area to control the runoff and spread the flow such that the flows exiting the project boundary will return to the sheet flow pattern similar to the existing condition. Detention basins and spreading areas shall be designed to account for the amount of the sediment</p>						



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scraping the bottom of the detention basin, seed or sod to restore groundcover, aerate bottom and dethatch basin bottom (CASQA 2003).						
<b>4.9.6.2A</b> Prior to issuance of any grading permit for development in the World Logistics Center Specific Plan, the project developer shall file a Notice of Intent (NOI) with the Santa Ana Regional Water Quality Control Board to be covered under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities. The project developer shall submit to the City the Waste Discharge Identification Number issued by the State Water Quality Control Board (SWQCB) as proof that the project's Notice of Intent is to be covered by the General Construction Permit has been filed with the State Water Quality Control Board. This measure shall be implemented to the satisfaction of the City Engineer.	City Engineer, Land Development/ Public Works, and Stormwater Management	Once before issuance of any grading permit	Prior to issuance of any grading permit	Proof of NOI submittal		Withhold Grading Permit
<b>4.9.6.2B</b> Prior to issuance of any grading permit for development in the World Logistics Center Specific Plan, the project developer shall submit to the State Water Quality Control Board (SWQCB) a project-specific Storm Water Pollution Prevention Plan (SWPPP). The Storm Water Pollution Prevention Plan shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the Storm Water Pollution Prevention Plan shall emphasize structural and nonstructural best management practices (BMPs) to control sediment and non-visible discharges from the site. Best Management Practices to be implemented may	City of Moreno Valley and the Regional Water Quality Control Board and Land Development/ Public Works	Once before issuance of any grading permit	Prior to issuance of any grading permit	Written verification of filing a SWPPP by the RWQCB		Withhold Grading Permit



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<p>include (but shall not be limited to) the following:</p> <ul style="list-style-type: none"> <li>• Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the Best Management Practices are to be periodically inspected by the Regional Water Quality Control Board during construction, and repairs would be made as required.</li> <li>• Materials that have the potential to contribute non-visible pollutants to storm water must not be placed in drainage ways and must be placed in temporary storage containment areas.</li> <li>• All loose soil, silt, clay, sand, debris, and other earthen material shall be controlled to eliminate discharge from the site. Temporary soil stabilization measures to be considered include: covering disturbed areas with mulch, temporary seeding, soil stabilizing binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.</li> <li>• The Storm Water Pollution Prevention Plan shall include inspection forms for routine monitoring of the site during the construction phase.</li> <li>• Additional required Best Management Practices and erosion control measures shall be documented in the Storm Water Pollution Prevention Plan.</li> </ul>						

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<ul style="list-style-type: none"> <li>The Storm Water Pollution Prevention Plan would be kept on site for the duration of project construction and shall be available to the local Regional Water Quality Control Board for inspection at any time.</li> </ul> <p>The developer and/or construction contractor for each development area shall be responsible for performing and documenting the application of Best Management Practices identified in the project-specific Storm Water Pollution Prevention Plan. Regular inspections shall be performed on sediment control measures called for in the Storm Water Pollution Prevention Plan. Monthly reports shall be maintained and available for City inspection. An inspection log shall be maintained for the project and shall be available at the site for review by the City of Moreno Valley and the Regional Water Quality Control Board.</p>						
<p><b>4.9.6.3A</b> Prior to discretionary permit approval for individual plot plans, a site-specific Water Quality Management Plan (WQMP) shall be submitted to the City Land Development Division for review and approval. The Water Quality Management Plan shall specifically identify site design, source control, and treatment control Best Management Practices that shall be used on site to control pollutant runoff and to reduce impacts to water quality to the maximum extent practicable. The Water Quality Management Plan shall be consistent with the Water Quality Management Plan approved for the overall World Logistics Center Specific Plan project. At a minimum, the site developer shall implement the following site design, source control, and treatment control Best Management Practices as</p>	City Land Development Division	Once before issuance of any grading or building permits	Prior to issuance of discretionary permit approval for individual plot plans	Review and Approval of WQMP		Withhold Grading or Building Permit

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<p>appropriate:</p> <p><b>Site Design Best Management Practices</b></p> <ul style="list-style-type: none"> <li>• Minimize urban runoff.</li> <li>• Maximize the permeable area.\</li> <li>• Incorporate landscaped buffer areas between sidewalks and streets.</li> <li>• Maximize canopy interception and water conservation by planting native or drought-tolerant trees and large shrubs.</li> <li>• Use natural drainage systems.</li> <li>• Where soil conditions are suitable, use perforated pipe or gravel filtration pits for low flow infiltration.</li> <li>• Construct on-site ponding areas or retention facilities to increase opportunities for infiltration consistent with vector control objectives.</li> <li>• Minimize impervious footprint.</li> <li>• Construct streets, sidewalks and parking lot aisles to the minimum widths necessary, provided that public safety and a walkable environment for pedestrians are not compromised.</li> <li>• Reduce widths of street where off-street parking is available.</li> </ul>						

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<ul style="list-style-type: none"> <li>Minimize the use of impervious surfaces such as decorative concrete, in the landscape design.</li> <li>Conserve natural areas.</li> <li>Minimize Directly Connected Impervious Areas (DCIAs).</li> <li>Runoff from impervious areas will sheet flow or be directed to treatment control Best Management Practices.</li> <li>Streets, sidewalks, and parking lots will sheet flow to landscaping/bioretenion areas that are planted with native or drought tolerant trees and large shrubs.</li> </ul> <p><b>Source Control Best Management Practices</b> Source control Best Management Practices are implemented to eliminate the presence of pollutants through prevention. Such measures can be both non-structural and structural:</p> <p><u>Non-structural source control Best Management Practices include:</u></p> <ul style="list-style-type: none"> <li>(a) Education for property owners, operator, tenants, occupants, or employees;</li> <li>(b) Activity restrictions;</li> <li>(c) Irrigation system and landscape maintenance;</li> <li>(d) Common area litter control;</li> </ul>						

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<p>(e) Street sweeping private streets and parking lots; and</p> <p>(f) Drainage facility inspection and maintenance.</p> <p><u>Structural source control Best Management Practices include:</u></p> <p>(g) MS4 stenciling and signage;</p> <p>(h) Landscape and irrigation system design;</p> <p>(i) Protect slopes and channels; and</p> <p>(j) Properly design fueling areas, trash storage areas, loading docks, and outdoor material storage areas.</p> <p><b>Treatment Control Best Management Practices</b></p> <p>Treatment control Best Management Practices supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. The treatment control Best Management Practice strategy for the project is to select Low Impact Development (LID) Best Management Practices that promote infiltration and evapotranspiration, including the construction of infiltration basins, bioretention facilities, and extended detention basins. Where infiltration Best Management Practices are not appropriate, bioretention and/or biotreatment Best Management Practices (including extended detention basins, bioswales, and constructed wetlands) that provide opportunity for evapotranspiration and incidental infiltration may be utilized. Harvest and Reuse Best Management Practice will be used to store</p>						

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runoff for later non-potable uses.  Site-specific Water Quality Management Plans have not been prepared at this time as no site-specific development project has been submitted to the City for approval. When specific projects within the project are developed, Best Management Practices will be implemented consistent with the goals contained in the Master Water Quality Management Plan. All development within the project will be required to incorporate on-site water quality features to meet or exceed the approved Master Water Quality Management Plan's water quality requirements identified previously.						
<b>4.9.6.3B</b> The Property Owners Association (POA) and all property owners shall be responsible to maintain all onsite water quality basins according to requirements in the guidance Water Quality Management Plan and/or subsequent site-specific Water Quality Management Plans, and established guidelines of the Regional Water Quality Control Board. Failure to properly maintain such basins shall be grounds for suspension or revocation of discretionary operating permits, and/or referral to the Regional Water Quality Control Board for review and possible action. This measure shall be implemented to the satisfaction of the City Land Development Division, in consultation with the City Engineer, and Regional Water Quality Control Board.	City Land Development Division	As Needed	Ongoing	Onsite inspections		Revocation of Discretionary or Operating Permits
<b>4.9.6.3C</b> Prior to issuance of future discretionary permits for any development along the southern boundary of the World Logistics Center Specific Plan (WLCSP), the project developer of such	Land Development Division	Annually	Prior to issuance of discretionary permits for any	Evidence of Annual Water Quality Monitoring Plan fund		Withhold Discretionary Permit

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<p>sites, in cooperation with the Property Owners Association (POA), shall establish and annually fund a Water Quality Mitigation Monitoring Plan (WQMMP) to confirm that project runoff will not have deleterious effects on the adjacent San Jacinto Wildlife Area (SJWA). This program shall include at least quarterly sampling along the southern boundary of the site (i.e., at the identified outlet structures of the project detention basins) during wet season flows and/or when water is present, as well as sampling of any dry-season flows that are observed entering the San Jacinto Wildlife Area property from the project property, including Drainage 9, which is planned to convey only clean off-site flows from north of the World Logistics Center Specific Plan site across Gilman Springs Road. The program shall also include at least twice yearly sampling after completion of construction, and a pre-construction survey must be completed to determine general water quality baseline conditions prior to and during development of the southern portion of the World Logistics Center Specific Plan. This sampling shall be consistent with and/or comply with the requirements of applicable Storm Water Pollution Prevention Plans (SWPPPs) for the development site.</p> <p>The project developer of sites along the southern border of the World Logistics Center Specific Plan shall be responsible for preventing or eliminating any toxic pollutant (not including sediment) found to exceed applicable established public health standards. In addition, the discharge from the project shall not cause or contribute to an exceedance of Receiving Water Quality Objectives for the potential pollutants</p>			development along the southern boundary of the WLCSP			



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associated with the project as identified in Table 4.9.J. Once development is complete, the developer shall retain qualified personnel to conduct regular (i.e., at least quarterly) water sampling/testing of any basins and their outfalls to ensure the San Jacinto Wildlife Area will not be affected by water pollution from the project site. This measure shall be implemented to the satisfaction of the City Land Development Division Manager based on consultation with the project developer, Eastern Municipal Water District, the Regional Water Quality Control Board-Santa Ana Region, and the Mystic Lake Manager.						
<b>4.12 Noise</b>						
<b>4.12.6.1A</b> Prior to issuance of any discretionary project approvals, a Noise Reduction Compliance Plan (NRCP) shall be submitted to and approved by the City. The Noise Reduction Compliance Plan shall show the limits of nighttime construction in relation to any then-occupied residential dwellings and shall be in conformance with City standards. Conditions shall be added to any discretionary projects requiring that the limits of nighttime grading be shown on the Noise Reduction Compliance Plan and all grading plans submitted to the City (per Noise Study MM N-2, pg. 51).	City Planning Division	Once Before Permitting	Prior to issuance of any building or grading permits	Review and Approval of a Noise Reduction Compliance Plan		Withhold Building and Grading Permit
<b>4.12.6.1B</b> All construction equipment, fixed or mobile, shall be equipped with operating and maintained mufflers consistent with manufacturers' standards.	City Planning Division	As Needed During Grading	During site grading and construction	Review of Construction Documents and On-site Inspection		Issuance of a Stop Work Order
<b>4.12.6.1C</b> Construction vehicles shall be prohibited from using Redlands Boulevard south of Eucalyptus Avenue to access on-site construction for all phases of development of the	City Planning Division Transportations	Once before issuance of grading permits or	Prior to any issuance of grading permits or	Review and Approval of Construction Documents		Withhold Grading Permits or approval of

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Specific Plan (per Noise Study MM N-1, pg. 51).	Division/Public Works	approval of roadway and utility improvement plans	approval of roadway and utility improvement plans			roadway and utility improvement plans
<b>4.12.6.1D</b> No grading shall occur within 2,800 feet of residences south of State Route-60 between 8 p.m. and 6 a.m. on weekdays and between 8 p.m. and 7 a.m. on weekends. These restrictions shall be included as part of the Noise Reduction Compliance Plan per Mitigation Measure 4.12.6.1A (per Noise Study MM N-2, pg. 51)	City Planning Division and Land Development/Public Works	Once Before Permitting and On-going during grading	Prior to any discretionary approvals for development in the WLCSP	Review and Approval of Noise Reduction Compliance Plan		Issuance of a Stop Work Order
<b>4.12.6.1E</b> As an alternative to Mitigation Measure 4.12.6.1D, a 12-foot tall temporary construction sound barrier may be installed for residences within 1,580 feet of active nighttime construction areas. The temporary sound barrier shall be constructed of plywood with a total thickness of 15 inches, or a sound blanket wall may be used. If sound blankets are used, they must have a Sound Transmission Class (STC) rating of 27 or greater. This shall be included as part of the Noise Reduction Compliance Plan required in Mitigation Measure 4.12.6.1A, which shall be reviewed and approved by the City prior to implementation (per Noise Study MM N-2 and N-3, pg. 51 and pg. 52).	City Planning Division	Once Before Permitting	Prior to grading	Review and Approval of Noise Reduction Compliance Plan		Withhold Grading and Building Permits
<b>4.12.6.1F</b> As an alternative to Mitigation Measure 4.12.6.1D and 4.12.6.1E, on-site noise measurements of construction areas may be taken by qualified personnel and specific buffer distances between construction activities and existing residences may be proposed based on actual noise levels. These measurements will be incorporated into the Noise Reduction	City Planning Division	Once Before Permitting	Prior to grading	Review and Approval of Noise Reduction Compliance Plan		Withhold Grading and Building Permits

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Compliance Plan required in Mitigation Measure 4.12.6.1A, which shall be reviewed and approved by the City prior to implementation (per Noise Study MM N-2, pg. 51).						
<b>4.12.6.1G</b> Any discretionary approvals for development that proposes grading within 1,580 feet of occupied residential units shall require that all grading equipment be equipped with residential grade mufflers (or better). All stationary construction equipment shall be placed so that emitted noise is directed away from noise-sensitive receptors nearest the site. Additionally, stationary construction equipment shall have all standard acoustic covers in place during operation (per Noise Study MM N-4, pg. 52).	City Planning Division	As Needed During Grading	Prior to any discretionary approvals for development that proposes grading within 1,580 feet of occupied residential units	Review and Approval of Construction Documents. Require Written Materials from the Applicant or Operator		Issuance of a Stop Work Order
<b>4.12.6.1H</b> All material stockpiles in connection with any grading operations shall be located at least 1,200 feet from existing residences (per Noise Study MM N-5, pg. 52).	City Planning Division and Land Development/Public Works	As Needed During Grading	During Grading	On-site Inspection		Issuance of a Stop Work Order
<b>4.12.6.1I</b> All project-related off-site construction shall be limited to 6 a.m. and 8 p.m. on weekdays only. Construction during weekends and City holidays shall not be permitted (per Noise Study MM N-6, pg. 53) to the satisfaction of the Land Development Division/Public Works.	City Land Development Division/Public Works	On-going as needed	During construction	Review and Approval of Construction Documents		Issuance of a Stop Work Order
<b>4.12.6.1J</b> Prior to issuance/approval of any grading permits, off-site construction activities adjacent to residential uses shall provide for installation of 12-foot temporary sound barriers for construction activities lasting more than one month. The sound barrier will reduce noise levels by approximately 10 dB. The temporary sound barrier may be constructed of plywood with a total thickness of 1.5 inches, or a sound blanket	City Planning Division	Once before issuance of grading permits	Prior to the issuance of grading permits	Evidence of off-site 12-foot temporary sound barrier during construction activities lasting more than 1 month		Withhold Grading Permit

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wall may be used. If sound blankets are used, the curtains must have a Sound Transmission Class (STC) rating of 27 or greater. No off-site construction is permitted during weekday nighttime hours (8 p.m. to 6 a.m.) or during weekends and City holidays except for emergencies (per Noise Study MM N-7, pg. 53).						
<p><b>4.12.6.2A</b> When processing future individual buildings under the World Logistics Center Specific Plan, as part of the City's approval process, the City shall require the Applicant to take the following three actions for each building prior to approval of discretionary permits for individual plot plans for the requested development:</p> <p>Action 1: Perform a building-specific noise study to ensure that the assumptions set forth in the FEIR prepared for the programmatic level entitlement remain valid. These procedure used to conduct these noise analyses shall be consistent with the noise analysis conducted in the programmatic FEIR and shall be used to impose building-specific mitigation on the individually-proposed buildings.</p> <p>Action 2: If the building-specific analyses identify that the proposed development triggers the need for mitigation from the proposed building, including all preceding developments in the specific plan area, the Applicant shall implement the mitigation identified in the WLC FEIR. Prior to implementing the mitigation, the Applicant shall send letters by registered mail to all property owners and non-owner occupants of properties that would benefit from the proposed mitigation asking them to provide a position either in favor</p>	City Planning Division	Once before issuance of a certificate of occupancy	Prior to issuance of discretionary permits for Action 1. Prior to issuance of certificate of occupancy for actions 2 and 3	Review and approval of a noise study		Withhold Certificate of Occupancy

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<p>of or in opposition to the proposed noise abatement mitigation within 45 days. Each property shall be entitled to one vote on behalf of owners and one vote per dwelling on behalf of non-owner occupants.</p> <p>If more than 50% of the votes from responding benefited receptors oppose the abatement, the abatement will not be considered reasonable. Additionally, for noise abatement to be located on private property, 100% of owners of property upon which the abatement is to be placed must support the proposed abatement. In the case of proposed noise abatement on private property, no response from a property owner, after three attempts by registered mail, is considered a <i>no</i> vote.</p> <p>At the completion of the vote at the end of the 45 day period, the Applicant shall provide the tentative results of the vote to all property owners by registered mail. During the next 15 calendar days following the date of the mailing, property owners may change their vote. Following the 15-day period, the results of the vote will be finalized and made public.</p> <p>Action 3: Upon consent from benefited receptors and property owners, the Applicant shall post a bond for the cost of the construction of the necessary mitigation as estimated by the City Engineer to ensure completion of the mitigation. The certificate of occupancy permits shall be issued upon posting of the bond or demonstration that 50% of the votes from responding benefited receptors oppose the abatement or, if the abatement is located on</p>						

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private property, any property owners oppose the abatement (per Noise Study MM N-8, pg.53).						
<b>4.12.6.2B</b> Prior to issuance/approval of any building permits, the centerline of Cactus Avenue Extension will be located no closer than 114 feet to the residential property lines along Merwin Street. An alternative is to locate the roadway closer to the residences and provide a soundwall along Cactus Avenue Extension. The soundwall location and height should be determined by a Registered Engineer, and the soundwall shall be designed to reduce noise levels to less than 65 CNEL at the residences. The Engineer shall provide calculations and supporting information in a report that will be required to be submitted to and approved by the City prior to issuing permits to construct the road (per Noise Study, pg. 51, Cactus Avenue Extension, ID #50).	City Planning Division	Prior to the approval of a building permit	Prior to the issuance of any discretionary approvals for development in the WLCSP	Review and Approval of discretionary permits		Withhold Discretionary Permits
<b>4.12.6.2C</b> Prior to the approval of any discretionary permits, cumulative impact areas shown in the WLC EIR Noise Study shall be included in the soundwall mitigation program outlined in Mitigation Measures 4.12.6.2A and 4.12.6.2D (per Noise Study MM N-9, pg. 62).	City Planning Division	Once before issuance of building permits	Prior to issuance of building permits	Review and approval of soundwall mitigation program		Withhold Building Permit
<b>4.12.6.2D</b> Prior to issuance of a building permit, the applicant shall demonstrate that the development maintains a buffer with soundwall for noise attenuation at residential/warehousing interface (i.e., western and southwestern boundaries of the project site). To keep the noise levels at nearby residential areas less than typical ambient conditions, the warehousing property line shall be located a minimum of 250 feet from the residential zone boundary , and a 12-foot noise barrier shall be located along the	City Planning Division	Once before issuance of building permits	Prior to issuance of building permits	Review and approval of building plans		Withhold Building Permit

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perimeter of the property that faces any residential areas. The 12 foot noise barrier may be a soundwall, berm, or combination of the two. The height shall be measured relative to the pad of the warehouse. This requirement shall be implemented anytime residential areas are within 600 feet of the warehousing property line to insure that a noise level of 45 dBA (Leq) will not be exceeded at the residential zone. This requirement is consistent with Item 10 of Municipal Code Section 9.16.160 Business park/industrial that states, "All manufacturing and industrial uses adjacent to residential land uses shall include a buffer zone and/or noise attenuation wall to reduce outside noise levels" (per Noise Study MM N-10, pg.62).						
<b>4.12.6.4A</b> Prior to the issuance of building permits for projects within 1,300 feet of the Southern California Gas Company (SCGC) and San Diego Gas and Electric (SDG&E) blow-down facilities, documentation shall be submitted to the City confirming that sound attenuation devices and/or improvements for the blow-down facilities providing at least a 40 dB reduction in noise levels during blow-down events are available and will be installed for all planned blow-down events. It shall be the responsibility of the developer to fund all sound attenuation improvements to the blow-down facilities required by this measure. It shall also be the responsibility of the developer to coordinate with San Diego Gas and Electric and/or Southern California Gas Company regarding the installation of any sound attenuation devices or improvements on the blow-down facilities at either the San Diego Gas and Electric compressor station or the Southern California Gas Company pipelines. This measure	City Land Development Division	Once before Permitting	Prior to the issuance of building permits for projects within 1,300 feet of the SCGC and SDG&E facilities	Review and Approval of documentation confirming sound attenuation device		Withhold Building Permits



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shall be implemented to the satisfaction of the City Land Management Division (per Noise Study MM N-11, pg.65).						
<b>4.15 Traffic and Circulation</b>						
<b>4.15.7.4A</b> A traffic impact analysis ("TIA") conforming to the guidelines for traffic impact analysis adopted by the City shall be submitted in conjunction with each Plot Plan application within the World Logistics Center Specific Plan. Prior to the approval of the Plot Plan, the City shall review the traffic impact analysis to determine if any of the traffic improvements listed in Final EIR Volume 2 Tables 4.15.AV through 4.15.BA (TIA Tables 74 through 79) of the traffic impact analysis prepared for the Program Environmental Impact Report are required to be completed prior to the issuance of a certificate of occupancy for each building. If the City determines that any of the improvements within Moreno Valley are required to be constructed in order to ensure that the traffic impacts which will result from the construction and operation of the building will be mitigated into insignificance, then the completion of construction of the improvements prior to the issuance of a Certificate of Occupancy for the building shall be made a Condition of Approval of the Plot Plan. Construction of improvements within the City shall be subject to credit/reimbursement agreement for those DIF and/or TUMF eligible costs. If the City determines that any of the improvements outside Moreno Valley are required to be constructed in order to ensure that the traffic impacts which will result from the construction and operation of the building will be mitigated to a less than significant level, then the payment of any necessary fair	City Engineer	Once before plot plan approval	Prior to plot plan approval	Review and Approval of sight specific TIAs		Withhold Building Permits

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Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
share contribution as prescribed in Mitigation Measure 4.15.7.4G prior to the issuance of a Certificate of Occupancy for the building shall be made a Condition of Approval of the Plot Plan. If the City determines that the traffic impacts which will result from the construction or operation of a building will be significantly more adverse than those shown in the Program Environmental Impact Report, further environmental review shall be conducted prior to the approval of the Plot Plan pursuant to Public Resources Code § 21166 and CEQA Guidelines § 15162 to determine what additional mitigation measures, if any, will be required in order to maintain the appropriate levels of service.						
<b>4.15.7.4B</b> As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, the City shall require the dedication of appropriate right-of-way consistent with the Subdivision Map Act for frontage street improvements contained within the World Logistics Center Specific Plan Circulation Map, as shown in this Program EIR Figure 3-10 (or Figure 22 in the TIA prepared for this Program EIR). Required dedications shall be made prior to the issuance of occupancy permits for the requested development.	City Engineer	Once before issuance of occupancy permits	Prior to issuance of occupancy permits	Evidence of dedication of right-of-way in compliance with Subdivision Map Act		Withhold Occupancy Permits
<b>4.15.7.4C</b> As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, the City shall require each project to pay the Development Impact Fee (DIF) as set forth in Municipal Code Chapter 3.42. Required DIF payments shall be made prior to the issuance of occupancy permits for the requested	City Engineer	Once before to issuance of occupancy permits	Prior to issuance of occupancy permits	Written verification of payment of DIF		Withhold Occupancy Permits

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
development.						
<b>4.15.7.4D</b> As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, the City shall require each project to pay the requisite Transportation Uniform Mitigation Fee (TUMF) as set forth in Municipal Code Sections 3.55.050 and 3.55.060. Required TUMF payments shall be made prior to the issuance of occupancy permits for the requested development.	City Engineer	Once before to issuance of occupancy permits	Prior to issuance of occupancy permits	Written verification of payment of TUMF		Withhold Occupancy Permits
<b>4.15.7.4E</b> In order to ensure that all of the Project's traffic impacts are mitigated to the greatest extent feasible, the Applicant shall contribute its fair share of the cost of the needed traffic improvements that are not within the City as identified in the World Logistic Center Specific Plan Traffic Impact Analysis (i.e., under the jurisdiction of other cities, the County of Riverside or Caltrans, pursuant to Mitigation Measure 4.15.7.4F). As used in this mitigation measure, the Applicant's "fair share" has been determined in compliance with the requirements of the Fee Mitigation Act, Government Code § 66000 et seq., and, pursuant to § 66001(g), does not require that the Applicant be responsible for making up for any existing deficiencies.  For example, the intersection of Martin Luther King Blvd. and the I-215 northbound ramps (Intersection 85) in the City of Riverside was identified as a place where the World Logistic Center contributes to cumulatively significant impacts, and where the fair share contribution of the World Logistic Center project as a whole was	City Engineer	Once before to issuance of occupancy permits	Prior to issuance of occupancy permits	Written verification of payment of DIF or TUMF		Withhold Occupancy Permits

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance								
<p>computed to be 6.2%. If the City of Riverside establishes a fair share contribution program consistent with this Mitigation Measure 4.15.7.4F to improve that intersection, then when a certificate of occupancy is to be issued for a 2-million square feet high-cube warehouse in the World Logistic Center (approximately 5% of the entire World Logistic Center project) the amount of the fair share payment due from the Applicant to the City of Riverside would be computed as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Amount Due</td> <td style="width: 10%;">=</td> <td style="width: 15%;">Total cost of improvement</td> <td style="width: 10%;">X</td> <td style="width: 15%;">Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis</td> <td style="width: 10%;">X</td> <td style="width: 10%;">% attributable to the building that is subject to the certificate of occupancy (5%)</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td> <math>A \times B \times C = D</math>                      A= % attributable to the building that is subject to the certificate of occupancy (5%)                      B= Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis                      C= Total cost of Improvement                      D= Amount Due                 </td> </tr> </table> <p>A similar calculation would be done for each</p>	Amount Due	=	Total cost of improvement	X	Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis	X	% attributable to the building that is subject to the certificate of occupancy (5%)	$A \times B \times C = D$ A= % attributable to the building that is subject to the certificate of occupancy (5%) B= Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis C= Total cost of Improvement D= Amount Due						
Amount Due	=	Total cost of improvement	X	Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis	X	% attributable to the building that is subject to the certificate of occupancy (5%)								
$A \times B \times C = D$ A= % attributable to the building that is subject to the certificate of occupancy (5%) B= Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis C= Total cost of Improvement D= Amount Due														

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
subsequent building, with payments for each due at the time of issuance of the certificate of occupancy. As a result, while each building individually would not produce a significant impact, and therefore would not be required to pay any mitigation fees if considered by itself, the total amount of the payments for all of the buildings would be equal to the fair share payment for the entire World Logistic Center to the extent that the responsible jurisdiction has chosen to adopt a fair share contribution funding program consistent with Mitigation Measure 4.15.7.4F.						
<b>4.15.7.4F</b> The Applicant shall pay a portion of the fair share of the cost of traffic improvements identified in the Transportation Impact Analysis for those significantly impacted road segments and intersections for each warehouse building within the World Logistics Center if the impacted jurisdiction has established a fair share contribution program prior to the approval of a building-specific plot plan. The City shall determine whether a fair share program exists in the impacted jurisdiction and, if one does exist, require that the appropriate fees are paid by the Applicant, consistent with the requirements below, prior to the issuance of a certificate of occupancy for the building in question. If no fair share program exists or if the existing programs are not consistent with the requirements below, then no payment of fees shall be required. The impacts are to be determined on a road segment or intersection basis. Nothing in this condition requires the payment of a traffic impact fee imposed by another jurisdiction which covers improvement to facilities where the project does not have a significant impact. Fair-share	City Engineer	Once prior to issuance of building permits for individual buildings.	Prior to issuance of occupancy permits	Written verification of payment of fair-share fees		Withhold Occupancy Permits

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
contributions will be determined on a building-by-building basis as a share of the impact of the Project as a whole (for each segment or intersection where the World Logistics Center project as a whole has a significant impact identified in the Programmatic Environmental Impact Report) as determined by the Traffic Impact Analysis and will be due as each certificate of occupancy is issued. The fair share payments for the significantly impacted road segments and intersections identified in the Programmatic Environmental Impact Report will be required even though the impact resulting from a specific building does not, by itself, cause a significant impact.						
<b>4.15.7.4G</b> City shall work directly with Western Riverside Council of Governments to request that Transportation Uniform Mitigation Fee funding priorities be shifted to align with the needs of the City, including improvements identified in the World Logistics Center Specific Plan traffic impact analysis. Toward this end, City shall meet regularly with Western Riverside Council of Governments.	City Engineer	On-going	Yearly starting with project up and ending with project buildout.	City Engineer provides quarterly updates to the City Council regarding TUMF funding priorities as it relates to the improvements identified in the traffic impact analysis.		None
<b>4.16 Utilities and Services Systems</b>						
<b>4.16.1.6.1A</b> Prior to approval of a precise grading permit for each plot plan for development within the World Logistics Center Specific Plan (WLCSP), the developer shall submit landscape plans that demonstrate compliance with the World Logistics Center Specific Plan, the State of California Model Water Efficient Landscape Ordinance (AB 1881), and Conservation in Landscaping Act (AB 325). This measure shall	Land Development Division/Public Works	Prior to the approval of a building permit	Prior recordation of Final Map	Review and Approval of Landscape Plans		Withhold Grading Permit

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
<p>be implemented to the satisfaction of the Planning Division. Said landscape plans shall incorporate the following:</p> <ul style="list-style-type: none"> <li>• Use of xeriscape, drought-tolerant, and water-conserving landscape plant materials wherever feasible and as outlined in Section 6.0 of the World Logistics Center Specific Plan;</li> <li>• Use of vacuums, sweepers, and other “dry” cleaning equipment to reduce the use of water for wash down of exterior areas;</li> <li>• Weather-based automatic irrigation controllers for outdoor irrigation (i.e., use moisture sensors);</li> <li>• Use of irrigation systems primarily at night or early morning, when evaporation rates are lowest;</li> <li>• Use of recirculation systems in any outdoor water features, fountains, etc.;</li> <li>• Use of low-flow sprinkler heads in irrigation system;</li> <li>• Provide information to the public in conspicuous places regarding outdoor water conservation; and</li> <li>• Use of reclaimed water for irrigation if it becomes available.</li> </ul>						



### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

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Date: May 2015

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
<p><b>4.16.1.6.1B</b> All buildings shall include water-efficient design features outlined in Section 4.0 of the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. These design features shall include, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>• Instantaneous (flash) or solar water heaters;</li> <li>• Automatic on and off water faucets;</li> <li>• Water-efficient appliances;</li> <li>• Low-flow fittings, fixtures and equipment;</li> <li>• Use of high efficiency toilets (1.28 gallons per flush [gpf] or less);</li> <li>• Use of waterless or very low water use urinals (0.0 gpf to 0.25 gpf);</li> <li>• Use of self-closing valves for drinking fountains;</li> <li>• Infrared sensors on drinking fountains, sinks, toilets and urinals;</li> <li>• Low-flow showerheads;</li> <li>• Water-efficient ice machines, dishwashers, clothes washers, and other water-using appliances;</li> <li>• Cooling tower recirculating system where applicable;</li> <li>• Provide information to the public in conspicuous places regarding indoor water conservation; and</li> <li>• Use of reclaimed water for wash down if it</li> </ul>	Land Development Division/Public Works	Once before issuance of Building Permit	Prior to issuance of any building permit	Review and Approval of Building Plans		Withhold Building Permit

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

Applicant: Highland Fairview

Date: May 2015

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becomes available.						
<b>4.16.1.6.1C</b> Prior to approval of a precise grading permit for each plot plan, irrigation plans shall be submitted to and approved by the City demonstrating that the development will have separate irrigation lines for recycled water. All irrigation systems shall be designed so that they will function properly with recycled water if it becomes available. This measure shall be implemented to the satisfaction of the City Planning Division and Land Development Division/Public Works.	City Planning Division  Land Development Division/Public Works	Prior to the approval of a building permit	Prior recordation of Final Map	Review and Approval of Irrigation Plans		Withhold Grading Permit
<b>4.16.1.6.2A</b> Each Plot Plan application for development shall include a concept grading and drainage plan, with supporting engineering calculations. The plans shall be designed such that the existing sediment carrying capacity of the drainage courses exiting the project area is similar to the existing condition. The runoff leaving the project site shall be comparable to the sheet flow of the existing condition to maintain the sediment carrying capacity and amount of available sediment for transport so that no increased erosion will occur downstream. This measure shall be implemented to the satisfaction of the City Land Development Division/Public Works.	Land Development Division/Public Works	Once Concurrent with Plot Plan review and approval.	Prior to issuance of grading permit.	Review and Approval of Grading and Drainage Plans		Withhold Grading Permit.
<b>4.16.4.6.1A</b> Each application for a building permit shall include energy calculations to demonstrate compliance with the California Energy Efficiency Standards confirming that each new structure meets applicable Building and Energy Efficiency Standards. The plans shall also ensure that buildings are in conformance with the State Energy Conservation Efficiency	City Building and Safety Division and Planning Division	Once prior to issuance of building permit. Once during on-site inspection	Prior to issuance of building permit.	Review of construction documents and on-site inspection		Withhold Building Permit. Or Withhold Occupancy Permit

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: World Logistics Center Specific Plan

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<p>Standards for Nonresidential buildings (Title 24, Part 6, Article 2, California Administrative Code). This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions. Plans shall show the following:</p> <p>Energy-efficient roofing systems, such as “cool” roofs, that reduce roof temperatures significantly during the summer and therefore reduce the energy requirement for air conditioning.</p> <p>Cool pavement materials such as lighter-colored pavement materials, porous materials, or permeable or porous pavement, for all roadways and walkways not within the public right-of-way, to minimize the absorption of solar heat and subsequent transfer of heat to its surrounding environment.</p> <p>Energy-efficient appliances that achieve the 2008 Appliance Energy Efficiency Standards (e.g., EnergyStar Appliances) and use of sunlight-filtering window coatings or double-paned windows.</p>						
<p><b>4.16.4.6.1B</b> Prior to the issuance of any building permits within the World Logistics Center Specific Plan, each project developer shall submit energy calculations used to demonstrate compliance with the performance approach to the California Energy Efficiency Standards to the Building and Safety and Planning Divisions that shows each new structure meets the applicable Building and Energy Efficiency Standards. Plans may include but are not necessarily limited to implementing the following as appropriate:</p>	City Building and Safety Division and Planning Division	Once prior to issuance of building permit.	Prior to issuance of building permit.	Review of construction documents and on-site inspection		Withhold Building Permit.

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

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Date: May 2015

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<p>High-efficiency air-conditioning with electronic management system (computer) control.</p> <p>Variable Air Volume air distribution.</p> <p>Outside air (100 percent) economizer cycle.</p> <p>Staged compressors or variable speed drives to flow varying thermal loads.</p> <p>Isolated High-efficiency air-conditioning zone control by floors/separable activity areas.</p> <p>Specification of premium-efficiency electric motors (i.e., compressor motors, air handling units, and fan-coil units).</p> <p>Use of occupancy sensors in appropriate spaces.</p> <p>Use of compact fluorescent lamps in place of incandescent lamps.</p> <p>Use of cold cathode fluorescent lamps.</p> <p>Use of Energy Star exit lighting or exit signage.</p> <p>Use of T-8 lamps and electronic ballasts where applications of standard fluorescent fixtures are identified.</p> <p>Use of lighting power controllers in association with metal-halide or high-pressure sodium (high intensity discharge) lamps for outdoor lighting and parking lots.</p> <p>Use of skylights (may conflict with installation of solar panels in some instances).</p>						

### 3.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Consideration of thermal energy storage air conditioning for spaces or hotel buildings, meeting facilities, theaters, or other intermittent-use spaces or facilities that may require air-conditioning during summer, day-peak periods.						
<p><b>4.16.4.6.1C</b> Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:</p> <p>1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;</p> <p>2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and</p> <p>3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.</p> <p>This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions.</p>	Building and Safety Division and Planning Division	Once before issuance of building permit.	Prior to the issuance of any building permits	Submittal of energy calculations that show compliance with the California Energy Efficiency Standards		Withhold Building Permit

PLANNING COMMISSION RESOLUTION NO. 2015-13

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL APPROVE PA12-0010 (GENERAL PLAN AMENDMENTS) FOR THE PROPOSED WORLD LOGISTIC CENTER PROJECT TO INCLUDE LAND USE CHANGES FOR PROPERTY WITHIN THE WORLD LOGISTICS CENTER SPECIFIC PLAN TO BUSINESS PARK/LIGHT INDUSTRIAL (BP) AND OPEN SPACE (OS) AND PROPERTIES OUTSIDE OF THE WORLD LOGISTICS CENTER SPECIFIC PLAN TO OPEN SPACE (OS) AND CORRESPONDING GENERAL PLAN ELEMENT GOALS AND OBJECTIVES TEXT AND MAP AMENDMENTS TO THE COMMUNITY DEVELOPMENT, CIRCULATION, PARKS, RECREATION AND OPEN SPACE, SAFETY, AND CONSERVATION ELEMENTS**

**WHEREAS**, the applicant, Highland Fairview, has filed an application for the approval of a General Plan Amendment (PA12-0010) to include General Plan Land Use Amendments to Business Park/Light Industrial (BP) and Open Space (OS) land use designations as well as various amendments to Elements of the General Plan, including Community Development, Circulation, Parks, Recreation and Open Space, Safety and Conservation for the 3,818 acre project area, which includes an approximate 2,610 acre portion of land for the proposed World Logistics Center Specific Plan and approximately 1,104 acres of land outside and to the south of the proposed World Logistics Center Specific Plan area; and

**WHEREAS**, The General Plan Amendment is being processed concurrent with applications for an Environmental Impact Report (EIR) (P12-016), Tentative Parcel Map No. 36457 (PA12-0013), Pre zoning/Annexation (PA12-0014) for 85 acres currently within the jurisdiction of the County of Riverside at the northwest corner of Gilman Springs and Alessandro Boulevard, and a Development Agreement (PA12-0011) All of the discretionary applications are related but would be approved by separate resolutions and ordinances with separate findings; and

**WHEREAS**, on June 11, 2015, the Planning Commission of the City of Moreno Valley held a public hearing to consider the application and provide a recommendation to City Council; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and

**WHEREAS**, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

**NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced hearing including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  - 1. **Conformance with General Plan Policies** – The proposed amendments are consistent with the General Plan, and its goals, objectives, policies and programs

**FACT:** The proposed project will result in a significant shift in land use policy in the project area which involves a significant portion of eastern Moreno Valley; however, aside from the land use policy change the proposed general plan amendments are considerate of the collective goals and objectives of the full General Plan which are intended to set forth a comprehensive long-term strategy for the physical development that would result in a safe, healthful, prosperous and desirable place to live, work and play. The proposed General Plan Amendment will designate 2,610 acres for primarily logistics development and 1,104 acres for permanent open space. Approximately 104 additional acres will be used for off-site utility extensions to serve the proposed World Logistics Center project. The proposed amendment will result in a reduction in residential zoning and is consistent with the updated 2014 General Plan Housing Elements.

- 2. **Health, Safety and Welfare** – The proposed amendments will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**FACT:** An Environmental Impact report (EIR) has been prepared for the overall project, including the proposed Change of Zone, General Plan amendment and Specific Plan. The analysis presented in the EIR indicates that the



proposed project will have certain significant unavoidable adverse impacts to Aesthetics, Air Quality Land Use, Noise, and Traffic/Circulation as described in detail within the document. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be feasibly reduced with mitigation measures to less than significant levels. A Mitigation Monitoring Program, which will ensure the completion of required mitigation measures for the project is included in the EIR.

A Statement of Overriding Considerations has been prepared in consideration of project impacts related to Aesthetics, Air Quality, Land Use, Noise, and Transportation/Traffic that cannot be mitigated to a less than significant level.

Mitigation measures for air quality include measures such as the required inclusion of Tier 4 construction equipment, restriction of trucks that fall below 2010 engine emissions standards from entering project areas and limitation of truck idling to three (3) minutes, all in an effort to reduce air pollutant emissions. Mitigation measures for Noise include the reduction of short-term construction noise levels to include the requirement of a Noise Reduction Compliance Plan, restrictions on grading during nighttime hours, potential sound barriers, as well as measures for long term traffic and operation noise to include building specific noise studies required for individual plot plans, the potential for sound walls and maintenance of buffer areas.

The Specific Plan provides for special edge treatment areas surrounding the perimeter of the proposed World Logistics Center Specific Plan boundary that provides a 250 foot buffer between the Specific Plan development area and adjacent areas such as along Gilman Springs Road and the western edge adjacent to Redlands Boulevard. Buildings, truck courts loading areas, truck circulation areas or truck/trailer storage uses would not be allowed within the buffer areas. In addition, buildings would not be allowed from a 400 foot buffer that is proposed from the San Jacinto Wildlife boundary. Said mitigation measures, including buffering and screening of any industrial development and design of the Specific Plan to include restrictions of truck traffic into existing residential neighborhoods to the west will lessen environmental impacts for any existing or future sensitive receptor properties within the general vicinity of the proposed development and assist to reduce impacts to public health, safety and welfare.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. **FEES**

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. **DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

The project incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a

notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-10, **RECOMMENDING APPROVAL** to the City Council of a General Plan Amendment (PA12-0010) to include General Plan Land Use Amendments for Business Park/Light Industrial (BP) and Open Space (OS) land use designations as well as various amendments to elements of the General Plan, including Community Development, Circulation, Parks, Recreation and Open Space, Safety and Conservation for the 3,818 acre project area, including an approximately 2,610 acre portion of land covering the World Logistics Center Project Specific Plan and land included outside and to the south of the World Logistics Center Specific Plan, as documented in Exhibits A through M, attached to this resolution, and based on the affirmative recommendation of the Adoption and Certification of the Environmental Impact Report Mitigation Monitoring Program and Statement of Overriding Considerations.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Brian Lowell  
Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
Richard J. Sandzimier, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attached: Proposed Land Use Map

## WORLD LOGISTICS CENTER Proposed Text Amendments to the General Plan

(NOTE: Text to be added is shown underlined, text to be deleted is shown ~~strikeout~~)

### CHAPTER 2 – Community Development Element

Page 2-5

Revise Section 2.1.3:

“...at the intersection of Virginia Street and Gato del Sol. ~~The acquisitions encompass about one-third of the land within the Moreno Highlands Specific Plan.~~

~~Neither of the aforementioned land purchases are likely to be developed as envisioned in the original specific plan and are likely to remain substantially vacant. In that the Moreno Highlands Specific Plan Development Agreement precludes the City from making unilateral changes to the specific plan lands use plan, no changes were recommended for the Moreno Highland Specific Plan as part of the General Plan Update.”~~

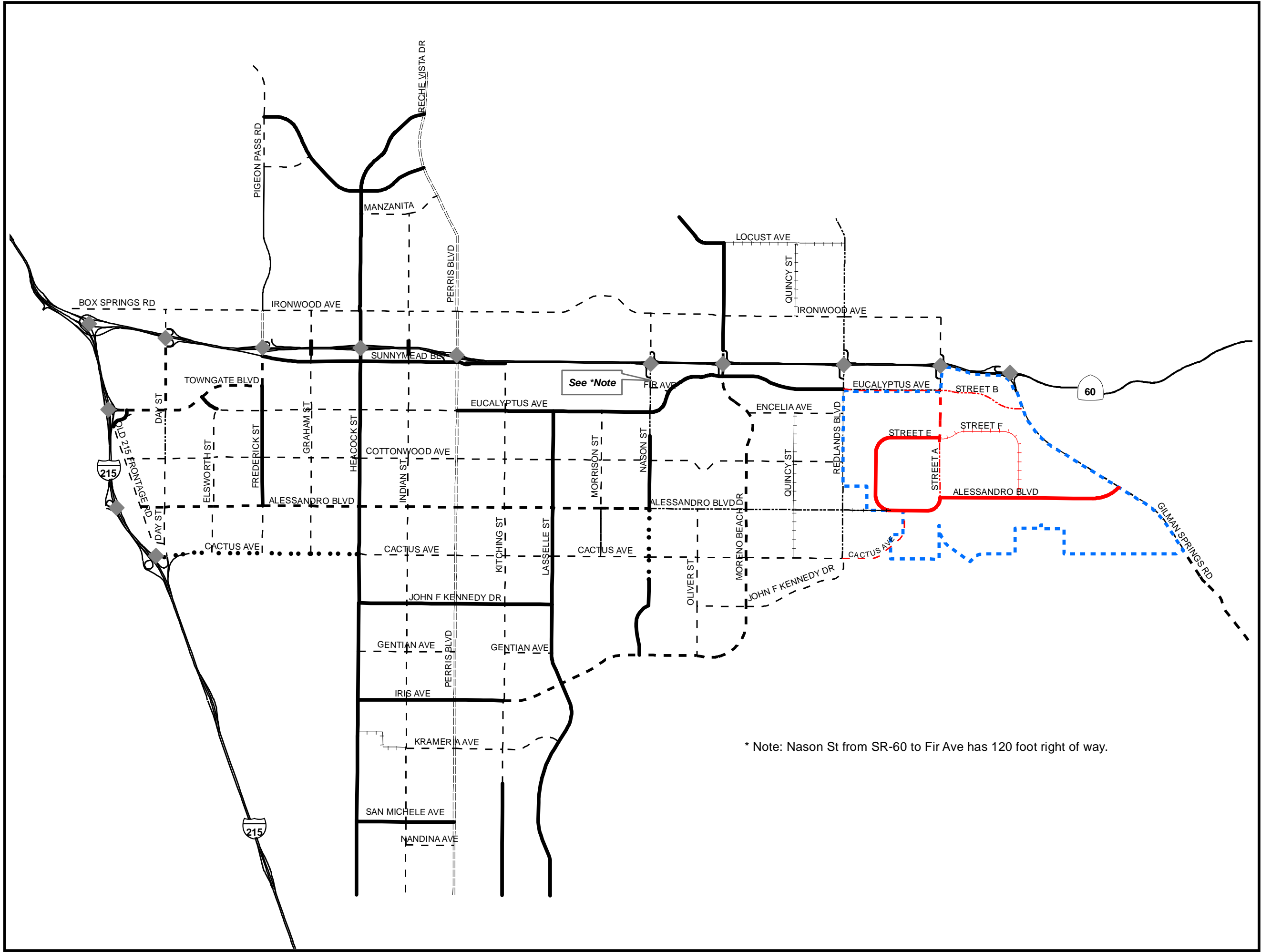
### CHAPTER 5 – Circulation Element

Page 5-7

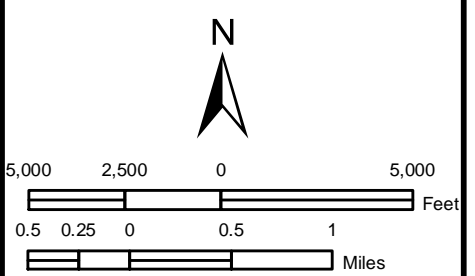
Revise Section 5.3.2.2:

”Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits, and in the eastern part of the City, generally between Redlands Blvd. and Gilman Springs Road. This development is an important component of the City land use pattern....”

**FIGURE 9-1  
CIRCULATION PLAN**



- Street Classification**
- Freeway
  - Divided Major Arterial
  - Divided Major Arterial - Reduced Cross Section
  - Divided Arterial - 6 lane
  - Divided Arterial - 4 lane
  - Arterial
  - Minor Arterial
  - Minor Arterial - Pigeon Pass Cross Section
  - Collector
  - Freeway Overpass
  - Freeway Interchange



Date: May 18, 2015  
 State Plane NAD83 Zone 6  
 File: G:\ArcMap\Planning\GPA1014\CirculationPlan.mxd

**GEOGRAPHIC INFORMATION SYSTEMS**

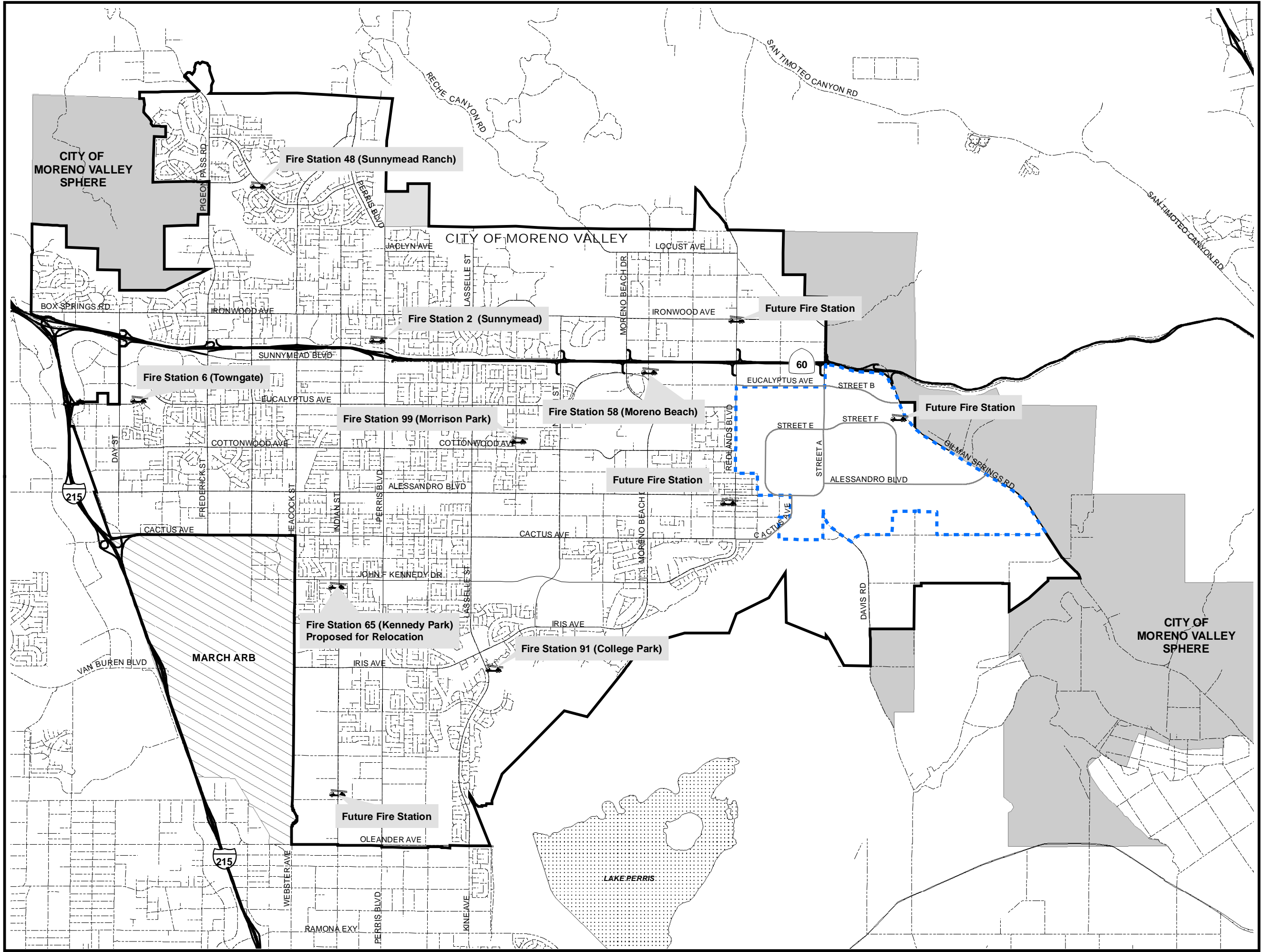
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\* Note: Nason St from SR-60 to Fir Ave has 120 foot right of way.



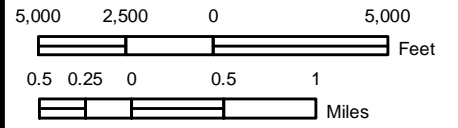


### FIGURE 6-1 FIRE STATIONS



- Fire Stations
- Highways
- Major Streets
- Streets
- Waterbodies
- March ARB
- Moreno Valley
- Moreno Valley Sphere

*\* Future Fire Station locations are conceptual and subject to change*



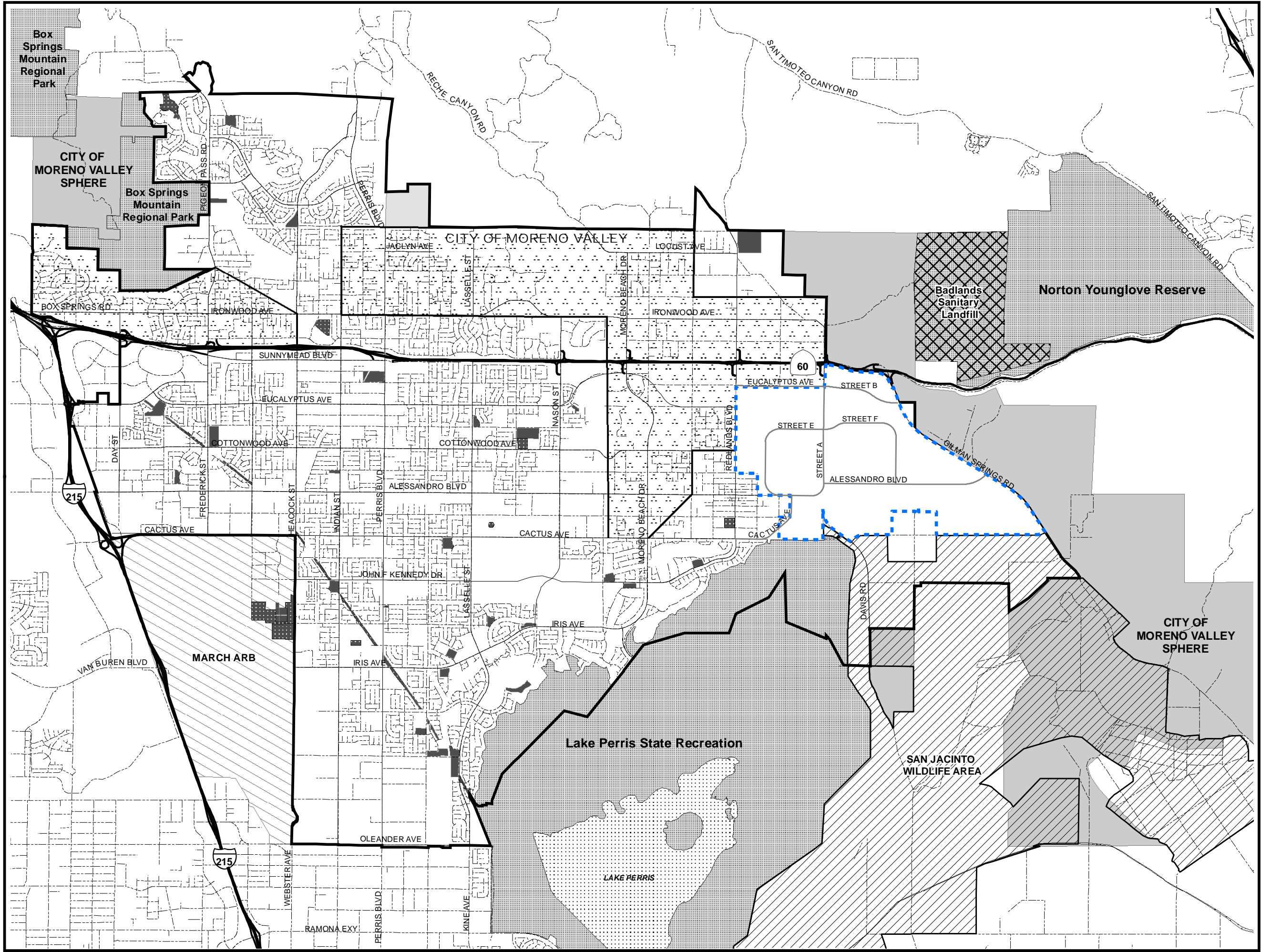
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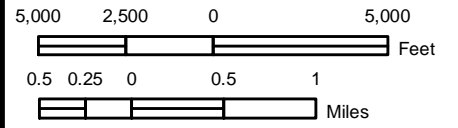
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### FIGURE 4-2 FUTURE PARKLANDS ACQUISITION AREAS



- Highways
- Major Streets
- - - Streets
- San Jacinto Wildlife Area
- Waterbodies
- Future Parkland Acquisition Areas
- Existing Active Parks
- Proposed Active Parks
- March ARB
- Badlands Landfill
- State and County Parks
- Moreno Valley
- Moreno Valley Sphere



Date: October 13, 2014  
 State Plane NAD83 Zone 6  
 File: G:\ArcMap\Planning\GPA1014\Future\_Parklands.mxd

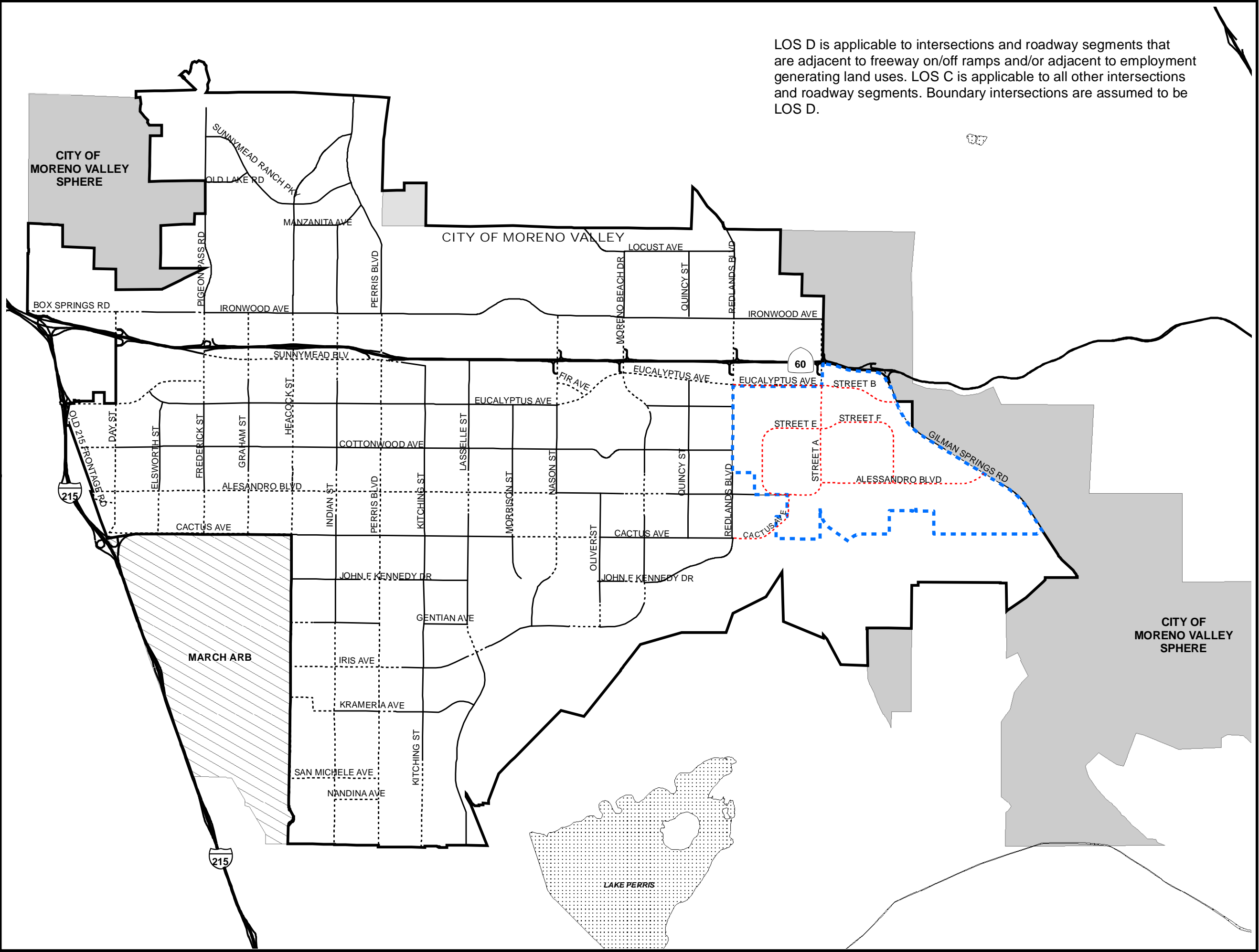
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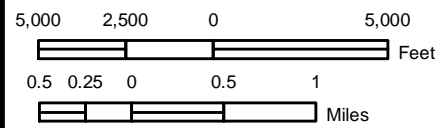


LOS D is applicable to intersections and roadway segments that are adjacent to freeway on/off ramps and/or adjacent to employment generating land uses. LOS C is applicable to all other intersections and roadway segments. Boundary intersections are assumed to be LOS D.



**FIGURE 9-2  
LOS STANDARDS**

- LOS C
- - - - LOS D
- Highways
- ▭ Moreno Valley
- ▭ Moreno Valley Sphere
- ▨ March ARB
- ▤ Waterbodies



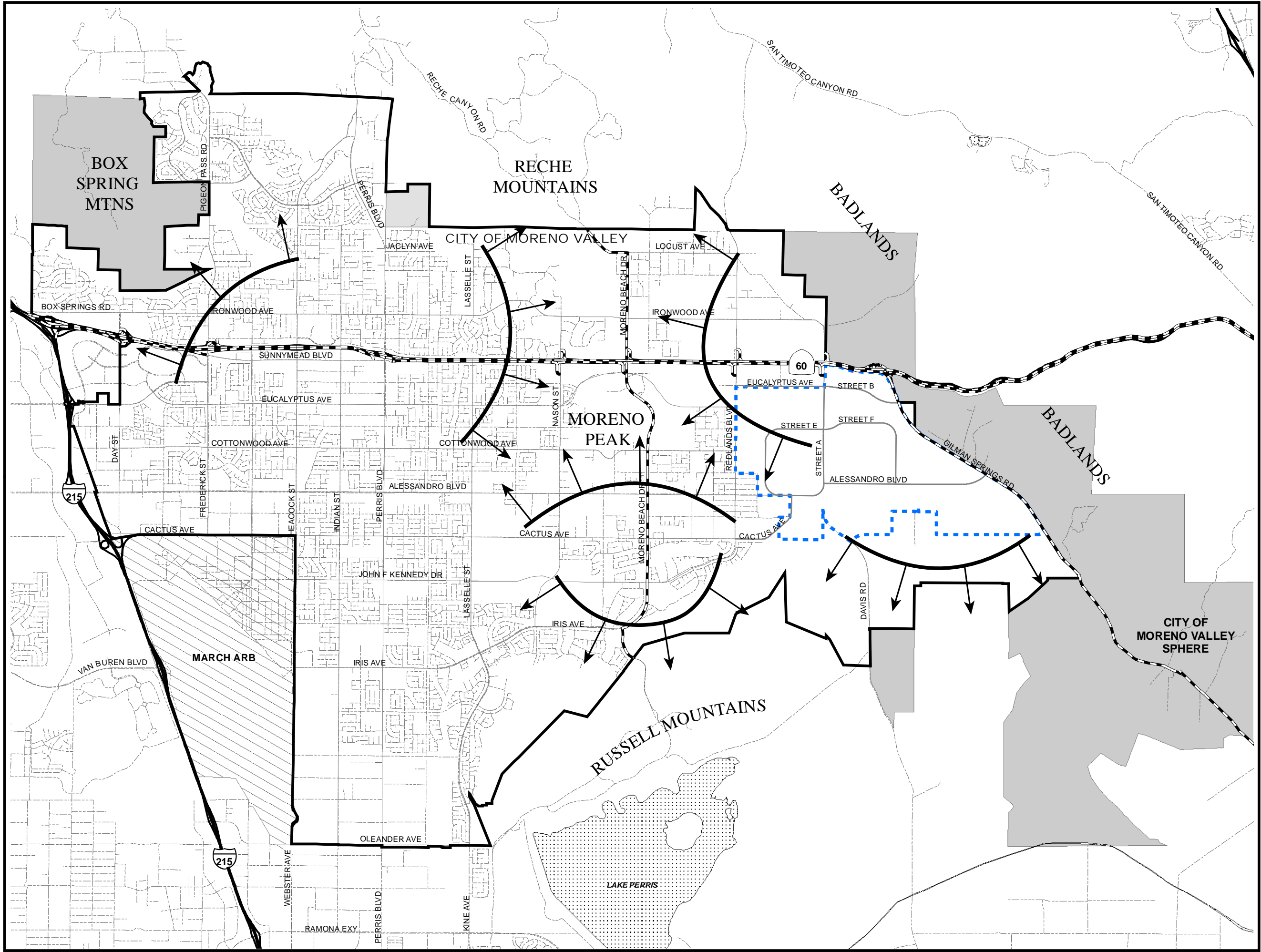
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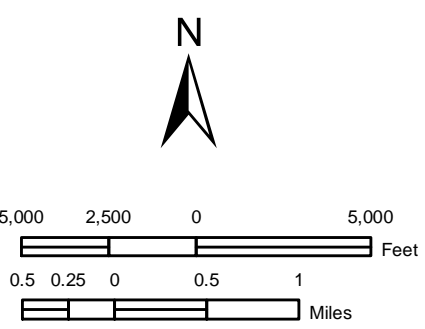
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**FIGURE 7-2  
MAJOR SCENIC  
RESOURCES**



- Scenic Route
  - Highways
  - Major Streets
  - Streets
  - Waterbodies
  - March ARB
  - Moreno Valley
  - Moreno Valley Sphere
- View Corridor



Date: October 13, 2014  
 State Plane NAD83 Zone 6  
 File: G:\ArcMap\Planning\GPA1014\  
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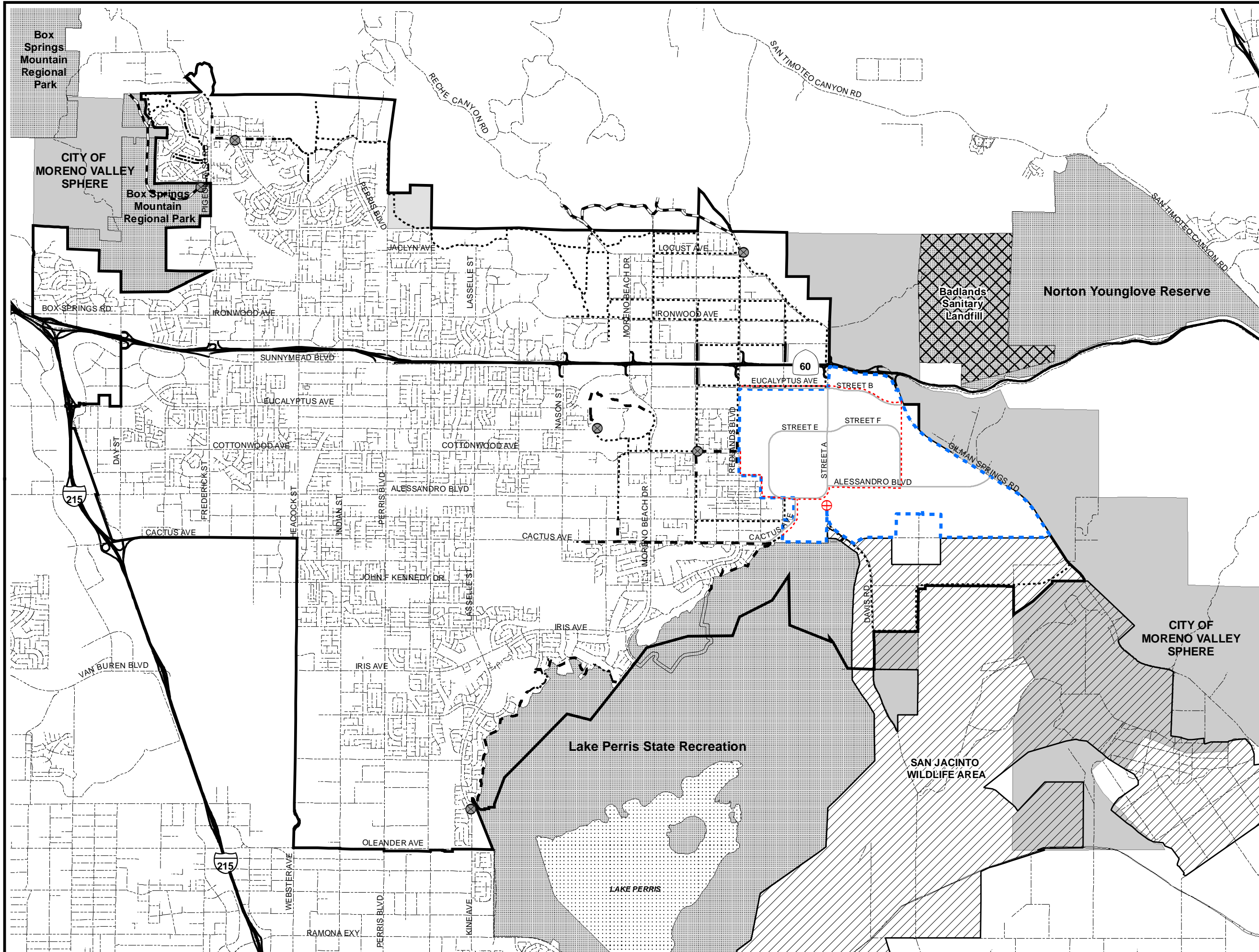
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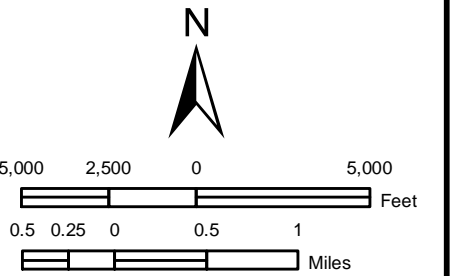


**FIGURE 4-3  
MASTER PLAN  
OF TRAILS**



- ⊗ Trail Staging - Existing
- ⊗ Trail Staging - Proposed
- Streets
- Highways
- - - Improved Trail
- ..... Multiuse Trail
- ..... Proposed Trail
- Regional Trail
- State Trail
- Proposed Subject to Feasibility of Freeway Bridge or Underpass
- ⊗ Badlands Landfill
- ▨ State and County Parks
- ▭ Moreno Valley
- ▨ Moreno Valley Sphere
- ▨ San Jacinto Wildlife Area
- ▨ Waterbodies

\* Trail locations are approximate



Date: October 13, 2014  
 State Plane NAD83 Zone 6  
 File: G:\ArcMap\Planning\GPA1014\ MasterTrails.mxd

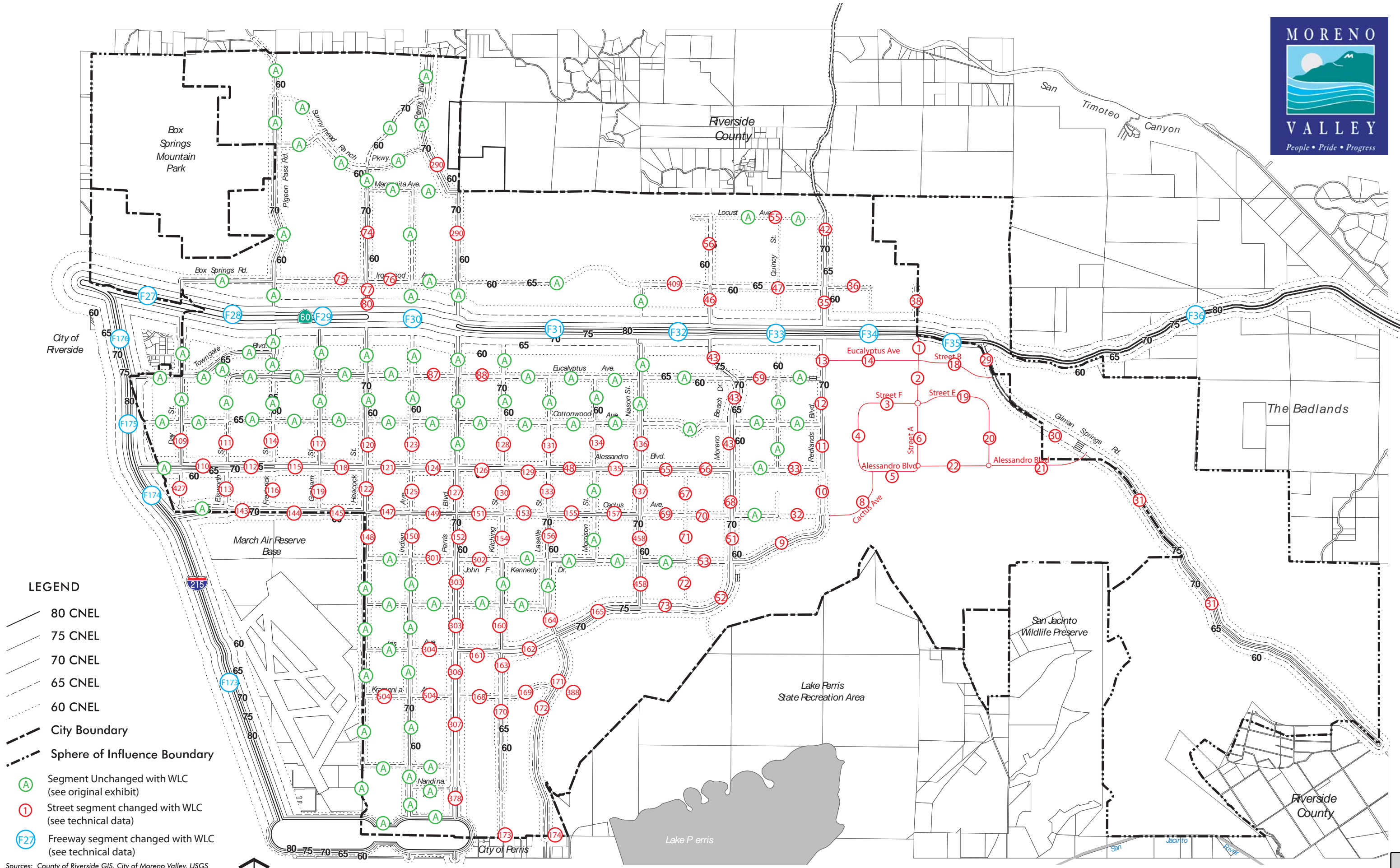
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Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a





**Buildout Noise Contours Figure 6-2**

**Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World Logistics)**

**Technical Data to Accompany Buildout Noise Contour Map**  
(Street Segments)

ID	Arterial	From	To	Distance from Centerline (ft)		
				70 CNEL	65 CNEL	60 CNEL
1	Street A	State Route 60	Eucalyptus Ave	144	311	670
2	Street A	Eucalyptus Ave	Street F	153	330	712
3	Street E	west of Street A		0	77	167
4	Street E	north of Alessandro Blvd		0	25	119
5	Street E	Street D	Street A	41	88	191
6	Street A	Street F	Street C	77	167	361
8	Street D	Street E	Cactus Ave	54	117	253
9	John F Kennedy Dr	south of Cactus Ave		0	44	204
10	Redlands Blvd	Alessandro Blvd	Cactus Ave	13	28	61
11	Redlands Blvd	Dracaea Ave	Alessandro Blvd	15	33	72
12	Redlands Blvd	Eucalyptus Ave	Dracaea Ave	24	52	113
13	Redlands Blvd	State Route 60	Eucalyptus Ave	57	123	265
14	Eucalyptus Ave	east of Redlands Blvd		0	48	225
18	Street B	east of Street A		0	29	135
19	Street F	east of Street A		0	43	202
20	Street F	north of Street C		0	24	113
21	Street C	east of Street A		0	55	257
22	Street C	west of Street F		0	56	260
29	Gilman Springs Rd	State Route 60	Eucalyptus Ave	111	240	518
30	Gilman Springs Rd	Eucalyptus Ave	Street C	100	217	468
31	Gilman Springs Rd	south of Street C		0	93	432
32	Cactus Ave	west of Redlands Blvd		0	27	129
33	Alessandro Blvd	west of Redlands Blvd		0	19	91
35	Redlands Blvd	Ironwood Ave	State Route 60	70	151	325
36	Ironwood Ave	Redlands Blvd	Highland Blvd	18	39	84
38	Theodore St	State Route 60	Highland Blvd	31	67	145
42	Redlands Blvd	Ironwood Ave	San Timoteo Canyon Rd	80	172	372
43	Moreno Beach Dr	Alessandro Blvd	SR 60	44	96	208
46	Moreno Beach Dr	State Route 60	Ironwood Ave	52	112	242
47	Ironwood Ave	Moreno Beach Dr	Redlands Blvd	8	19	41
48	Alessandro Blvd	Lasselle St	Morrison St	19	41	89
51	Moreno Beach Dr	John F Kennedy Dr	Cactus Ave	14	30	65
52	Moreno Beach Dr	John F Kennedy Dr	Oliver St	14	31	68
53	John F Kennedy Dr	Oliver St	Moreno Beach Dr	3	8	18
55	Locust Ave	Moreno Beach Dr	Redlands Blvd	16	36	78
56	Moreno Beach Dr	Locust Ave	Ironwood Ave	23	50	108
59	Eucalyptus Ave	Moreno Beach Dr	Quincy Dr	34	75	162
65	Alessandro Blvd	Nason St	Oliver St	33	72	156
66	Alessandro Blvd	Oliver St	Moreno Beach Dr	31	67	145
67	Oliver St	Alessandro Blvd	Cactus Ave	4	9	20
68	Moreno Beach Dr	Alessandro Blvd	Cactus Ave	44	95	206
69	Cactus Ave	Nason St	Oliver St	32	69	150
70	Cactus Ave	Oliver St	Moreno Beach Dr	14	31	67
71	Oliver St	Cactus Ave	John F Kennedy Dr	17	38	81
72	Oliver St	John F Kennedy Dr	Iris Ave	15	33	72
73	Iris Ave	Nason St	Oliver St	59	128	277
74	Heacock St	Manzanita Ave	Ironwood Ave	43	93	201
75	Ironwood Ave	Graham St	Heacock St	35	76	165
76	Ironwood Ave	Heacock St	Indian Ave	33	71	154
77	Heacock St	Ironwood Ave	Hemlock Ave	45	97	209
80	Heacock St	Hemlock Ave	SR 60 WB Ramps	51	110	238
87	Eucalyptus Ave	Indian St	Perris Blvd	21	46	100
88	Eucalyptus Ave	Perris Blvd	Kitching St	20	44	94
109	Day St	Cottonwood Ave	Alessandro Blvd	23	51	110
110	Alessandro Blvd	Day St	Elsworth St	65	141	304
111	Elsworth St	Cottonwood Ave	Alessandro Blvd	16	36	77
112	Alessandro Blvd	Elsworth St	Frederick St	64	137	297
113	Elsworth St	Alessandro Blvd	Cactus Ave	35	75	163
114	Frederick St	Cottonwood Ave	Alessandro Blvd	41	89	192
115	Alessandro Blvd	Frederick St	Graham St	62	134	290
116	Frederick St	Alessandro Blvd	Cactus Ave	26	56	120
117	Graham St	Cottonwood Ave	Alessandro Blvd	29	63	137
118	Alessandro Blvd	Graham St	Heacock St	66	142	306
119	Graham St	Alessandro Blvd	Cactus Ave	40	86	186
120	Heacock St	Cottonwood Ave	Alessandro Blvd	40	87	188
121	Alessandro Blvd	Heacock St	Indian St	62	134	288
122	Heacock St	Alessandro Blvd	Cactus Ave	11	25	55
123	Indian St	Cottonwood Ave	Alessandro Blvd	35	76	165
124	Alessandro Blvd	Indian St	Perris Blvd	63	135	292
125	Indian St	Alessandro Blvd	Cactus Ave	13	29	63
126	Alessandro Blvd	Perris Blvd	Kitching St	58	125	269
127	Perris Blvd	Alessandro Blvd	Cactus Ave	24	51	111
128	Kitching St	Cottonwood Ave	Alessandro Blvd	30	65	140
129	Alessandro Blvd	Kitching St	Lasselle St	55	120	258
130	Kitching St	Alessandro Blvd	Cactus Ave	10	21	46
131	Lasselle St	Cottonwood Ave	Alessandro Blvd	22	47	102
133	Lasselle St	Alessandro Blvd	Cactus Ave	29	62	135

Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World Logistics)

134	Morrison St	Cottonwood Ave	Alessandro Blvd	21	45	98
135	Alessandro Blvd	Morrison St	Nason St	19	42	92
136	Nason St	Cottonwood Ave	Alessandro Blvd	49	105	228
137	Nason St	Alessandro Blvd	Cactus Ave	55	119	257
143	Cactus Ave	Elsworth St	Frederick St	59	128	276
144	Cactus Ave	Frederick St	Graham St	66	143	309
145	Cactus Ave	Graham St	Heacock St	57	123	266
147	Cactus Ave	Heacock St	Indian St	44	96	207
148	Heacock St	Cactus Ave	John F Kennedy Dr	16	34	75
149	Cactus Ave	Indian St	Perris Blvd	39	86	185
150	Indian St	Cactus Ave	John F Kennedy Dr	12	26	58
151	Cactus Ave	Perris Blvd	Kitching St	41	88	190
152	Perris Blvd	Cactus Ave	John F Kennedy Dr	23	50	109
153	Cactus Ave	Kitching St	Lasselle St	35	76	165
154	Kitching St	Cactus Ave	John F Kennedy Dr	6	14	30
155	Cactus Ave	Lasselle St	Morrison St	36	78	168
156	Lasselle St	Cactus Ave	John F Kennedy Dr	43	92	199
157	Cactus Ave	Morrison St	Nason St	43	92	200
160	Kitching St	Gentian Ave	Iris Ave	22	47	103
161	Iris Ave	Perris Blvd	Kitching St	19	42	91
162	Iris Ave	Kitching St	Lasselle St	28	61	131
163	Kitching St	Iris Ave	Ivory Ave	20	45	97
164	Lasselle St	Gentian Ave	Iris Ave	41	88	190
165	Iris Ave	Lasselle St	Nason St	31	67	145
168	Krameria Ave	Perris Blvd	Lasselle St	9	20	43
169	Krameria Ave	Kitching St	Lasselle St	15	32	69
170	Kitching St	Krameria Ave	Lurin Ave	26	57	124
171	Lasselle St	Cahuilla Dr	Krameria Ave	21	45	98
172	Lasselle St	Krameria Ave	Arroyo Park Dr	16	34	75
173	Oleander Ave	Perris Blvd	Lasselle St	16	35	76
174	Oleander Ave	Lasselle St	Lake Perris Dr	8	17	38
290	Perris Blvd	Sunnymead Blvd	Fir Ave	59	127	275
301	John F. Kennedy Dr	Indian St	Perris Blvd	25	54	116
302	John F. Kennedy Dr	Perris Blvd	Kitching St	26	56	122
303	Perris Blvd	John F. Kennedy Dr	Iris Ave	60	129	278
304	Iris Ave	Indian St	Perris Blvd	39	84	181
306	Perris Blvd	Iris Ave	Krameria Ave	31	67	145
307	Perris Blvd	Krameria Ave	Harley Know Blvd	27	60	129
387	Perris Blvd	Krameria Ave	Harley Know Blvd	29	63	139
388	Krameria Ave	Lasselle St	Spirit Rd	8	18	40
409	Ironwood Ave	Nason St	Moreno Beach Dr	22	47	102
427	Day St	south of Alessandro Blvd		0	23	50
458	Nason St	South of Cactus Ave		0	37	81
488	Nason St	North of Iris Ave		0	37	81
504	Krameria Ave	west of Perris Blvd		0	39	84

Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World Logistics)

**Technical Data to Accompany Buildout Noise Contour Map**  
(Freeway Segments)

ID	Freeway	From	Distance from Centerline (ft)		
			70 CNEL	65 CNEL	60 CNEL
F27	SR---60	I---215 to Day St	422	911	1963
F28	SR---60	Day St to Pigeon Pass Rd/Frederick St	430	927	1998
F29	SR---60	Pigeon Pass Rd/Frederick St to Heacock St	395	851	1835
F30	SR---60	Heacock St to Perris Blvd	373	805	1734
F31	SR---60	Perris Blvd to Nason St	348	750	1617
F32	SR---60	Nason St to Moreno Beach Dr	337	726	1565
F33	SR---60	Moreno Beach Dr to Redlands Blvd	293	633	1363
F34	SR---60	Redlands Blvd to Theodore St	289	624	1344
F35	SR---60	Theodore St to Gilman Springs Rd	303	654	1409
F36	SR---60	Gilman Springs Rd to Jack Rabbit Trail	270	581	1253
F173	SR---215	Van Buren Blvd to Cactus Ave	470	1013	2182
F174	SR---215	Cactus Ave to Alessandro Blvd	482	1040	2241
F175	SR---215	Alessandro Blvd to Eucalyptus Ave	463	999	2152
F176	SR---215	Eucalyptus Ave to SR---60	464	1000	2156

Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World Logistics)



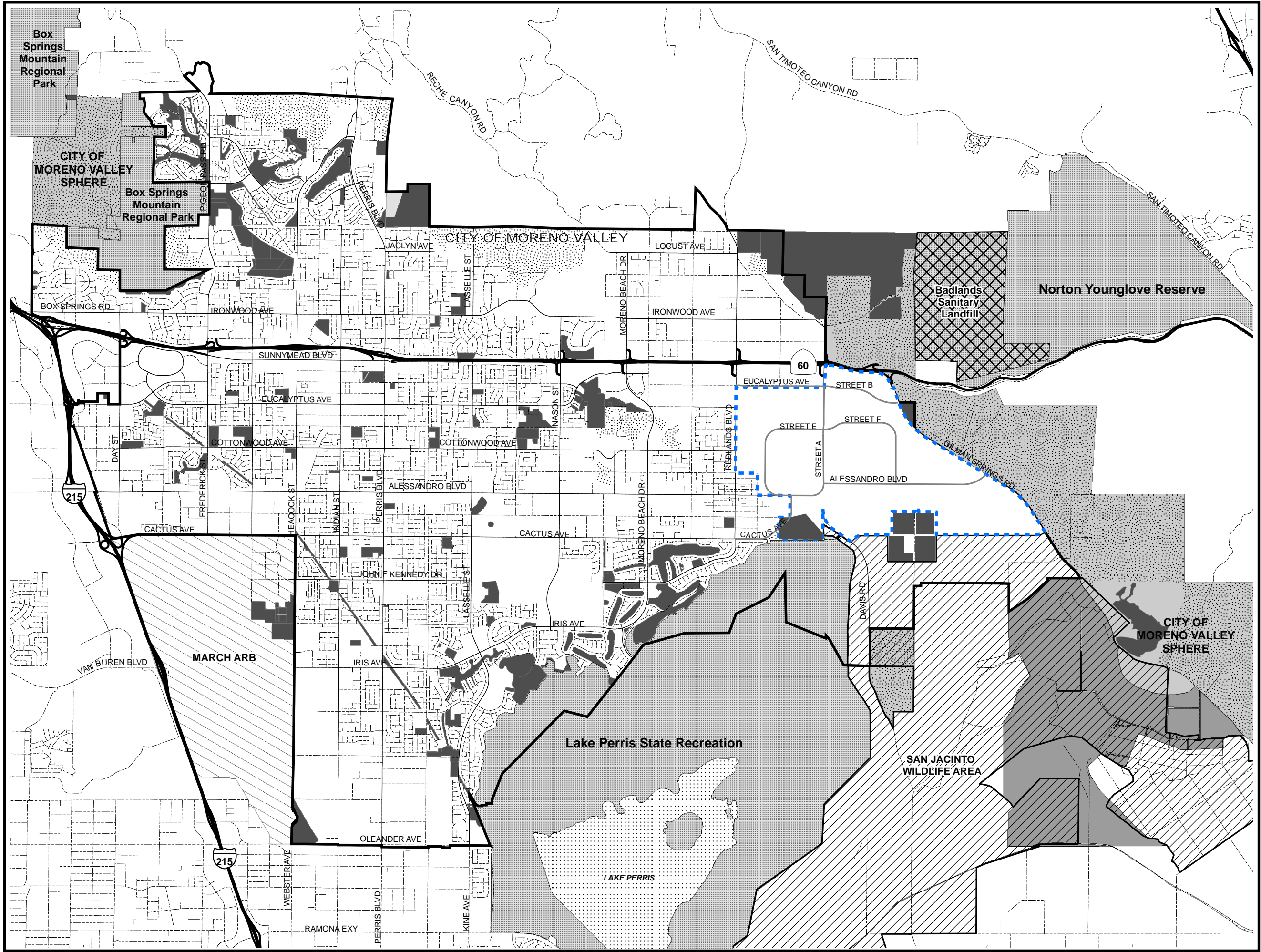
**Unchanged Segments**

Street	Start	End
<b>NORTH AND SOUTH</b>		
Day St	Cottonwood Ave	Eucalyptus Ave
Day St	Eucalyptus Ave	SR-60
Elsworth St	Cottonwood Ave	Eucalyptus Ave
Frederick St	Cottonwood Ave	Eucalyptus Ave
Frederick St	Eucalyptus Ave	Towngate Blvd
Frederick St	Towngate Blvd	SR-60
Graham St	Cottonwood Ave	Eucalyptus Ave
Graham St	Eucalyptus Ave	SR-60
Heacock St	Cottonwood Ave	Eucalyptus Ave
Heacock St	Eucalyptus Ave	SR-60
Indian St	Cottonwood Ave	Eucalyptus Ave
Indian St	Eucalyptus Ave	SR-60
Perris Blvd	Alessandro Blvd	Cottonwood Ave
Perris Blvd	Cottonwood Ave	Eucalyptus Ave
Perris Blvd	Eucalyptus Ave	SR-60
Kitching St	Cottonwood Ave	Eucalyptus Ave
Kitching St	Eucalyptus Ave	SR-60
Laselle St	Cottonwood Ave	Eucalyptus Ave
Morrison St	Cottonwood Ave	Eucalyptus Ave
Nason St	Cottonwood Ave	Eucalyptus Ave
Nason St	Eucalyptus Ave	SR-60
Quincy St	Cottonwood Ave	Eucalyptus Ave
Quincy St	Alessandro Blvd	Cottonwood Ave
Heacock St	E. Oleander Ave	San Michele Rd
Heacock St	San Michele Rd	Krameria Ave
Heacock St	Krameria Ave	Iris Ave
Heacock St	Iris Ave	Gentian Ave
Heacock St	Gentian Ave	John F. Kennedy Dr
Indian St	E. Oleander Ave	Nandina Ave
Indian St	Nandina Ave	San Michele Rd
Indian St	San Michele Rd	Krameria Ave
Indian St	Krameria Ave	Iris Ave
Indian St	Iris Ave	Gentian Ave
Indian St	Gentian Ave	John F. Kennedy Dr
Kitching St	Gentian Ave	John F. Kennedy Dr
Laselle St	Gentian Ave	John F. Kennedy Dr
Morrison St	John F. Kennedy Dr	Cactus Ave
Morrison St	Cactus Ave	Alessandro Blvd
Pigeon Pass Rd	SR-60	Box Springs Rd
Pigeon Pass Rd	Box Springs Rd	Old Lake Dr
Pigeon Pass Rd	Old Lake Dr	Sunnymead Ranch Pkwy

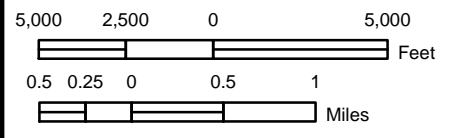
Pigeon Pass Rd	Sunnymean Ranch Pkwy	City Limits
Heacock St	Manzanita Ave	Sunnymead Ranch Pkwy
Heacock St	Sunnymean Ranch Pkwy	Perris Blvd
Indian St	SR-60	Ironwood Ave
Indian St	Ironwood Ave	Manzanita Ave
Perris Blvd	SR-60	Ironwood Ave
Perris Blvd	Sunnymean Ranch Pkwy	Heacock St
Perris Blvd	Heacock St	City Limits
Nason St	SR-60	Ironwood Ave
<b>EAST WEST</b>		
Old Lake Dr	Pigeon Pass Rd	Sunnymead Ranch Pkwy
Sunnymead Ranch Pkwy	Pigeon Pass Rd	Old Lake Dr
Sunnymead Ranch Pkwy	Old Lake Dr	Heacock St
Sunnymead Ranch Pkwy	Heacock St	Perris Blvd
Manzanita Ave	Heacock St	Indian Ave
Manzanita Ave	Indian Ave	Perris Blvd
Locust Ave	Moreno Beach Dr	Quincy St
Locust Ave	Quincy St	Redlands Blvd
Box Springs Rd	Day St	Pigeon Pass Rd
Ironwood Ave	Indian Ave	Perris Blvd
Ironwood Ave	Perris Blvd	Nason St
Towngate Blvd	215	Day St
Towngate Blvd	Day St	Eucalyptus Ave
Towngate Blvd	Eucalyptus Ave	Frederick St
Eucalyptus Ave	Towngate Blvd	Elsworth St
Eucalyptus Ave	Elsworth St	Frederick St
Eucalyptus Ave	Frederick St	Graham St
Eucalyptus Ave	Graham St	Heacock St
Eucalyptus Ave	Heacock St	Indian Ave
Eucalyptus Ave	Kitching St	Laselle St
Eucalyptus Ave	Laselle St	Morrison St
Eucalyptus Ave	Morrison St	Nason St
Eucalyptus Ave	Nason St	Moreno Beach Dr
Eucalyptus Ave	Quincy St	Redlands Blvd
Cottonwood Ave	215	Day St
Cottonwood Ave	Day St	Elsworth St
Cottonwood Ave	Elsworth St	Frederick St
Cottonwood Ave	Frederick St	Graham St
Cottonwood Ave	Graham St	Heacock St
Cottonwood Ave	Heacock St	Indian Ave
Cottonwood Ave	Indian Ave	Perris Blvd
Cottonwood Ave	Perris Blvd	Kitching St
Cottonwood Ave	Kitching St	Laselle St
Cottonwood Ave	Laselle St	Morrison St
Cottonwood Ave	Morrison St	Nason St
Cottonwood Ave	Nason St	Moreno Beach Dr

Cottonwood Ave	Moreno Beach Dr	Quincy St
Cottonwood Ave	Quincy St	Redlands Blvd
Alessandro Blvd	215	Day St
Alessandro Blvd	Moreno Beach Dr	Quincy St
Cactus Ave	215	Elsworth St
Cactus Ave	Moreno Beach Dr	Quincy St
John F. Kennedy Dr	Heacock St	Indian Ave
John F. Kennedy Dr	Kitching St	Laselle St
John F. Kennedy Dr	Laselle St	Morrison St
John F. Kennedy Dr	Morrison St	Nason St
John F. Kennedy Dr	Nason St	Oliver St
Gentian Ave	Heacock St	Indian Ave
Gentian Ave	Indian Ave	Perris Blvd
Gentian Ave	Perris Blvd	Kitching St
Gentian Ave	Kitching St	Laselle St
Iris Ave	Heacock St	Indian Ave
San Michele Rd	Heacock St	Indian Ave
San Michele Rd	Indian Ave	Perris Blvd
Nandina Ave	Indian Ave	Perris Blvd
E. Oleander Ave	Heacock St	Indian Ave
E. Oleander Ave	Indian Ave	Perris Blvd

**FIGURE 4-1  
OPEN SPACE**



- Streets
- Major Streets
- Highways
- Natural Open Space, Parks, Golf Courses, Flood Basins, and other Open Areas
- ▤ Hillside Residential and Rural Residential
- Flood Plain
- ▨ State and County Parks
- ▧ San Jacinto Wildlife Area
- ▩ Badlands Landfill
- ▭ Moreno Valley
- Moreno Valley Sphere
- ▨ March ARB
- ▤ Waterbodies



Date: May 28, 2015  
 State Plane NAD83 Zone 6  
 File: G:\ArcMap\Planning\GPA1014\OpenSpace.mxd

**GEOGRAPHIC INFORMATION SYSTEMS**

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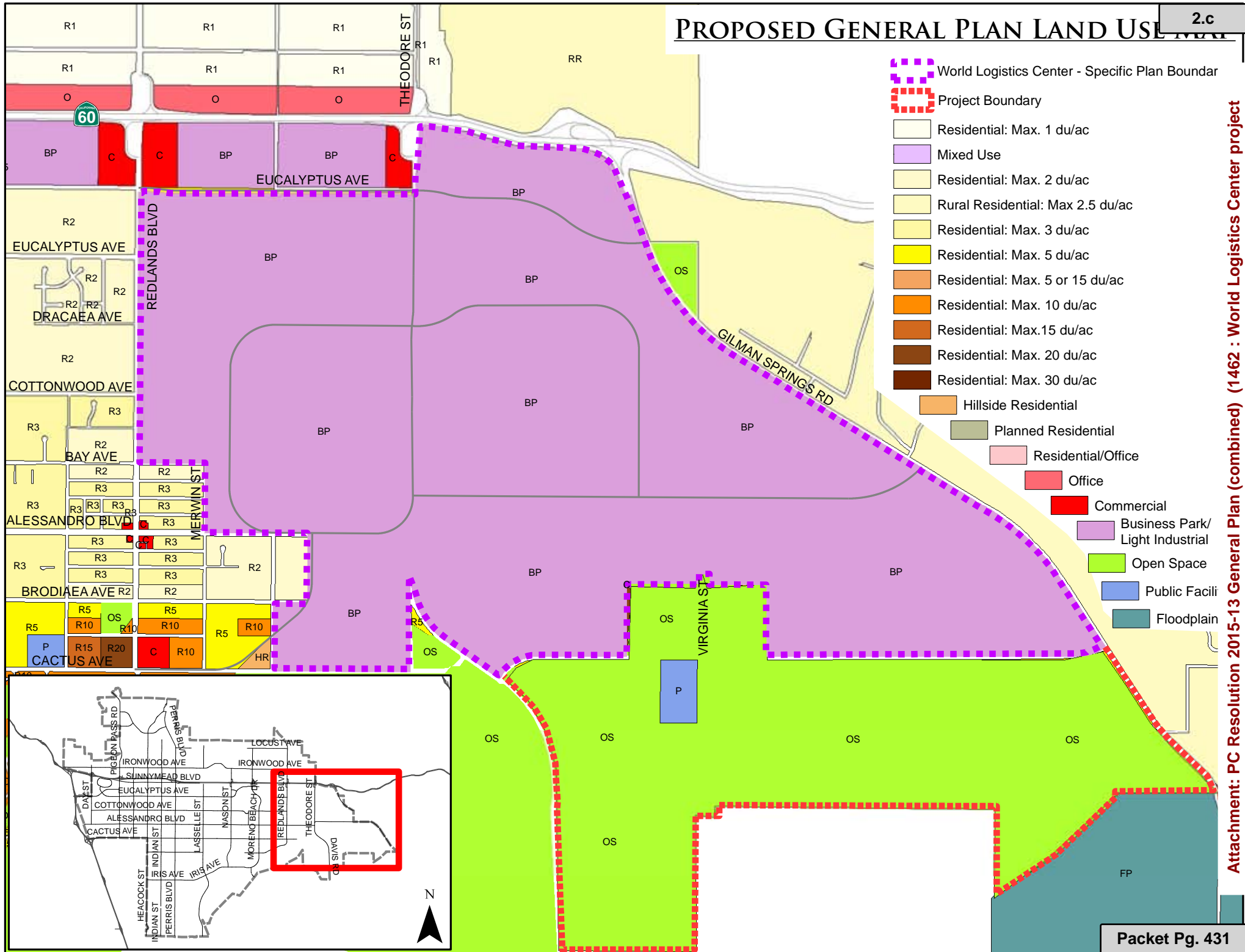


Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a



# PROPOSED GENERAL PLAN LAND USE

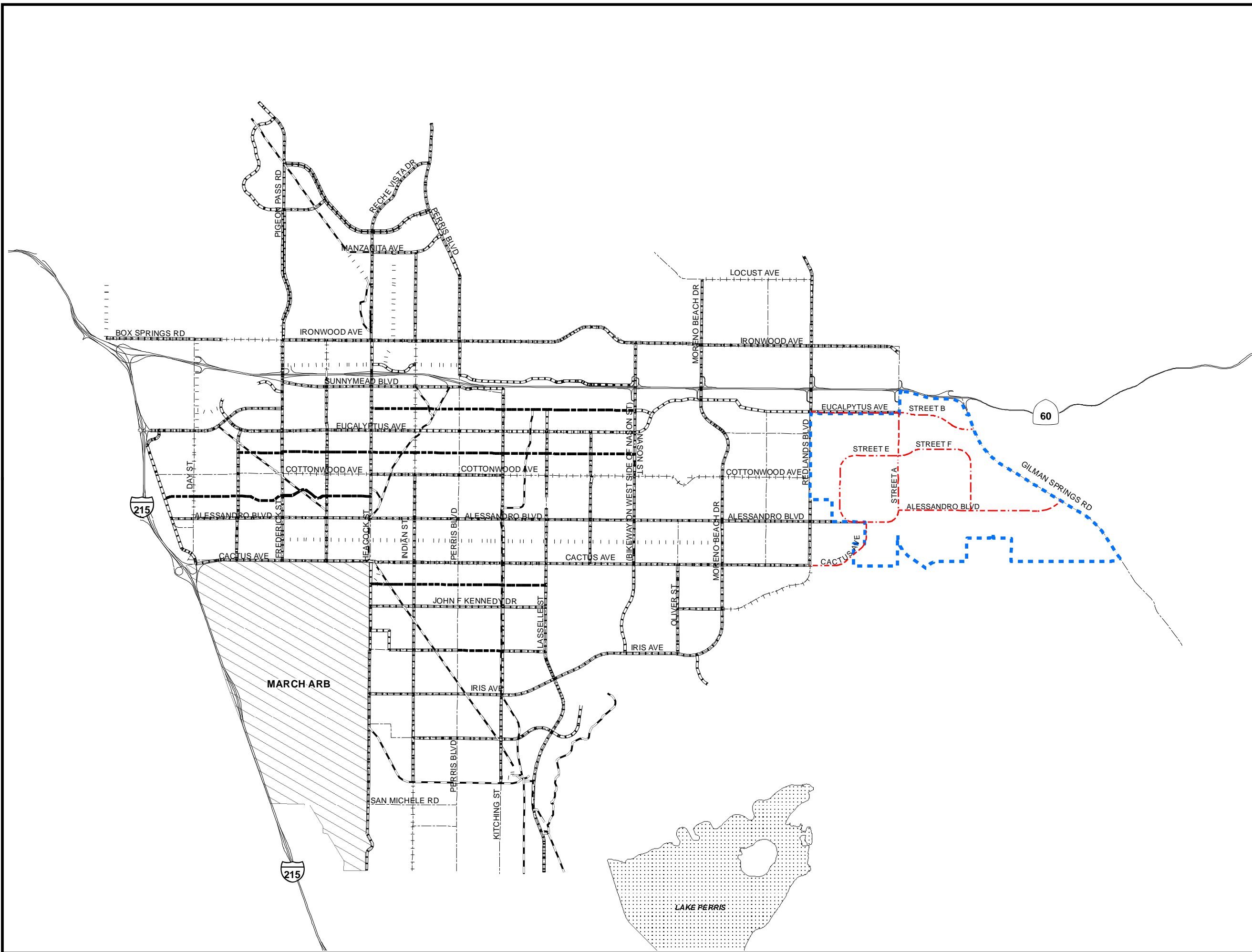
2.c



- World Logistics Center - Specific Plan Boundar
- Project Boundary
- Residential: Max. 1 du/ac
- Mixed Use
- Residential: Max. 2 du/ac
- Rural Residential: Max 2.5 du/ac
- Residential: Max. 3 du/ac
- Residential: Max. 5 du/ac
- Residential: Max. 5 or 15 du/ac
- Residential: Max. 10 du/ac
- Residential: Max. 15 du/ac
- Residential: Max. 20 du/ac
- Residential: Max. 30 du/ac
- Hillside Residential
- Planned Residential
- Residential/Office
- Office
- Commercial
- Business Park/ Light Industrial
- Open Space
- Public Facility
- Floodplain

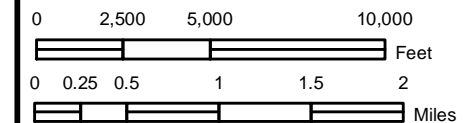
Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project

# EXHIBIT A FIGURE 9-4 BIKEWAY PLAN



### Bikeway Classification

- Class I
- Class II
- Class III
- Bicycle Boulevard
- Highways
- Roads
- Waterbodies
- March ARB



Date: May 14, 2015  
 State Plane NAD83 Zone 6  
 File: G:\ArcMap\Planning\  
 GeneralPlanAmendment1014\  
 BikewayWLC\_May2015.mxd

### GEOGRAPHIC INFORMATION SYSTEMS

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.



Attachment: PC Resolution 2015-13 General Plan (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a

PLANNING COMMISSION RESOLUTION NO. 2015-14

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING TO THE CITY COUNCIL APPROVAL OF PA12-0012 (CHANGE OF ZONE), PA12-0013 (SPECIFIC PLAN) and PA12-0014 (PRE-ZONING/ANNEXATION), WHICH WOULD INCLUDE THE PROPOSED WORLD LOGISTICS CENTER (WLC) SPECIFIC PLAN, A FULL REPEAL OF THE MORENO HIGHLANDS SPECIFIC PLAN NO. 212-1, PRE-ZONING/ANNEXATION FOR 85 ACRES AT NORTHWEST CORNER OF GILMAN SPRINGS ROAD AND ALESSANDRO, CHANGE OF ZONE TO LOGISTICS DEVELOPMENT (LD), LIGHT LOGISTICS (LL) AND OPEN SPACE (OS) FOR AREAS WITHIN THE PROPOSED WORLD LOGISTICS CENTER SPECIFIC PLAN BOUNDARY, AND A CHANGE OF ZONE TO OPEN SPACE (OS) FOR THOSE PROJECT AREAS OUTSIDE AND SOUTHERLY OF THE PROPOSED WLC SPECIFIC PLAN BOUNDARY**

**WHEREAS**, the applicant, Highland Fairview, has filed an application for the approval of a Change of Zone (PA12-0012) to modify existing zoning on approximately 2,610 acres of land proposed as the World Logistics Center Specific Plan (PA12-0013),, and Change of Zone (PA12-0010) to establish Logistics Development (LD), Light Logistics (LL), and Open Space (OS) zoning designations for a warehouse/logistics master planned project within the World Logistics Center (WLC) Project Specific Plan and Open Space (OS) zoning for areas outside and south of the WLC Specific Plan boundaries; and

**WHEREAS**, approval of the proposed applications would effectively replace zoning regulations currently in place as the Moreno Highlands Specific Plan, and thereby repeal the Moreno Highlands Specific Plan; and

**WHEREAS**, the project also includes applications for an Environmental Impact Report (EIR) (P12-016), a General Plan Amendment (PA12-0012), land use changes to BP (Business Park/Light Industrial), Tentative Parcel Map No. 36457 (PA12-0013) and a Development Agreement (PA12-0011). All of the discretionary applications are related but will be approved in separate resolutions or ordinances with separate findings; and

**WHEREAS**, on June 11, 2015 the Planning Commission of the City of Moreno Valley held a public hearing to consider the application and provide a recommendation to City Council; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and



**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances.

**NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced public hearing on June 11, 2015, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  - 1. **Conformance with General Plan Policies** – The proposed amendment to zoning and related items are consistent with the General Plan, and its goals, objectives, policies and programs and with any applicable specific plan.

**FACT:** The proposed amendment to existing zoning classifications are consistent with the proposed General Plan amendments proposed with the WLC Project including land use change to Business Park/Light industrial, all proposed zoning included in the World Logistics Center (WLC) Specific Plan and areas lying outside and south of the WLC Specific Plan boundaries. Within the proposed Specific Plan area (2,610 acres) 2,420 acres are proposed for logistics or industrial warehouse land uses, 74.3 acres for Open Space and 115.8 acres designated for roadway rights of way. Within the Specific Plan area, up to 40.4 million square feet of future high-cube logistics uses are proposed in the Logistics Development land use designation, 200,000 square feet of warehouse and related uses are proposed in the Light Logistics land use designation. The proposed project will result in a reduction of residential zoning; however, is consistent with the 2014 updated General Plan Housing Element.

The proposed Pre-zoning/Annexation of an 85 acre portion of land currently in the County of Riverside into the City's boundaries is consistent with the goals, objective, policies or programs of the General Plan. The changes are consistent with Objective No. 42 of the City of Moreno General Plan which requires the City to maintain boundaries that are

“logical in terms of service capabilities, economic development needs, social and economic interdependencies, citizen desires and city costs and revenues.” Policy 42.1 of the General Plan states that “the City will support and encourage the annexation of unincorporated areas within the General Plan study area for which benefits will be derived by the City upon annexation.” The affected property is a logical extension of the city limits and Moreno Valley is the logical service provider. The area is currently included in the City’s Sphere of Influence and additional annexation of approximately 85 acres would be within the City’s service capacities.

2. **Health, Safety and Welfare** – The proposed amendment to zoning and related items will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**FACT:** An Environmental Impact report (EIR) has been prepared for the overall project, including the proposed Change of Zone, General Plan amendment and Specific Plan. The analysis presented in the EIR indicates that the proposed project will have certain significant unavoidable adverse impacts to Aesthetics, Air Quality Land Use, Noise, and Traffic/Circulation as described in detail within the document. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be feasibly reduced with mitigation measures to less than significant levels. A Mitigation Monitoring Program, which will ensure the completion of required mitigation measures for the project is included in the EIR.

A Statement of Overriding Considerations has been prepared in consideration of project impacts related to Aesthetics, Air Quality, Land Use, Noise, and Transportation/Traffic that cannot be mitigated to a less than significant level.

Mitigation measures for air quality include measures such as the required inclusion of Tier 4 construction equipment, restriction of trucks that fall below 2010 engine emissions standards from entering project areas and limitation of truck idling to three (3) minutes, all in an effort to reduce air pollutant emissions. Mitigation measures for Noise include the reduction of short-term construction noise levels to include the requirement of a Noise Reduction Compliance

Plan, restrictions on grading during nighttime hours, potential sound barriers, as well as measures for long term traffic and operation noise to include building specific noise studies required for individual plot plans, the potential for sound walls and maintenance of buffer areas.

3. The proposed amendment to zoning and related items are consistent with the purposes and intent of this Title 9 of the City Municipal Code.

**FACT:** The proposed project conforms to applicable zoning regulations of the City and is consistent with modifications proposed to land use and zoning within the proposed General Plan Amendments and Specific Plan for the World Logistics Center project.

The WLC Specific Plan includes development regulations and design standards such as a circulation system that limits truck traffic access in the Plan area to primarily Theodore Street (from Highway 60) and Gilman Springs Road and away from existing residential neighborhoods to the west of the project site. The Specific Plan provides special edge treatment areas surrounding the perimeter of the proposed World Logistics Center Specific Plan boundary which are consistent with aesthetic and quality community design objectives of the City.

The change of zone outside the WLC Specific Plan Area includes a change to Open Space (OS) for areas to the south of the World Logistics Specific Plan boundary extending to the San Jacinto Wildlife Area. The change of zone is consistent with the California Department of Fish and Wildlife land that is provided for habitat use and San Diego Gas and Electric properties which include utility uses and open space buffer areas around their property.

## C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

### 1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of

fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

## 2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The change of zone application (PA12-0012) and specific plan application (PA12-0013) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES Resolution No. 2015-\_\_\_\_, RECOMMENDING APPROVAL** to the City Council of PA12-012 (Change of Zone), PA12-0013 (Specific Plan) and PA12-0014 (Pre Zoning/Annexation), which would include the newly proposed World Logistics Center Specific Plan, a full repeal of the current Moreno Highlands Specific Plan No. 212-1, Pre-Zoning/Annexation of an 85 acre site into the City boundaries, Change of Zone to Logistics Development (LD), Light

Logistics (LL) and Open Space (OS) for areas within the proposed World Logistics Center (WLC) Specific Plan boundary, and a Change of Zone to Open Space (OS) for those project areas located outside and southerly of the proposed WLC Specific Plan boundary, as documented in Exhibits A, B and C, attached to this resolution, and based on the affirmative recommendation of the Adoption and Certification of the Environmental Impact Report, Mitigation Monitoring Program and Statement of Overriding Considerations.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Brian Lowell  
Chair, Planning Commission

ATTEST:














\_\_\_\_\_  
Richard J, Sandzimier, Planning Official  
Secretary to the Planning Commission

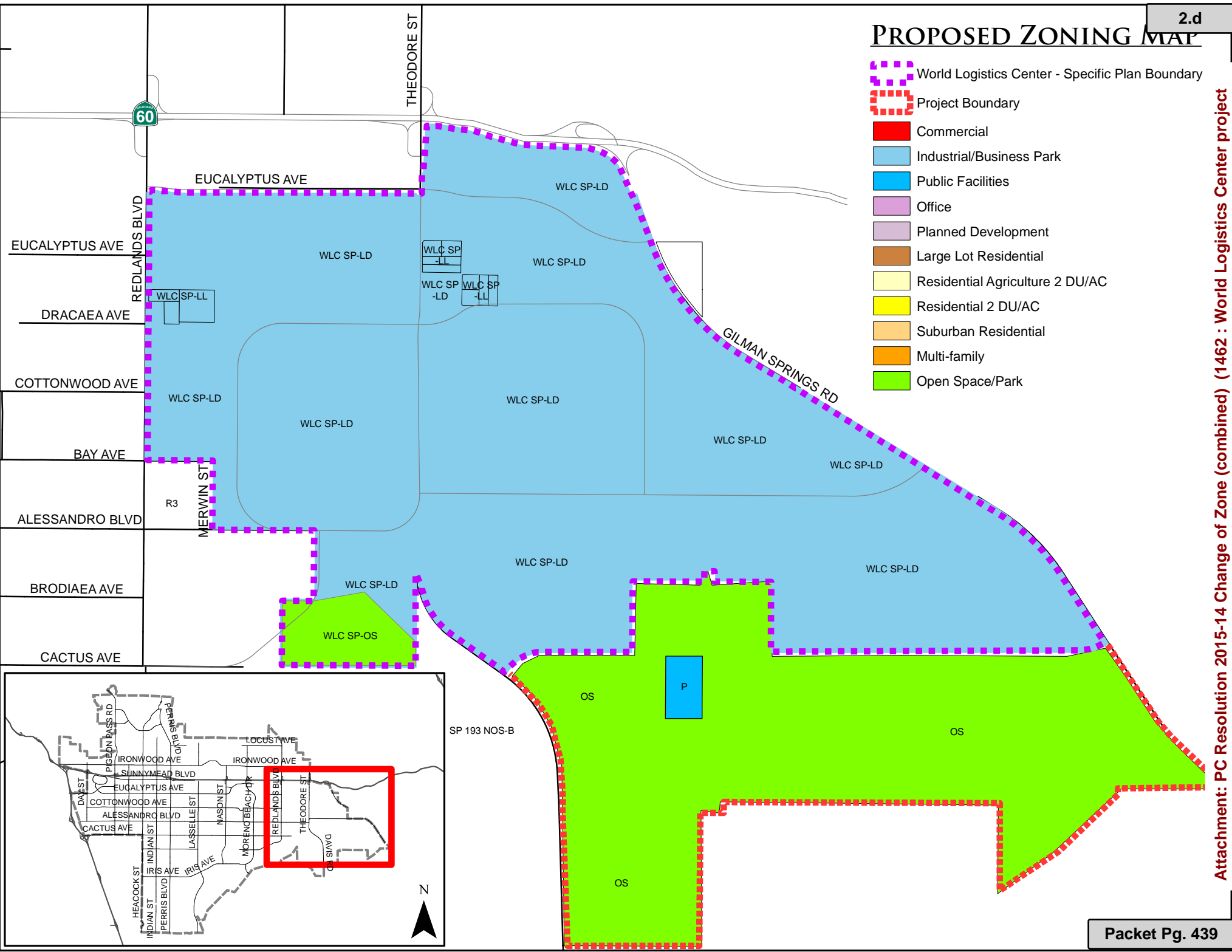
APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attached: Proposed Zoning Map, Proposed Pre-Zoning Map and Specific Plan

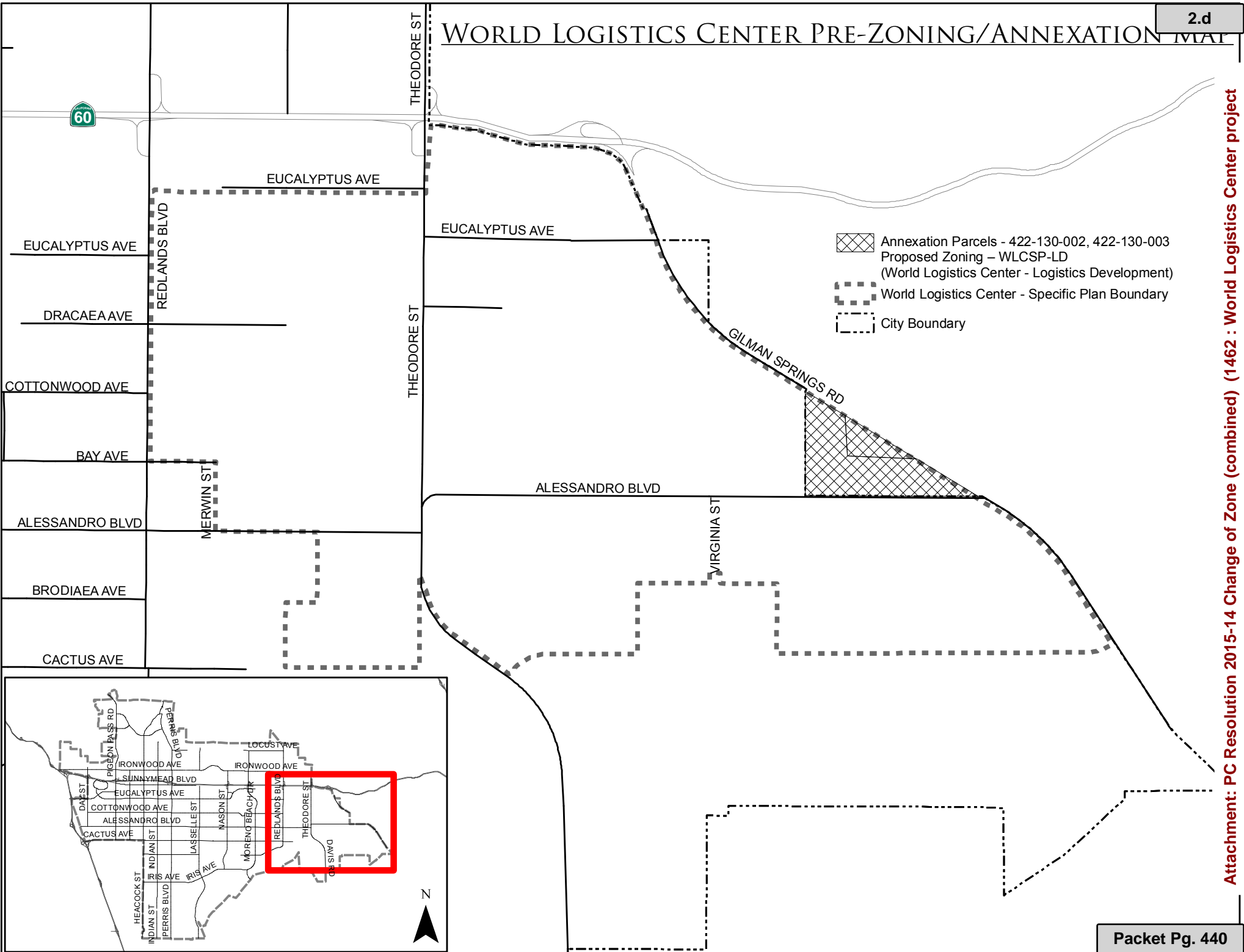
# PROPOSED ZONING MAP

-  World Logistics Center - Specific Plan Boundary
-  Project Boundary
-  Commercial
-  Industrial/Business Park
-  Public Facilities
-  Office
-  Planned Development
-  Large Lot Residential
-  Residential Agriculture 2 DU/AC
-  Residential 2 DU/AC
-  Suburban Residential
-  Multi-family
-  Open Space/Park



Attachment: PC Resolution 2015-14 Change of Zone (combined) (1462 : World Logistics Center project

# WORLD LOGISTICS CENTER PRE-ZONING/ANNEXATION



Attachment: PC Resolution 2015-14 Change of Zone (combined) (1462 : World Logistics Center project



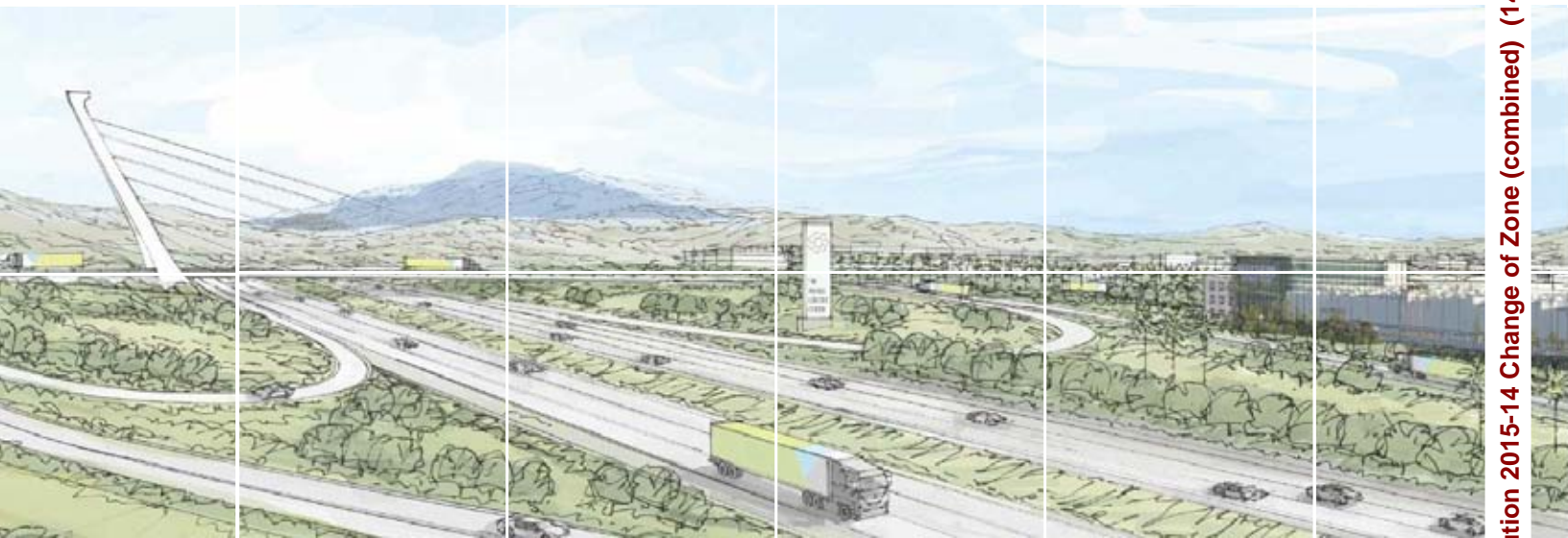


THE WORLD  
LOGISTICS  
CENTER <sup>TM</sup> ®

# SPECIFIC PLAN

September 2014

City of Moreno Valley  
Riverside County, California



Adopted:

Date: \_\_\_\_\_

Ordinance # \_\_\_\_\_

Attachment: PC Resolution 2015-14 Change of Zone (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a



*Note: The renderings, photographs and illustrations contained herein present the general vision and intent for future development. As the project progresses to actual construction, precise plans and design specifications consistent with these illustrations will be submitted to the City of Moreno Valley for review and approval prior to the issuance of construction permits.*



**DISCLAIMER**

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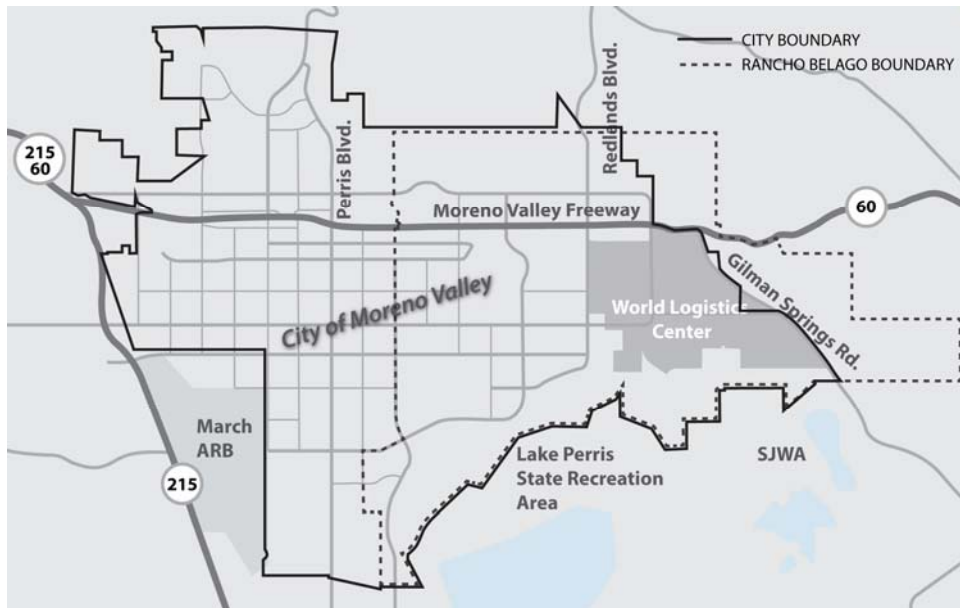
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## 1.0 INTRODUCTION

### 1.1 The World Logistics Center

The World Logistics Center is a master-planned development encompassing up to 40.6 million square feet of building area specifically designed to support large-scale logistics operations in a quality business environment.

The World Logistics Center Specific Plan covers 2,610 acres in Rancho Belago California, the eastern portion of Moreno Valley, located southerly of SR-60, between Redlands Boulevard and Gilman Springs Road northerly of the San Jacinto Wildlife Area (SJWA).



\*Note All maps and illustrations are shown enlarged in the Appendix.

Exhibit 1-1 **Regional Map**

### 1.2 Specific Plan Overview

The World Logistics Center Specific Plan will guide the orderly development of the World Logistics Center project in carrying out the City's General Plan. Within the Specific Plan, land use designations are identified and design guidelines, regulations, conditions, and programs are included to direct the systematic development of the project. This Specific Plan implements all applicable elements of the General Plan and includes detailed information about the area's infrastructure improvements such as roads, water, sewer, utilities and flood control facilities.





The World Logistics Center Specific Plan has been adopted pursuant to Government Code Section 65450 which grants authority to cities to adopt specific plans for purposes of implementing the goals and policies of their General Plans. The Government Code sets forth the minimum requirements and review procedures for specific plans including the provision of a land use plan, infrastructure and public services plan, criteria and standards for development, and implementation measures.

The Specific Plan complies with the City of Moreno Valley's Municipal Code (Chapter 9.13) governing the content of specific plans and procedures for their adoption and enforcement.

### 1.3 Specific Plan Vision and Objectives

The vision for the World Logistics Center is to establish a world class corporate park environment specifically designed to support the unique logistics and operational needs of international companies and corporate users. The World Logistics Center features a clean and contemporary design aesthetic and an efficient, convenient circulation system to provide a highly functional logistics campus.

The objective of the Specific Plan is to establish the zoning criteria that will guide the orderly development of the World Logistics Center project and carry out the goals of the City's General Plan. Included are development standards for integrated site planning, architecture, and landscaping. These standards establish a consistent design concept that produces a clear image and a sense of prestige, efficiency and integrity for the World Logistics Center and each project within.





Exhibit 1-2 **Specific Plan Area**

### 1.3.1 Development Goals

The Specific Plan provides planning strategies and development standards created specifically for the property to incorporate its unique advantages, adapt to its constraints, meet the unique needs of a growing logistics industry, provide for the economic growth needs of the City, and create consistent and compatible land uses for the area in an environmentally responsible manner. Development of the World Logistics Center:

- Provides the land use designations and infrastructure plan necessary to support the City's Economic Development Action Plan,
- Establishes Moreno Valley as a prime location for the logistics industry,
- Creates a project that will provide a balanced approach to the City's responsibilities of fiscal viability, economic opportunity and environmental integrity,
- Provides thousands of ongoing employment opportunities,
- Provides thousands of construction job opportunities during the project's build-out phase,
- Establishes architectural and landscape design guidelines for the project, and
- Provides appropriate transition between the project and adjacent uses.



### 1.3.2 Green Building – Sustainable Development

Construction of the World Logistics Center will be in conformance with California’s “Cal-Green” building regulations, the most stringent, environmentally-friendly building code in the United States. Cal-Green is a comprehensive, far-reaching set of regulations which mandate environmentally-advanced building practices and regulations designed to conserve natural resources and reduce greenhouse gas emissions, energy consumption and water use.

In addition, all buildings in the World Logistics Center, of at least 500,000 square feet, shall be designed to meet or exceed the LEED Certified Building Standards as described in Section 12.8.

To augment its environmentally responsible building design, the project will incorporate sustainable design features to further reduce its environmental footprint, including but not limited to:

- Reduced water use for landscape irrigation,
- Street designs that harvest and channel runoff into landscape areas instead of storm drains,
- Accommodate the use of alternative means of transportation,
- Use recycled building materials to the extent feasible,
- Use local sources of building materials to the extent feasible,
- Minimize the use of impervious paved surfaces throughout the project,
- Incorporate on-site storm water capture and infiltration within landscape areas,
- Support alternative fuel use through the provision of an on-site alternative fueling site, and
- Provide for the use of roof-mounted solar systems or other alternative power systems.





### 1.3.3 Sense of Place

The Specific Plan provides for the establishment of a strong and unique identity for the World Logistics Center. The Specific Plan guides the establishment of the project's sense of place by:

- Applying comprehensive, overall project design guidelines for architecture and project landscaping,
- Providing an efficient and simple circulation system specifically designed to accommodate truck circulation, and
- Using streetscapes, banners, entry monumentation, and architecture to strengthen the project identity.

### 1.3.4 Project Infrastructure

The Specific Plan identifies the backbone infrastructure systems needed to serve the project. Preliminary plans illustrate the proposed expansion of water, sewer, drainage and utility facilities. The infrastructure plan also provides for vehicular (car, truck and bus) and non-vehicular (bicycle and pedestrian) circulation, including a five-mile extension of the City's multi-use trail system.



*The Specific Plan provides for the establishment of a strong and unique design identity for the World Logistics Center.*





## 1.4 Existing Setting

### 1.4.1 Existing Land Use

The World Logistics Center Specific Plan covers approximately 2,610 acres within Rancho Belago in eastern Moreno Valley in Riverside County, California. The project area is located southerly of SR-60, between Redlands Boulevard and Gilman Springs Road, north of the San Jacinto Wildlife Area. Existing uses include dry-farmed agricultural land, several scattered rural residential properties and a Metropolitan Water District (MWD) water distribution facility.

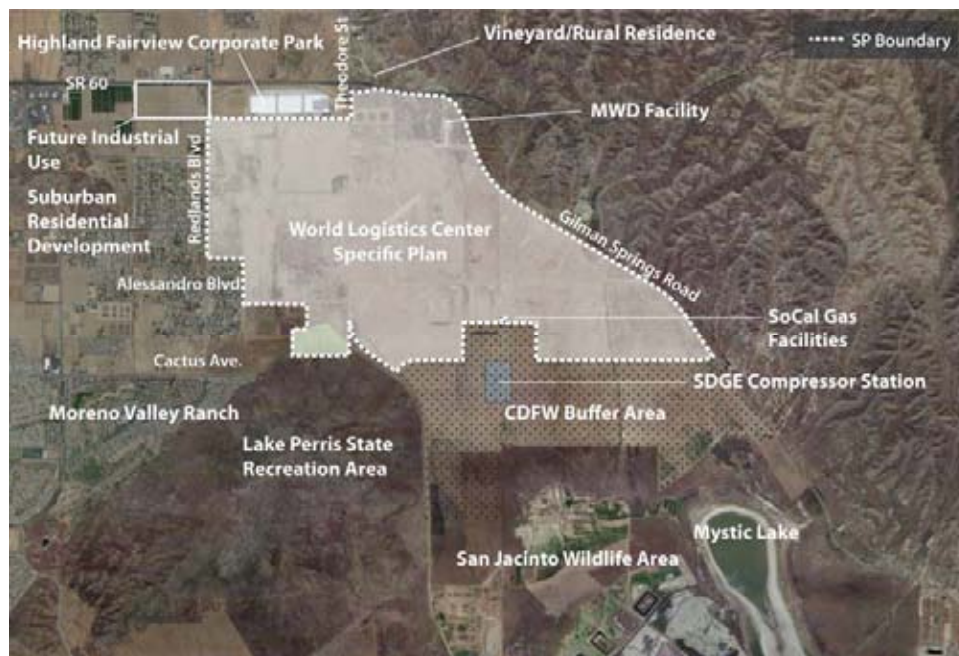


Exhibit 1-3 *Surrounding Land Uses*

#### Surrounding land uses include:

- North:** Highland Fairview Corporate Park (including Skechers), SR-60, vineyard and rural residential uses
- South:** Natural gas distribution facilities, San Jacinto Wildlife Area, Lake Perris State Recreation Area
- East:** Vacant hillside (Badlands), scattered residential uses
- West:** Suburban residential development, vacant land



### 1.4.2 Existing Fault Zones

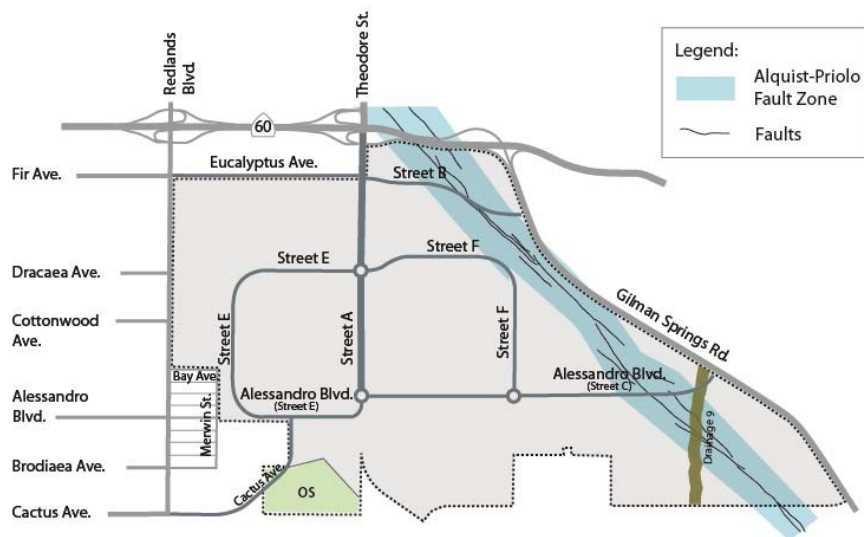


Exhibit 1-4 Existing Fault Zones

Based on preliminary geotechnical investigations conducted for the World Logistics Center property, a portion of the site is subject to geotechnical constraints that may affect the placement of future buildings on the property. Exhibit 1-4 “Existing Fault Zones” illustrates the location of the Alquist-Priolo Fault Zone on the site and shows where several concealed, inferred and known faults are believed to exist. Prior to the approval of all project-specific development proposals, detailed geotechnical investigation and analysis will be prepared and submitted to the City for review. The results of those studies will be incorporated into the detailed plans for each project.



## 2.0 LAND USE PLAN

### 2.1 World Logistics Center Land Use Designations

The World Logistics Center Specific Plan provides for the development of a master-planned project specifically designed to support logistics uses by incorporating landscape and architectural standards, project-wide criteria for streets, drainage, public infrastructure, lighting and signage, and project features responsive to the needs of the logistics industry.

The Specific Plan includes a land use plan providing for three land use designations: Logistics Development (LD), Light Logistics (LL), and Open Space (OS).

A Circulation Plan provides a roadway network that moves cars and trucks into and through the World Logistics Center in a safe, efficient manner.

An Infrastructure Plan is included that addresses the current status of local infrastructure services such as water, sewer, storm drain, electricity and telephone/cable TV and outlines the backbone improvements necessary for these systems to serve the World Logistics Center project.

Guidelines for landscaping and architectural design are provided to ensure that a distinct consistent aesthetic theme is realized throughout the project.

Additionally, the Plan establishes an implementation program that provides the processes and procedures for the review and approval of project-specific development proposals, carrying out the purpose and intent of the Specific Plan.

All of these elements function together to create a comprehensive development program to ensure that the World Logistics Center becomes the contemporary standard for logistics campus projects.



LAND USE PLAN

2-1



Planning Area (PA)	Land Use	Area	Building SF
<b>Logistics Development</b>			
1	LD	77.8	1,100,000
2	LD	193.5	4,200,000
3	LD	120.3	1,600,000
4	LD	301.5	5,600,000
5	LD	64.2	1,100,000
6	LD	115.3	500,000
7	LD	10.3	50,000
8	LD	142.9	2,150,000
9	LD	485.8	10,400,000
10	LD	139.9	2,200,000
11	LD	500	8,000,000
12	LD	231.3	3,500,000
		<b>2,382.8</b>	<b>40,400,000</b>
<b>Light Logistics</b>			
20	LL	16.1	45,500
21	LL	10.5	77,250
22	LL	10.5	77,250
		<b>37.1</b>	<b>200,000</b>
<b>Open Space</b>			
30	OS	74.3	
		<b>74.3</b>	
<b>Right of Way</b>			
ROW		115.8	
		<b>115.8</b>	
<b>Grand Total</b>		<b>2,610.0</b>	<b>40,600,000</b>



Exhibit 2-1 Land Use Plan

LAND USE PLAN

## Land Use Designations:

### Logistics Development - (LD)

The LD designation provides for high-cube logistics warehouse uses consisting of buildings of 500,000 square feet or greater. Warehousing and logistics activities consistent with the storage, assembly and processing of manufactured goods and materials prior to their distribution to other facilities are permitted within this category along with facilities for the outdoor storage of trucks, trailers and shipping containers. Ancillary office, employee services and property management facilities are permitted in connection with primary uses. Development standards for the LD category are included in Section 2.2 of this Specific Plan.

### Light Logistics - (LL)

The LL designation provides for warehouse uses less than 500,000 square feet in size, self-storage and vehicle storage uses. Ancillary office, employee services and property management facilities are permitted in connection with primary uses. Development standards for the LL category are included in Section 2.3 of this Specific Plan.

### Open Space - (OS)

The OS designation identifies a 74.3 acre area in the southwestern portion of the site which is a portion of Mt. Russell. The intent of the OS designation is to preserve this area as a permanent Open Space. This area shall comply with the City of Moreno Valley Open Space Standards and permitted uses.



LAND USE PLAN

2-3

## 2.2 Logistics Development (LD) Category



### 2.2.1 Purpose and Intent

The LD category is intended to provide for the development of large, high-cube logistics warehouse buildings.

### 2.2.2 Permitted Uses

- a. High-cube warehouses
- b. Vehicle, equipment and container storage (as a separate use or in connection with other permitted uses)
- c. Short-term and long-term construction yards within, or immediately adjacent to approved construction sites
- d. Cellular transmission facilities and structures
- e. Public utility uses and structures
- f. Fire station (see Section 2.2.4)
- g. Logistics support (see Section 2.2.5)
- h. Property maintenance facilities (POA facilities, offices, vehicle storage, nurseries, etc.)

### 2.2.3 Development Standards (see Section 2.2.5 for standards applicable to logistics support)

- a. Minimum Lot Size – one acre
- b. Minimum Lot Dimensions – width – 200 feet  
depth – 200 feet
- c. Minimum Building Size
  1. High-cube logistics uses: 500,000 square feet
  2. All other uses – no minimum



LAND USE PLAN

2-4



- d. Floor Area Ratio (FAR)
  - 1. High-cube logistics uses – no minimum; 1.0 FAR maximum.
- e. Building Height
  - 1. Vehicle/container storage uses – maximum 25 feet
  - 2. High-cube logistics uses – maximum 60 feet or 80 feet per Exhibit 5-3
  - 3. Cell towers – refer to Municipal Code.
- f. Building Setbacks (Minimum)
  - 1. From any public street: 60 feet.
  - 2. From other property lines: no minimum
  - 3. From residentially occupied property within the WLC: all buildings shall be set back a distance equal to or greater than the height of the proposed building.
  - 4. From SJWA property: 400 feet (See Exhibit 4-16)
  - 5. From residentially zoned property: 250 feet measured from the City/County zoning boundary (See exhibits in Section 4.2.4)
  - 6. From SDG&E Compressor Station buildings: No buildings shall be located less than 1000 feet from existing buildings at the SDG&E Compressor Station. (See Exhibit 4-16)
- g. Maximum Lot Coverage – None
- h. Landscape Coverage
  - 1. High-cube logistics uses – 10% minimum
  - 2. All other uses – no minimum
  - 3. Landscape buffer - 20 feet minimum from street
- i. Accessory Structure Size – no minimum, no maximum
- j. Accessory Structure Setbacks – same as primary buildings
- k. Legal nonconforming uses: the provisions of Municipal Code Section 9.02.180 “Legal nonconforming uses, improvements and parcels” shall apply.





**2.2.4 Fire Station Site**

A 1.5-acre site for a future fire station will be provided in the easterly portion of the Specific Plan. The fire station will be built during Phase 1 (see Exhibit 8-1) and will be approximately 11,000 square feet in size. The exact location and configuration of the facility will be established in connection with the design and development of adjacent properties. The precise timing for the construction of a fire station will be determined by several factors, including the phasing of WLC development, the construction of other planned fire stations, and the location and size of WLC buildings. The Fire Department will review the need for a fire station with each site specific Plot Plan application.



*Exhibit 2-2 Fire Station Site*



## 2.2.5 Logistics Support



### 2.2.5.1 Purpose and Intent

Logistics support sites shall be located on property within the LD category. Logistics support sites provide services within the WLC including fueling facilities (including alternative fuels such as, but not limited to, LNG, CNG, biofuel, etc.) and limited commercial uses oriented to truck operators serving the World Logistics Center.

### 2.2.5.2 Project Location

The exact locations and configurations of the facilities will be established in connection with the design and development of adjacent properties, subject to the following criteria. The sites shall be located:

- a) Within a LD designated area
- b) With frontage on an internal collector street
- c) On sites with adequate size, access, sight distance, and grades to safely accommodate large trucks as determined through the Plot Plan process.

### 2.2.5.3 Permitted Uses

- a. Motor fuel sales
  - a. Any Plot Plan application for fuel sales and/or fuel storage shall include a risk assessment evaluating potential health or safety risks from the operation of such uses at the proposed sites.
- b. Retail sales when operated in connection with a primary fuel sales use
- c. Construction yards within, or immediately adjacent to approved construction sites



- d. Cellular transmission facilities and structures
- e. Public utility uses and structures

#### 2.2.5.4 Prohibited Uses

- a. Vehicle service/maintenance/repairs/storage
- b. Drive-thru facilities
- c. Overnight truck parking
- d. Towing services

#### 2.2.5.5 Development Standards

- a. Minimum Lot Size – 1.0 acre
- b. Minimum Lot Dimension – width – 200 feet  
depth – 200 feet
- c. Building Size – no minimum, 3,000 sq. ft. maximum not including canopy area
- d. Floor Area Ratio
  - 1. No minimum; 1.0 FAR maximum.
- e. Building Height – 25 feet maximum
- f. Setbacks (Minimum):
  - 1. 20 feet from all property lines except adjacent to any residential property where buildings shall be set back a distance equal to or greater than the height of the proposed building.
  - 2. All fueling facilities shall be a minimum of 250 feet from any residentially occupied or zoned properties.
- g. Maximum Lot Coverage – None
- h. Landscape Coverage - no minimum
  - 1. Landscape Buffer – 20 feet minimum from street
- i. Canopies – Fueling areas shall be covered.
- j. Accessory Structure Size – no minimum, no maximum
- k. Accessory Structure Setbacks – same as primary buildings
- l. Prohibited Uses –
  - 1. Vehicle service/ maintenance/ repairs/ storage
  - 2. Drive-thru facilities
  - 3. Overnight truck parking
  - 4. Towing services



## 2.3 Light Logistics (LL) Category



### 2.3.1 Purpose and Intent

The LL “Light Logistics” designation provides for warehouse buildings and other storage uses and buildings less than 500,000 square feet in size.

### 2.3.2 Permitted Uses

- a. High-cube warehouses
- b. Vehicle, equipment and container storage (as a separate use or in connection with other permitted uses)
- c. Short-term and long-term construction yards within, or immediately adjacent to approved construction sites
- d. Cellular transmission facilities and structures
- e. Public utility uses and structures
- f. Fire station
- g. Property maintenance facilities (POA facilities, offices, vehicle storage, nurseries, etc.)

### 2.3.3 Development Standards

- a. Minimum Lot Size – one acre
- b. Minimum Lot Dimension – width – 200 feet  
depth – 200 feet
- c. Minimum Building Size– None
- d. Floor Area Ratio
  1. Warehouses – no minimum; 1.0 FAR maximum.
- e. Building Height – sixty feet maximum



- f. Building Setbacks (Minimum)
  - 1. From any public street: twenty feet.
  - 2. From other property lines: no minimum
  - 3. From residentially occupied property within the WLC: all buildings shall be set back a distance equal to or greater than the height of the proposed building.
  - 4. From residentially zoned property: 250 feet measured from the City/County zoning boundary (See exhibits in Section 4.2.4)
  - 5. Designated emergency access drives and employee/visitor parking are permitted in all setback areas.
- g. Maximum Lot Coverage – None
- h. Landscape Coverage - No Minimum
  - 1. Landscape buffer – 20 feet minimum from street
- i. Accessory Structure Size – no minimum, no maximum
- j. Accessory Structure Setbacks – same as primary buildings
- k. Legal nonconforming uses - the provisions of Municipal Code Section 9.02.180 “Legal nonconforming uses, improvements and parcels” shall apply.



**2.4 Standards and Guidelines for Open Space**

All uses and development with the Open Space (OS) designation shall comply with the standards, guidelines and procedures contained in Section 9.06.030 of the Municipal Code.

The entirety of Planning Area 30 will be offered for dedication in fee to the State of California for expansion of its adjacent ownership. If the offer is not accepted, the land may be dedicated to a local conservation agency, a property owners' association or retained in private ownership.



## 2.5 Special Edge Treatment Areas

The Specific Plan includes three designated areas where special setbacks, facilities, grading and landscaping will be provided to create special edge treatment areas between the World Logistics Center and adjacent, existing land uses. These edge areas are shown on Exhibit 2-3 and detailed cross sections are shown in Section 4.2.4.

### 2.5.1 Western Edge

The Western edge is adjacent to residentially-zoned property. This edge will feature a restricted use area in which no buildings, truck courts, loading areas, truck circulation areas, or truck or trailer storage uses are permitted. Employee/visitor parking, emergency access, landscaping, drainage facilities, and property maintenance access are permitted in this area. The restricted use area will be at least 250 feet from any residential zoning boundary.

### 2.5.2 SR-60 Edge

The SR-60 edge through the WLC will continue the general design established with the Highland Fairview Corporate Park project immediately to the west. Similar to the HFCP project, future development areas within the WLC will be lower than the freeway, with landscaped slopes providing screening of adjacent buildings and circulation areas. To ensure a consistent appearance of this edge, the landscape treatment of these slopes will continue the design and plant palette utilized at the HFCP project.

### 2.5.3 SJWA Edge

The San Jacinto Wildlife Area (SJWA) edge is along the southerly boundary of Planning Areas 10 and 12 (See Exhibit 2-1) and adjacent to state-owned open space currently in agricultural use. This edge will feature a restricted use area of at least 250 feet from these state-owned properties. No buildings, truck courts, loading areas, employee/visitor parking, truck circulation areas, or truck or trailer storage uses are permitted within this area. Emergency access, landscaping, drainage facilities, and property maintenance access are permitted. In addition to this 250 foot restricted use area, additional setback will be provided such that all buildings are a minimum of 400 feet from the SJWA boundary.

### 2.5.4 Gilman Springs Road Edge

The Gilman Springs Road edge will feature a restricted use area of at least 250 feet from any residential zoning boundary. No buildings, truck courts,

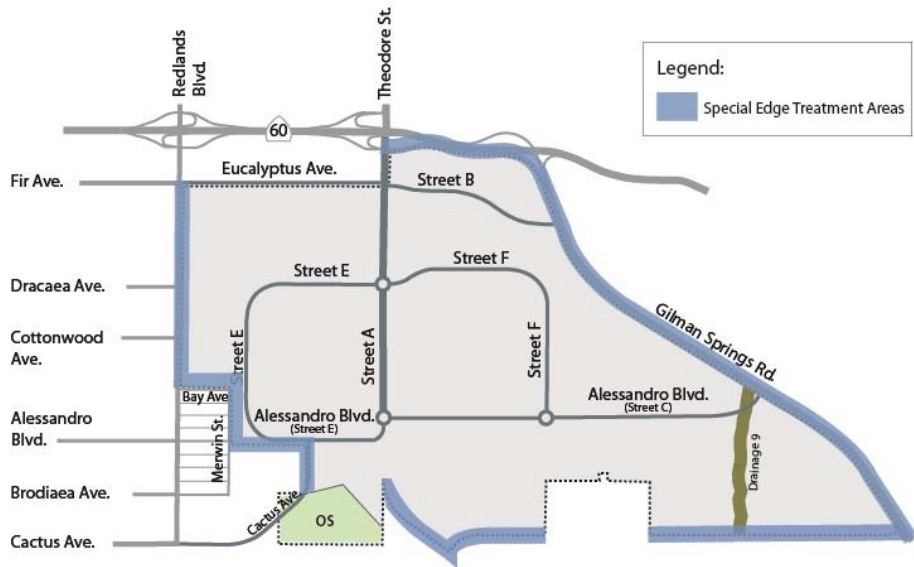




loading areas, truck circulation areas, or truck or trailer storage uses are permitted within this area. Employee/visitor parking, emergency access, landscaping, drainage facilities, and property maintenance access are permitted. This restricted use area may be reduced subject to the review of project-specific air quality and noise analyses.

**2.5.5 Concept Plans**

Prior to approval of any subdivision or Plot Plan including or adjacent to a Special Edge Treatment Area, a concept plan for that entire edge area shall be submitted to and approved by the Planning Official. The concept plan shall include proposed grading, improvements, landscaping, drainage facilities, lighting, signage, trails, vehicular / pedestrian access, and any other proposed improvements. Site-specific projects shall be consistent with these concept plans.



*Exhibit 2-3 Special Edge Treatment Areas*



### 3.0 INFRASTRUCTURE PLAN

The Infrastructure Plan serves as a guide for the development of detailed plans for roadways, domestic water, wastewater, storm water and utilities that will serve the Specific Plan area. The conceptual infrastructure plans generally identify the location of infrastructure facilities within the project. Subsequent subdivisions and site development plans will establish the exact size and location of all such facilities.

### 3.1 Circulation

The Circulation Plan provides standards and guidelines that ensure the safe and efficient movement of people and vehicles into and through the World Logistics Center, addressing light trucks and passenger vehicles, heavy trucks, public transit, and non-vehicular circulation (pedestrians and bicycles). The Circulation Plan includes new streets and the extension of existing streets that will be renamed.

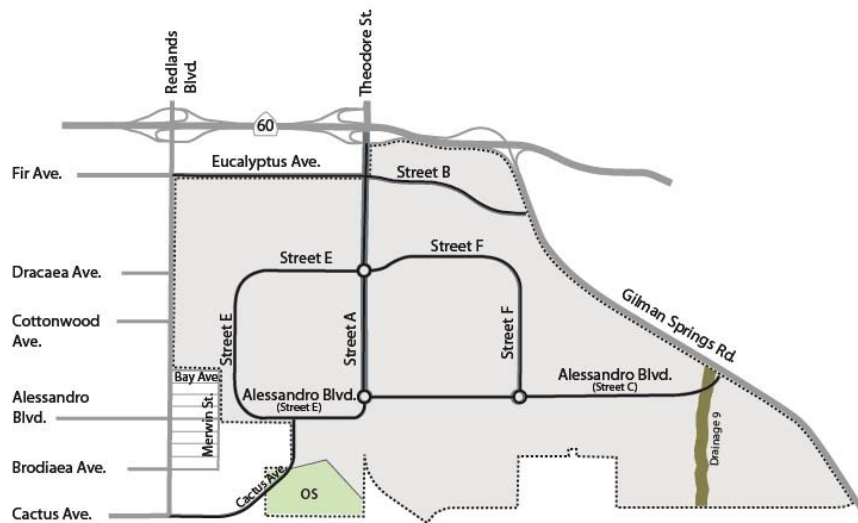


Exhibit 3-1 Circulation Plan

Five points of access bring vehicles into the World Logistics Center. The primary access to the project will be via Theodore Street, with additional accesses at Eucalyptus Avenue, Cactus Avenue and Gilman Springs Road.



### 3.2 Freeway

State Route 60 (SR-60) runs along the northerly border of the World Logistics Center. Existing interchanges adjacent to the project are located at Redlands Boulevard, Theodore Street and Gilman Springs Road. Theodore Street will be the primary connection to SR-60 for the World Logistics Center.

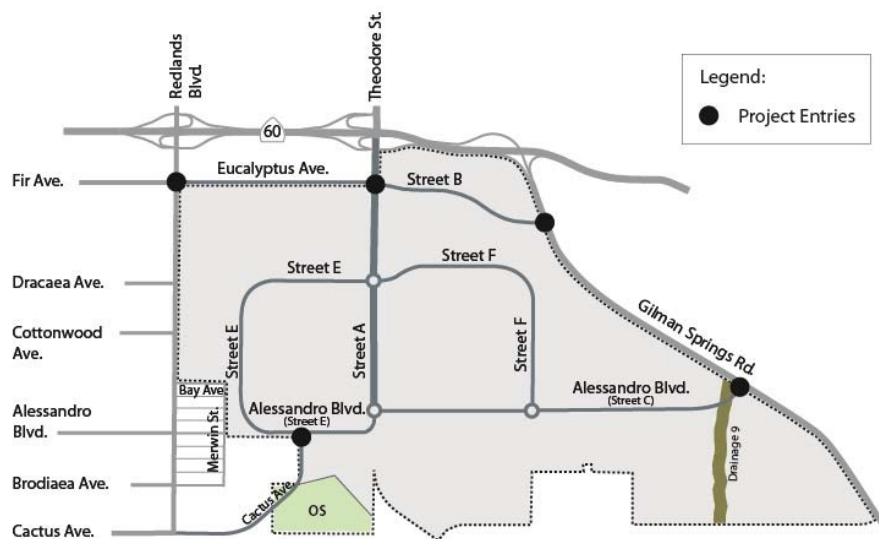


Exhibit 3-2 **Project Entries**

### 3.3 Vehicular Circulation

#### 3.3.1 Passenger Car and Truck Circulation

The World Logistics Center is designed to provide easy vehicular access to the project via five access points around the site.

A major feature of the plan is a road system that directs all heavy truck traffic to and from SR60 and Gilman Springs Road eliminating the need to travel through residential areas to the west. Cactus Avenue and Redlands Boulevard south of Eucalyptus Avenue are not designated Truck Routes. Cactus Avenue will be designed and/or signed to prohibit use by heavy trucks.

The primary truck entry to the site is through the Theodore Street/SR60 interchange. Secondary truck access points are provided at Gilman Springs Road via intersections with Street B and Alessandro Boulevard.



Access for cars and light/medium trucks is provided via the extension of Cactus Avenue in the southwest portion of the project. No heavy trucks are allowed to use this access. Redlands Boulevard south of Eucalyptus Avenue allows only passenger vehicle and light/medium truck access as it is not a City-designated truck route.

Alessandro Boulevard is a historic roadway (per Resolution CPAB 88-2) and is subject to Special Regulations contained in Section 12.9 of this Specific Plan.

### 3.3.2 Street Designations

A network of arterial and collector streets serve the World Logistics Center. Their primary function is to serve traffic within the project area, but some provide regional connectivity through the project. Street sections within the project are shown on the following pages. Specific design details of these roadways will be determined in subsequent subdivision and site development approvals. Additional rights-of-way may be required for turn lanes. Turn lanes are provided in the median of all arterial streets, subject to City approval.

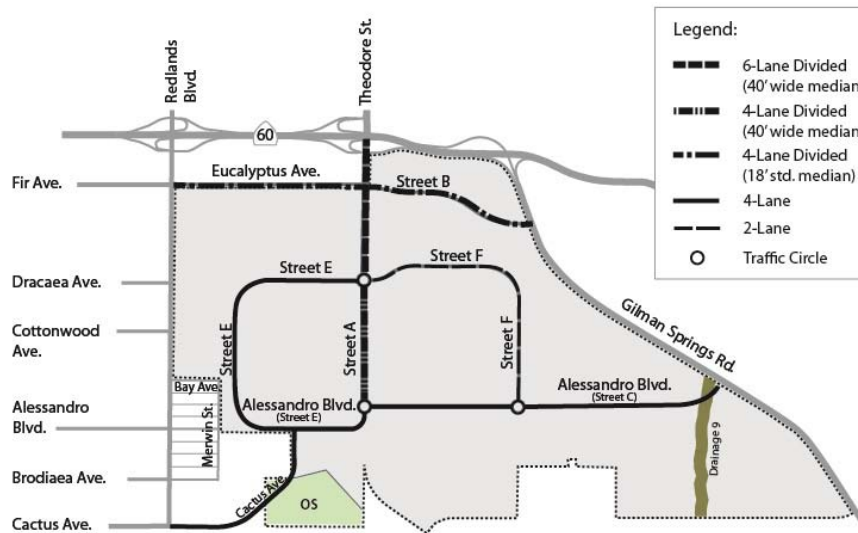


Exhibit 3-3 Street Configurations



### Street A (Theodore Street)

Street A (Theodore Street) runs north-south through the World Logistics Center. It is a 6-lane and 4-lane divided arterial roadway as shown on Exhibit 3-3, with additional widening and lane improvements at its intersections with SR-60, Eucalyptus Avenue and local interior collector streets. These interior intersections will be upgraded with roundabouts, providing for more efficient traffic flow.

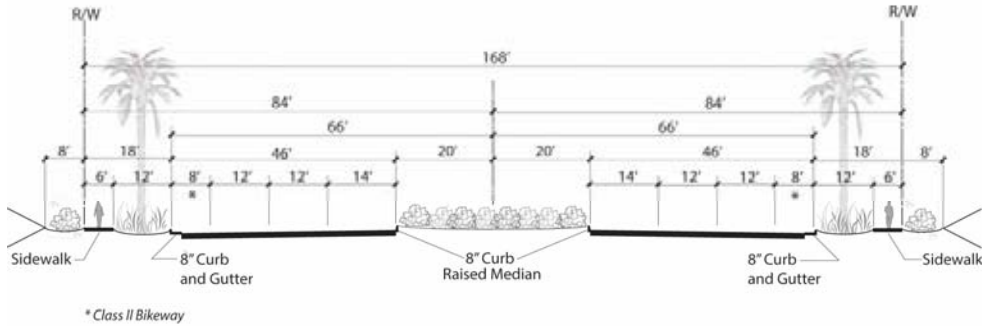


Exhibit 3-4a Street "A" (Theodore Street) North of Street "E"

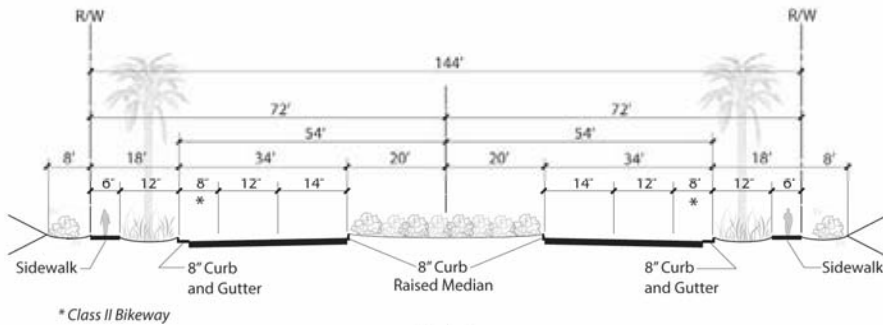


Exhibit 3-4b Street "A" (Theodore Street) South of Street "E"



### Eucalyptus Avenue

Eucalyptus Avenue is a 4-lane divided arterial roadway running east-west northerly of the WLC Specific Plan area from Theodore Street on the east to Redlands Boulevard on the west. A portion of this street was constructed with the Highland Fairview Corporate Park project. The City's General Plan shows this street ultimately extending westerly across the City.

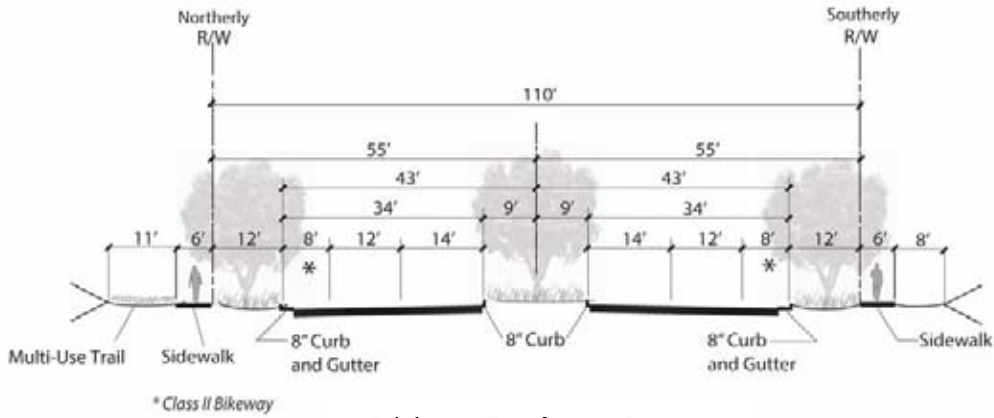


Exhibit 3-5 Eucalyptus Avenue

### Street B (Eucalyptus Avenue Extension)

Street B (Eucalyptus Avenue Extension) is a 4-lane divided arterial roadway, running east-west through the northerly portion of the World Logistics Center from Gilman Springs Road on the east to existing Eucalyptus Avenue at Street A (Theodore Street) on the west. The City's General Plan shows this street ultimately extending westerly across the City.

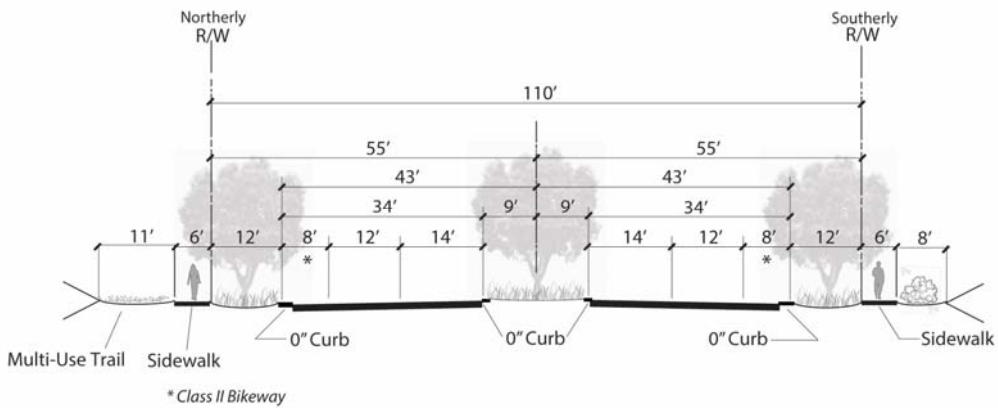


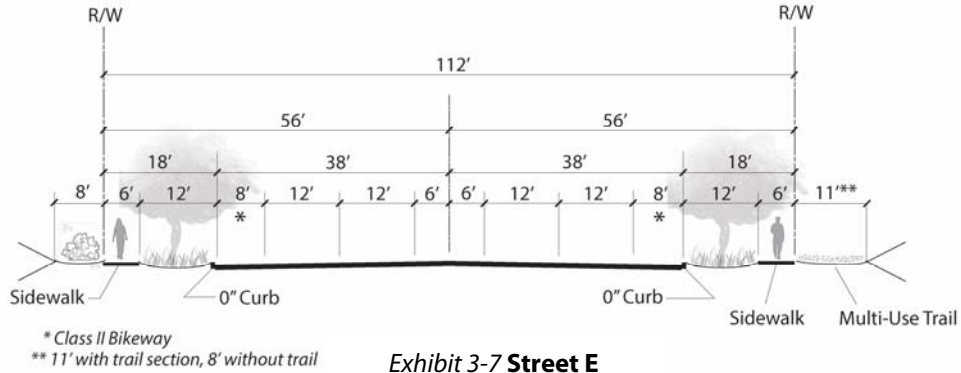
Exhibit 3-6 Street B (Eucalyptus Avenue Extension)



INFRASTRUCTURE PLAN

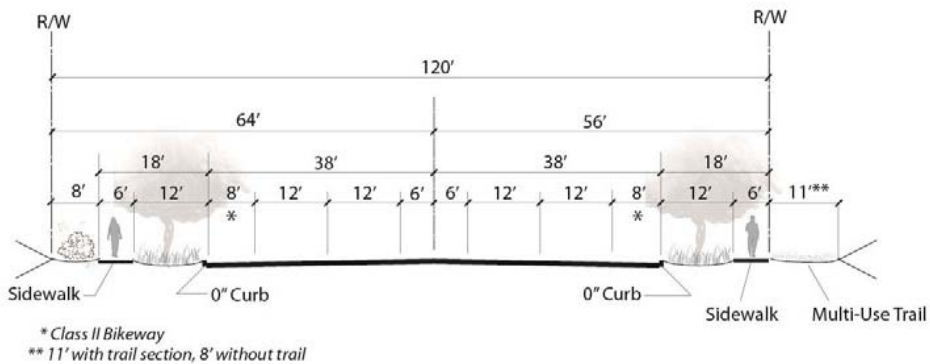
### Street E

Street E is a 4-lane undivided arterial roadway providing direct access to development areas in the westerly portion of the project. A roundabout is planned at its intersection with Street A. Design details of this roadway will be determined by subsequent subdivision and site development approvals.



### Alessandro Boulevard

Alessandro Boulevard is a 4-lane undivided roadway running east-west through the World Logistics Center, from Gilman Springs Road to Cactus Avenue. This roadway is a City-designated historic roadway (Resolution CPAB 88-2) and is subject to Special Regulations contained in Section 12.9 of this Specific Plan. Vehicular access will be prohibited on a portion of Alessandro Boulevard, east of Merwin Street in order to reduce through traffic and associated impacts on the residential portion of Alessandro Boulevard. Roundabouts are planned with its intersection with Street A and Street F.



Note: See special regulations applicable to Alessandro Boulevard in Section 12.9 of the Specific Plan





### Street F

Street F is a two-lane internal collector road providing direct access to development areas in the central portion of the project. It intersects with Street A (Theodore Street) at its northerly end and with Alessandro Boulevard at its southerly end. Both of these intersections will be roundabouts. Specific design details of this roadway will be determined by subsequent subdivision and site development approvals.

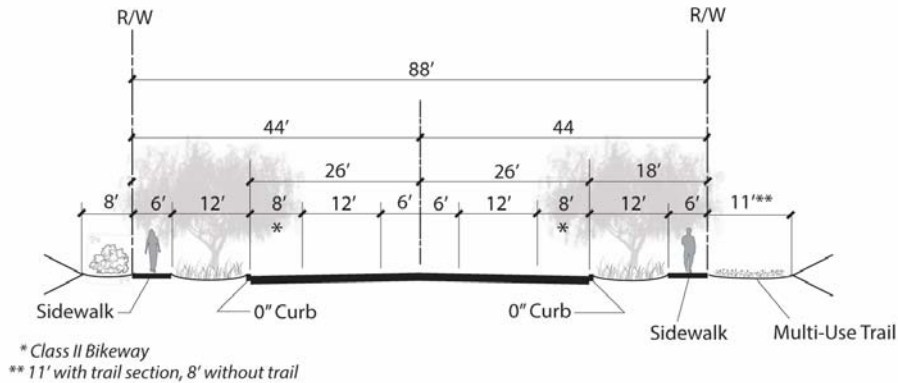


Exhibit 3-9 Street F

### Cactus Avenue (Extension)

The extension of Cactus Avenue will be a 4-lane undivided minor arterial roadway connecting existing Cactus Avenue with Alessandro Boulevard and Street E. Heavy trucks will be prohibited from using Cactus Avenue to enter and exit the WLC. Special design (where possible) and signage will reinforce this restriction as established by the City.

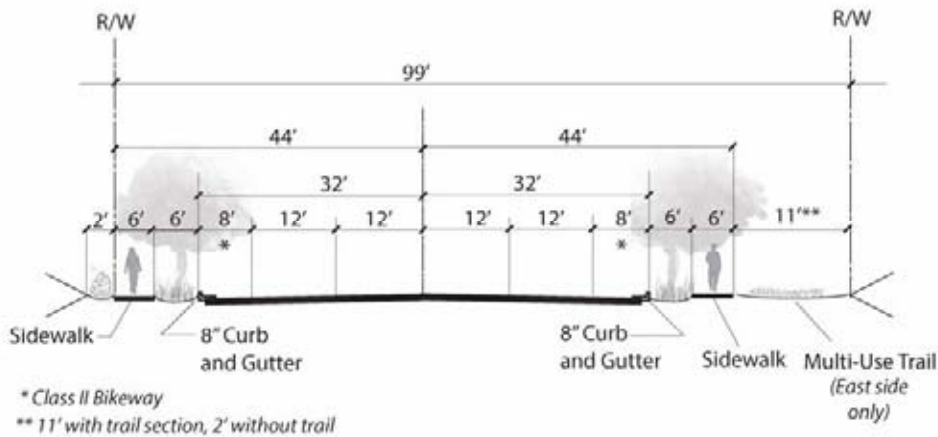


Exhibit 3-10 Cactus Avenue (Extension)



### 3.3.3 Truck Circulation

The efficient, safe circulation of large commercial vehicles is a major component of the World Logistics Center. The circulation system is designed to move large vehicles between the regional highway system and the businesses of the World Logistics Center while directing heavy trucks away from nearby residential neighborhoods. The World Logistics Center plan directs all heavy truck traffic to SR-60 and Gilman Springs Road and away from Redlands Boulevard (south of Eucalyptus Avenue) and Cactus Avenue. These prohibitions are incorporated in the City's Truck Route Ordinance.

Signage or road design, as determined by the City, will prohibit heavy trucks from using Cactus Avenue to enter or exit the project. The City's Truck Route Ordinance will reinforce these prohibitions.

The interior roadways of the WLC will be City-designated Truck Routes.

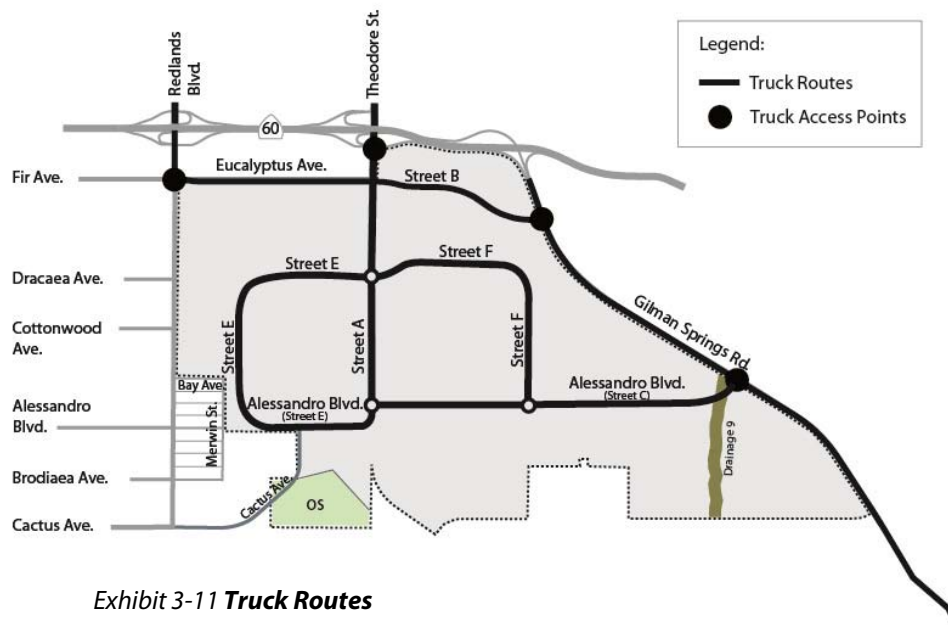


Exhibit 3-11 Truck Routes



The Plan includes three roundabouts for safe and efficient vehicular movement throughout the project. They are located at Street A (Theodore Street), Alessandro Boulevard, Street E, and Street F. The detailed design of these roundabouts will be reviewed by the City in connection with site specific design projects.

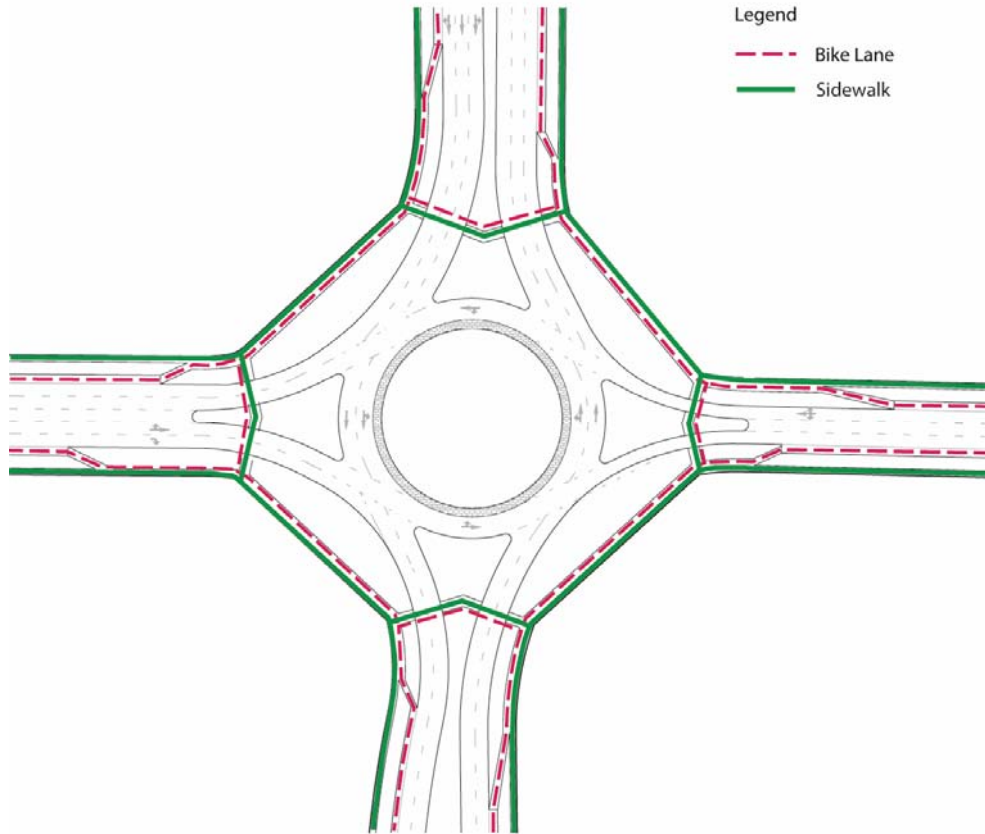


Exhibit 3-12 Roundabout Diagram



Example of Roundabout Circulation



The World Logistics Center Specific Plan prohibits parking on all streets except at designated truck parking lanes. These lanes provide parking areas for vehicles for a limited duration (no overnight parking) when access to project sites is not available. They are designed to be offset from the traffic lanes to allow for unobstructed thru-traffic and shall be located no closer than 200 feet from intersecting street curb returns. The locations and detailed designs will be reviewed in connection with subdivision and site development permits. No truck parking lanes will be located on Street A.

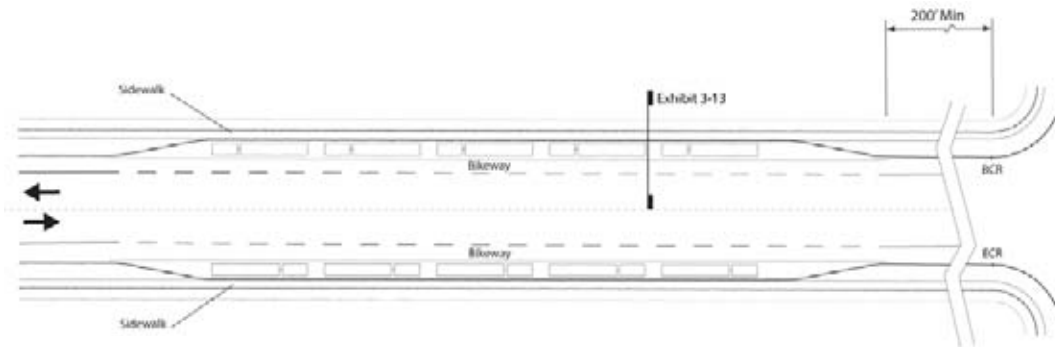


Exhibit 3-13 **Truck Pullout Diagram**

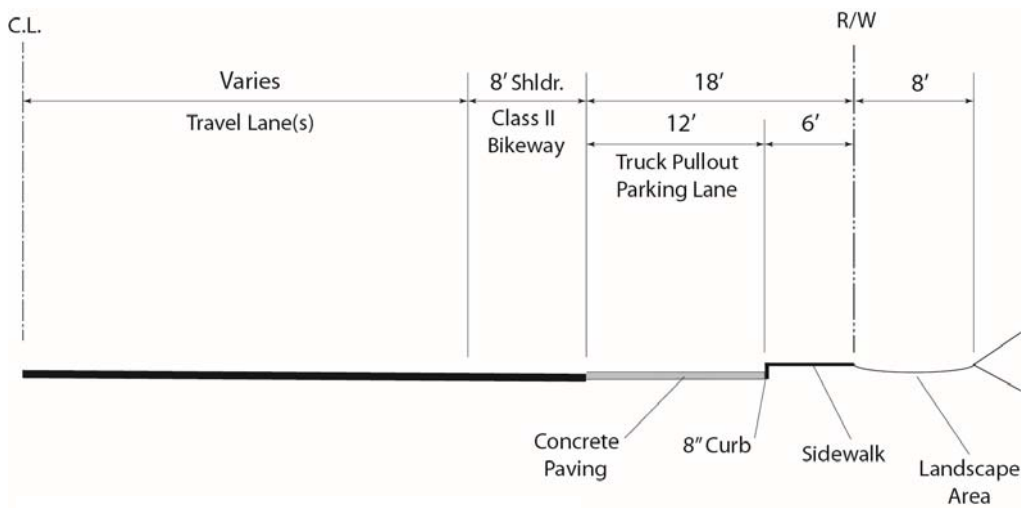


Exhibit 3-14 **Truck Parking Lane Section**



### 3.3.4 Mass Transit Circulation

All streets in the World Logistics Center are designed to accommodate bus service. Regional bus service in Western Riverside County is provided by the Riverside Transit Agency (RTA), however they do not currently operate any routes in the immediate vicinity of the World Logistics Center. RTA will determine if and when bus service will be provided. Facilities to support future bus service to the project pursuant to RTA's "Design Guidelines for Bus Transit" will be incorporated, as needed, into street design in connection with site-specific development proposals. Covered shelters shall be provided when bus routes are activated. A standard design for shelters shall be reviewed and approved by RTA and the City prior to installation of the first shelter.

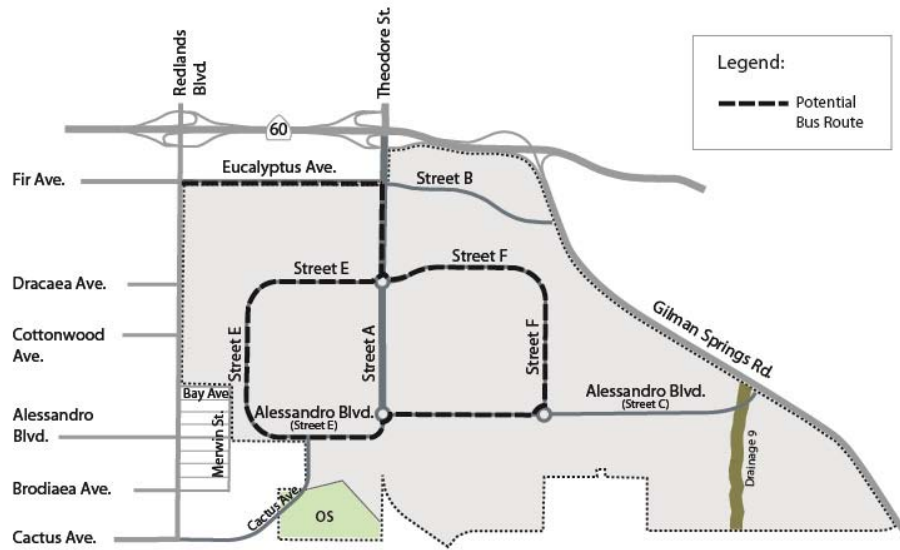


Exhibit 3-15 Potential Bus Route

Exhibit 3-14 illustrates a potential bus route that would conveniently serve the majority of building areas within the WLC. This is only a conceptual route. The RTA will determine if and when bus service will be extended to the WLC area and its route.



### 3.3.5 Emergency Access

An emergency vehicular access connection will be provided from Street E to public roads to the west. This connection will also be designed to accommodate pedestrian and bicycle use to facilitate non-vehicular circulation within the WLC project. A conceptual design for an emergency access connection is shown in Figure 3-16.

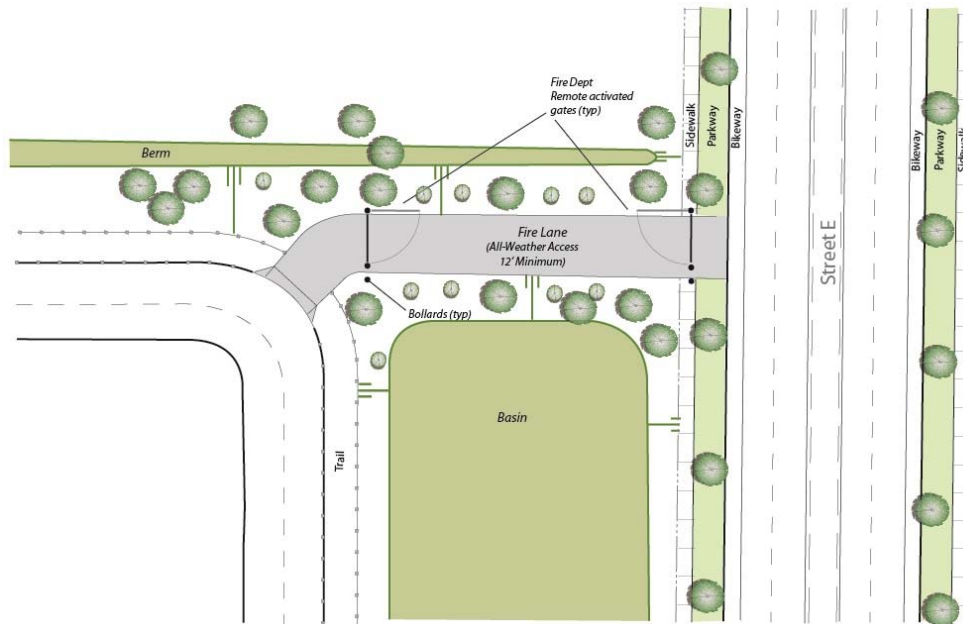


Exhibit 3-16 **Emergency Access (Conceptual)**

## 3.4 Non Vehicular Circulation

### 3.4.1 Pedestrian Circulation

The World Logistics Center provides a network of sidewalks on all project streets, as required to comply with ADA and other applicable codes, to connect all areas of the project to surrounding areas and to interconnect all buildings within the project. Details of these sidewalks will be reviewed and approved by the City in connection with subdivision and site development approvals.





### 3.4.2 Multi-Use Trails

To provide public trail access to the Lake Perris Recreational Area, an extension of the City’s Redlands Boulevard multi-use trail will cross Redlands Boulevard at Cottonwood Avenue and continue southerly and easterly as shown on Exhibit 3-16.

The existing multi-use trail along the north side of Eucalyptus Avenue will be extended along Street B to Gilman Springs Road and then southerly to connect with the trail head as shown in Exhibit 3-16.

In the future a connection between the trail head and SJWA may be constructed by others.

Details of these trail alignments will be established with site-specific development proposals. The multi-use trails within the World Logistics Center will comply with existing city standards and will be constructed concurrently with adjacent development projects. Once constructed, the trails and trail head will be operated and maintained by the City and funded by a special financing district.

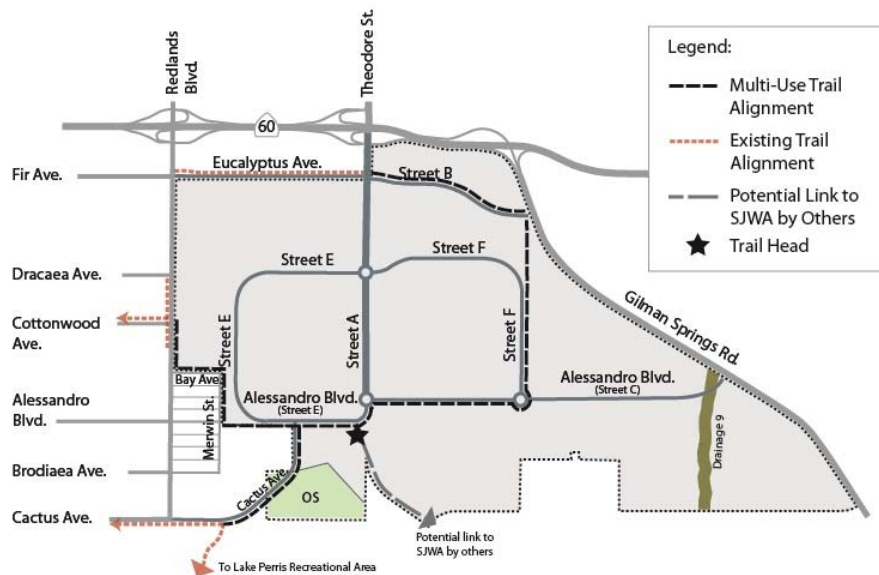


Exhibit 3-17 Multi-Use Trail Plan





### 3.4.3 Bicycle Circulation

Class II bikeways are provided along all roadways within the World Logistics Center. Details of these facilities will be established with subdivision and site development approvals. All street improvement plans will include these bikeways.

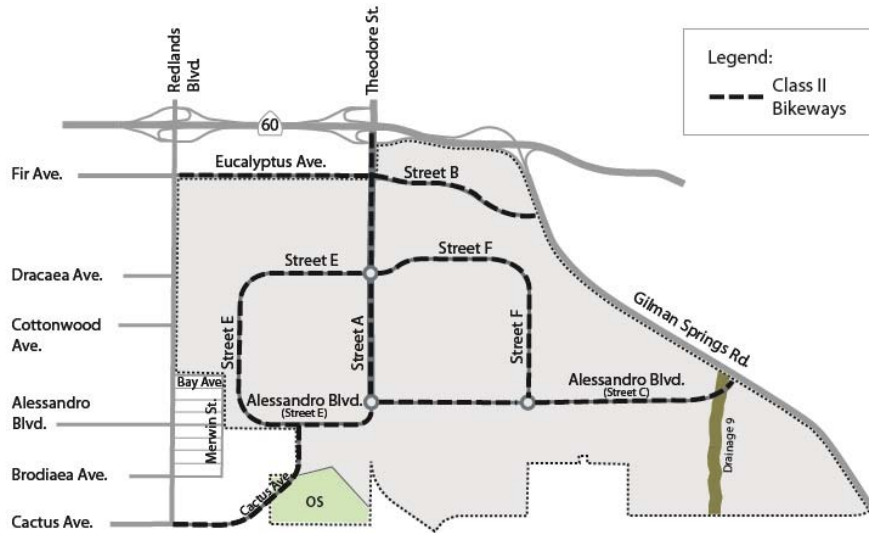


Exhibit 3-18 **Bicycle Circulation Plan**

### 3.5 Utilities

#### 3.5.1 Water

Eastern Municipal Water District (EMWD) provides water service to the World Logistics Center, receiving its water from Metropolitan Water District (MWD) and local groundwater wells. The 2009 EMWD Water Facilities Master Plan (Master Plan) in conjunction with the Moreno Valley Water Pressure Zone Realignment Study (Realignment Study) evaluated the existing and future water needs and facilities required for the Moreno Valley Water System. The Master Plan and the Realignment Study analyzed the existing water system operating pressures and flows and recommended improvements to the system including realignment of the 1764 and 1900 pressures zones to 1764, 1860 and 1967 pressure zones. The area is currently served by existing pipelines in the 1764 and 1900 pressure zones that range in size from 8-inch to 21-inch diameter pipes.



The California Aqueduct/Metropolitan Water District (MWD) owns and operates a transmission line 145 inches in diameter, running north-south through the project area in Street A, and east-west in existing Eucalyptus Avenue, east of Street A.

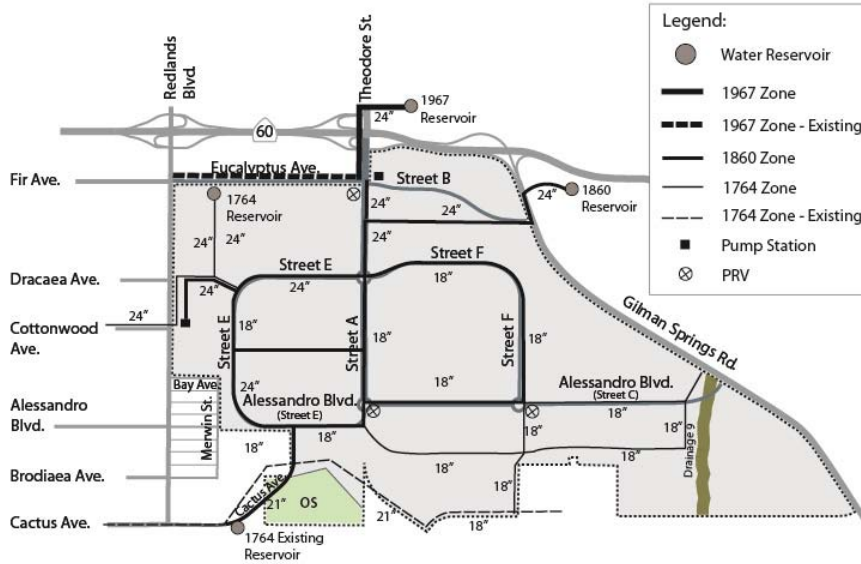


Exhibit 3-19 **Water Facilities Master Plan**

Development of the proposed project site will require three new water reservoirs to serve the respective water pressure zones (1967, 1860 and 1764). Two of the reservoirs are located outside of the Specific Plan boundary.

As development proceeds within the World Logistics Center, new waterlines, ranging in size from 12" to 24", will be constructed in the existing and proposed roadways to connect to future water tanks. The water system will require a new pump station. All water facilities will be constructed to EMWD standards and will be subject to a Plan of Service approval.





*Minimize water infrastructure through native and drought tolerant landscapes*

### 3.5.2 Sewer

Eastern Municipal Water District (EMWD) provides wastewater service to the World Logistics Center area. Wastewater generated from the World Logistics Center area will be treated at EMWD's Moreno Valley Regional Water Reclamation Facility (MVRWRF). The MVRWRF, located in the southwestern portion of the City near Kitching Street and Mariposa Avenue, has the capacity to treat 16 million gallons per day (MGD) of wastewater, which will accommodate the needs of the WLC project. The primary trunk sewer line serving the World Logistics Center area is located in Redlands Boulevard. This trunk sewer line continues in a southerly direction in Cactus Avenue, JFK Drive, Iris Avenue and Lasselle Streets conveying wastewater to the MVRWRF.

The proposed sewer in Street A (Theodore Street) and all lines to the west of Theodore Street form a gravity system and run generally southwest to a point of connection at Brodiaea Avenue and Redlands Boulevard. As demand requires, the existing segment of sewer in Brodiaea Avenue and Wilmot Street, west of Redlands Boulevard, will be upsized from a 15" to a 33" and 36" line respectively.



**INFRASTRUCTURE  
PLAN**

3-16

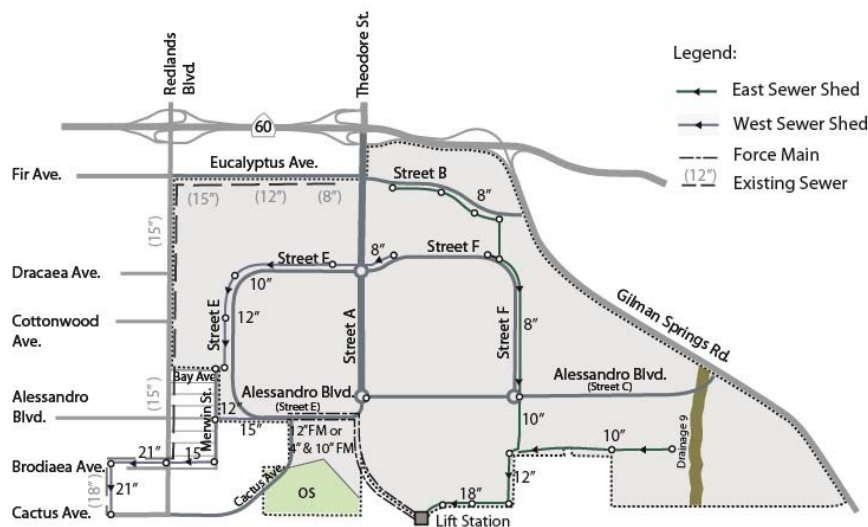


Exhibit 3-20 **Wastewater Service Plan**

The sewer system east of Street A (Theodore Street) will flow by gravity to a future sewer lift station at the southerly project boundary. From there, a force main will carry wastewater in a northwest direction, where it joins the gravity system west of Street A (Theodore Street) described above. Sewer lines will be located within public street rights-of-way to the greatest degree possible. Some of the buildings may require individual (private) lift stations due to building lengths, location of buildings, and phasing of improvements.

Future sewer lines will range in size between 8" and 24", and will be constructed to EMWD standards and will be subject to a Plan of Service approval.

### 3.5.3 Recycled Water

As stated in EMWD's Water Supply Assessment for the World Logistics Center project, EMWD policy recognizes recycled water as the preferred source of supply for all non-potable water demands, including irrigation of recreation areas, greenbelts, open space common areas, commercial landscaping, and other water features. The proposed project is near an existing recycled water line and EMWD has indicated that in the future recycled water will be available for the project. No date has been established when recycled water will be available.



Recycled water will be used on the proposed project to the greatest extent practical. The availability, feasibility and reliability of recycled water use will be included in EMWD’s evaluation of the plan of service for the project.

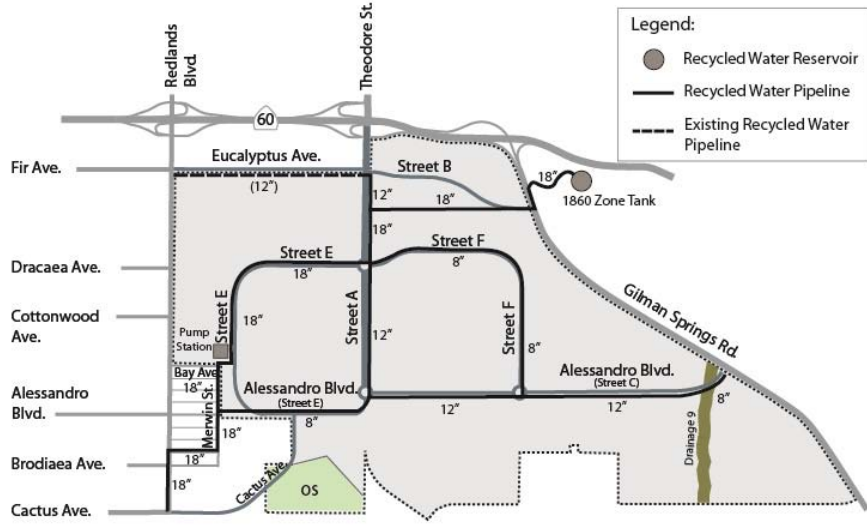


Exhibit 3-21 Recycled Water Plan

3.5.4 Storm Drain

The World Logistics Center Specific Plan area is within the San Jacinto River watershed which is part of the larger Santa Ana River watershed. The stormwater runoff from the project generally flows in a southerly direction to the San Jacinto River at an average gradient of 1 to 2 percent. A topographic divide located west of Street A (Theodore Street) separates stormwater flows to the San Jacinto River into two sub-areas. Runoff east of the divide flows to the San Jacinto Wildlife Area and the Gilman Hot Springs hydro-subarea. Runoff west of the divide is tributary to the Perris Valley Storm Drain and the Perris Valley hydro-subarea. Both hydro-subareas are tributary to the San Jacinto River, approximately 10 miles south of the project site.

The Riverside County Flood Control and Water Conservation District (RCFCWCD) is the responsible agency for the project area’s regional flood control system. The westerly portion of the project site is located within the Moreno Master Drainage Plan (MMDP). An existing 12-foot by 8-foot reinforced concrete box (RCB) owned by RCFCWCD is located east of Redlands Boulevard. This facility collects water passing under SR-60 and outlets south of Eucalyptus Avenue where it flows across agricultural land





downstream. Further south, the agricultural land drains to a RCFCWCD earthen channel at Redlands Boulevard which flows to a greenbelt channel located north of Cactus Avenue and east of Redlands Boulevard and ultimately drains to the Perris Valley Storm Drain.

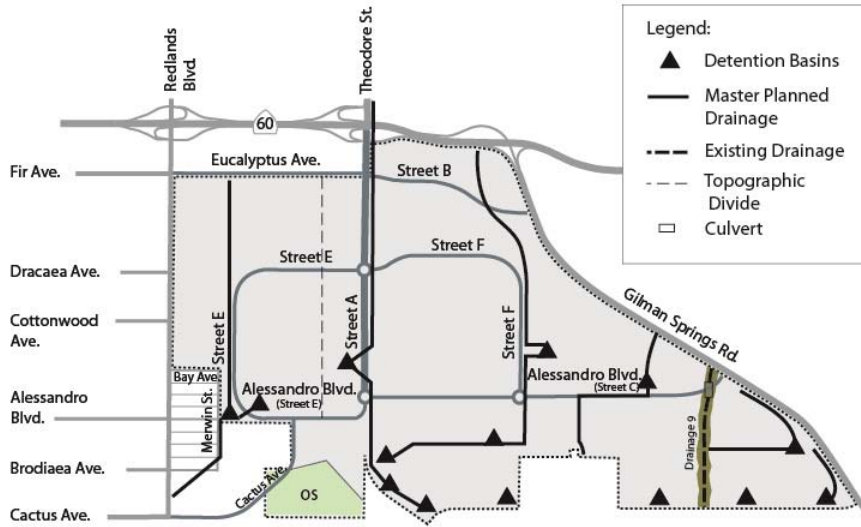


Exhibit 3-22 Storm Drain Plan

On the east side of the project site there is no master plan of drainage. The existing drainage facilities consist of open ditches along Theodore Street that convey runoff from adjacent areas and lands northerly of SR-60. A series of existing drainage culverts cross Gilman Springs Road conveying the offsite runoff from the Badlands through the World Logistics Center site.

One of these drainages is identified as Drainage 9. Its primary purpose is to convey water from the northern side of Gilman Springs Road to the SJWA on the south. Improvements will be added to enhance its drainage function. Prior to approval of any subdivision or Plot Plan including or adjacent to Drainage 9, a concept plan for the entire drainage feature shall be submitted to and approved by the City. The concept plan shall include proposed grading, improvements, landscaping, drainage facilities, signage, vehicular/pedestrian access, and any other proposed improvements. Site-specific projects shall be consistent with this concept plan.



Based on the latest Flood Insurance Rate Map (FIRM) published by the Federal Emergency Management Agency (FEMA), the project site is not located within a 100-year floodplain.

A system of underground drainage lines and detention basins will convey the stormwater runoff and manage the increased flow due to the proposed development. At each stage of development, the peak flows at downstream discharge points at the southerly project boundary will not exceed the peak flows for the existing condition.

Along the boundary of the San Jacinto Wildlife Area, concentrated flows released from detention basins will be spread to mimic existing sheet flow patterns.

### 3.5.5 Utility Conditions

#### Existing Electrical Service

Moreno Valley Utility (MVU) is the electricity provider for the World Logistics Center. MVU has an existing underground electrical service at the intersection of Dracaea Avenue and Redlands Boulevard. An electrical substation is located west of the project area at the southwest corner of Moreno Beach Drive and Cottonwood Avenue. The substation has a current capacity to distribute 56 Megawatts (MW) of power (28MW primary facility and 28MW backup system). The substation was designed for future expansion to an ultimate capacity of 112 MW. The current peak load for this substation is 22 to 26 MW. There is currently a 4.5 MW surplus capacity available.

SCE has existing 12 kV and 115 kV overhead power lines throughout the project area. The 115 kV power lines are located along Gilman Springs Road, Street B east of Street A, Street A north of Eucalyptus Avenue and along Brodiaea Avenue/Davis Road to the south. The 12 kV power lines are located along Gilman Springs Road, Theodore Street, Alessandro Boulevard, Eucalyptus Avenue east of Theodore Street and Redlands Boulevard.

#### Proposed Electrical Service

Based on electrical demands provided by MVU and data from other warehouse/distribution projects, the World Logistics Center has an



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PLAN

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estimated peak electrical demand of 68 MW. As development proceeds, the existing electrical substation located at the southwest corner of Moreno Beach Drive and Cottonwood Avenue will be expanded to its planned 112 MW capacity. A new substation will be built within the World Logistics Center area to meet the project’s electrical demand at build-out. All MVU primary distribution conductors within the project will be installed in underground conduit and vaults in the public street right-of-way or easements as a joint trench with telephone, cable TV and natural gas.

Any SCE overhead power pole lines, less than 115kV, that need to be relocated to develop the project will be placed in underground conduits and vaults. SCE facilities 115kv or greater will remain as overhead lines.

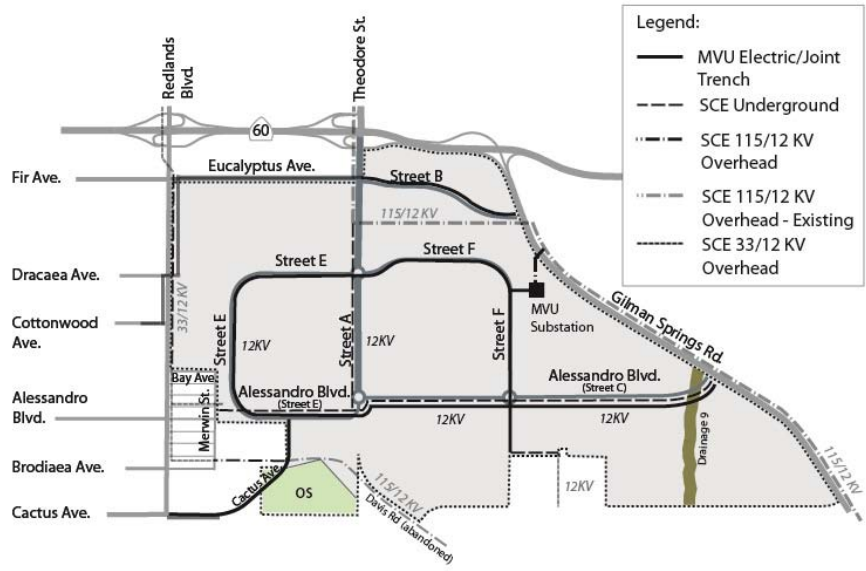


Exhibit 3-23 Electrical Utility Plan

**Existing Natural Gas**

Southern California Gas Company (SCGC) is the natural gas provider for the World Logistics Center. A 4” medium pressure service line runs in Redlands Boulevard. Low pressure facilities serve the residential area located west of Redlands Boulevard and southwest of Merwin Street and Bay Avenue.

Throughout the World Logistics Center, natural gas is transmitted through SDG&E underground pipelines serving the Southern California region that range in size from 16 inches to 36 inches. Two 30” diameter transmission pipelines that run in an east-west direction are located north and south of



Alessandro Boulevard. Three transmission pipelines, 16", 24" and 36" diameters run in a north-south direction along Virginia Street, south of Alessandro Boulevard. The 36" diameter line also extends east from Virginia Street parallel with the 30" line that runs south of Alessandro Boulevard.

SCGC transmission facilities within the World Logistics Center include a gas line blow-down facility and flow metering station at Alessandro Boulevard and Virginia Street.

Further south on Virginia Street, San Diego Gas & Electric (SDG&E) operates a natural gas compression station, known as the Moreno Compressor Station. It supplies gas to San Diego via 16", 30" and 36" transmission pipelines.

Questar has a 16" natural gas transmission line that runs in Alessandro Boulevard from Gilman Springs Road to Theodore Street, where it turns south to Maltby Avenue, and then turns west to Redlands Boulevard.



***San Diego Gas & Electric Natural Gas Compression Station***

### **Proposed Natural Gas Service**

SCGC has indicated the 4" medium pressure service line that runs in Redlands Boulevard will be extended into the World Logistics Center to service the development. Gas service will be installed in the public street right-of-way or easements as a joint trench with telephone, cable TV and electrical services.



**INFRASTRUCTURE  
PLAN**

3-22

In connection with the development of the property, relocation of some natural gas transmission lines into public street right-of-way or easements will be necessary. SDG&E's Moreno Compressor Station will remain in place.



Exhibit 3-24 Gas Utility Plan

### Existing Cable and Telecommunications

#### Telecommunications

Verizon provides telephone services to the World Logistics Center area. Underground telephone facilities are located throughout the project area and run along Alessandro Boulevard and Theodore Street. Four existing telecommunication cabinets are located northeast of the intersection of Alessandro Boulevard and Virginia Street. Overhead telecommunication lines run along Redlands Boulevard. Facilities for telephone service will be provided in every public street.

#### Cable Television

Time Warner Cable currently provides cable television to the World Logistics Center and vicinity. Existing overhead cable television facilities serve the residential area located west of Redlands Boulevard and southwest of Merwin Street and Bay Avenue. Within the World Logistics Center underground cable television facilities run along Alessandro Boulevard from Merwin Street to Theodore Street and overhead on Theodore Street to



Eucalyptus Avenue. Facilities for cable will be made available to all providers.

**Proposed Cable and Telecommunications**

As development proceeds, cable and telecommunications facilities located west of Redlands Boulevard will be extended to serve the World Logistics Center project. These facilities will be underground and may be provided by a number of service franchises.



*Telecommunication infrastructure is a vital component in supporting global connectivity.*



#### 4.0 OFF-SITE DESIGN STANDARDS

These standards shall apply to those portions of the WLC property that are not within development sites. This includes common areas, open space, public areas, streetscapes, etc.

#### 4.1 Off-site Architecture



##### 4.1.1 Objectives

Off-site architecture includes buildings that house infrastructure or public use facilities that serve the WLC. Architectural design should express the character of a corporate logistic center in a manner that is progressive and enduring. In order to establish a clear, unified image throughout the World Logistics Center, these structures shall follow the guidelines set forth in Section 5.0 of this Specific Plan. These support buildings shall be designed in an understated and supporting fashion for the World Logistics Center.

##### 4.1.2 Ground-mounted Equipment

All exterior ground-mounted equipment including, but not limited to, mechanical equipment, electrical equipment, emergency generators, boilers, storage tanks, risers, electrical conduit, gas lines, cellular telephone facilities, and satellite dishes shall be screened from public view from adjacent streets. Wall-mounted equipment is not allowed.

##### 4.1.3 Roof-mounted Equipment

All roof-mounted equipment including, but not limited to, mechanical equipment, electrical equipment, storage tanks, cellular telephone

**OFF-SITE DESIGN  
STANDARDS**

4-1

facilities, satellite dishes, skylights, vents, exhaust fans, smoke hatches, and ducts must be below the top of the parapet or equipment screen. Roof access shall be through roof hatches, not exterior ladders. Roof hatches shall be located so that guardrails at parapets are not required.

## 4.2 Off-site Landscaping

### 4.2.1 Objectives

Landscaping is an important element contributing to the identity and unity of the World Logistics Center. As such, all landscaping for the project shall:

- Promote a pleasant, distinctive corporate environment,
- Augment internal cohesion and continuity within the World Logistics Center,
- Enhance the structured design concept of the World Logistics Center, and
- Promote water conservation.

The landscaping design concept is focused toward:

- Providing a clean, contemporary visual appearance,
- Coordinating the landscaping treatment along freeway, and surface streets to compliment the circulation system,
- Coordinating streetscapes within the World Logistics Center to unify its general appearance,
- Ensuring off-site landscaping design continuity among individual development sites within the World Logistics Center, and
- Minimizing long term maintenance .

The following guidelines present parameters for general landscape design, water conservation, and streetscapes. On-site landscaping guidelines are addressed in Section 5.4 of this Specific Plan.

### 4.2.2 Water Conservation Measures

The World Logistics Center employs an aggressive approach to water conservation. Every element of the landscape program has been evaluated to determine how to achieve the project's landscape goals while consuming as little water as possible. From the formulation of the overall landscape concept, through each level of the design process, to the day-to-day maintenance practices of the installed materials, conservation of limited water resources is a constant primary focus.

This approach represents a significant departure from conventional development strategies, particularly in a large-scale master-planned





logistics campus setting. Most of the project will be designed without mechanical irrigation, relying instead on maximizing the collection and harvesting of runoff to be directed to landscape areas. This program will require the use of carefully selected plant types, complex drainage designs, intricate planting techniques, and specialized maintenance programs.

Implementation of these new design concepts will result in a landscape aesthetic that will appear different than traditional landscape treatments. At installation, plant material will be smaller and with greater spacing in order to match available water to the needs of specific plants. As landscaping gets established, coverage may take longer, certain plants will appear dry as they go through dormant periods, and in some cases supplemental watering may be necessary in periods of severe drought. At maturity, the landscaping at the WLC project will provide a strong, clean, simple design element, demonstrating the WLC's commitment to the creation of a successful logistics campus in a sustainable environment.

The landscape program will incorporate the following design elements and practices to minimize the use of limited water resources:

#### **Project Design:**

- Design project so that pads, streets and other paved areas drain to landscape areas, medians and parkways,
- Maximize water harvesting, retention and treatment techniques throughout the project
- Utilize zero-inch curb design to facilitate rainwater runoff from road surfaces
- Direct rooftop and parking area runoff to bioswales, basins or landscaped areas

#### **Landscape Design:**

- Develop watershed areas for the project areas in order to manage water harvesting and distribution
- Calculate estimated runoff from roofs and paved areas to manage water harvesting and retention practices
- Conduct site-specific analyses of seasonal weather patterns, rain patterns, soils and drainage, grades and slopes, macro and micro climates, solar exposure, prevailing wind conditions, historical evapotranspiration rates and weather station (CIMIS) data
- Design to meet peak moisture demand of all plant materials within design zones and avoid flow rates that exceed infiltration rate of soil
- Maximize the use of drought tolerant plant species



**OFF-SITE DESIGN  
STANDARDS**

4-3



- Select plant palettes tolerant of periodic inundation from storm water runoff
- Calculate optimum spacing of plants to avoid overcrowding and need for excessive irrigation.
- Select container plant sizes are to achieve a high root to canopy ratio; no root bound or oversized plants

#### Construction:

- Grade all planting areas to control high intensity rainfall and runoff episodes. Provide riprap at downspouts; create multiple watersheds to disperse water flow. Use surface mulch and straw wattles.
- Grade all planting areas to provide for the retention and infiltration of water to each plant.
- Provide soil amendment to plant pits based upon soil laboratory test results and landscape species.
- Construct planting pits to be 3-4 times the diameter of the planting container and twice as deep.
- Provide a pre-hydration program prior to planting installation to reflect climate and soil conditions.
- Cover all planting areas with a combination of organic and inorganic mulches to be used along with pre-emergent herbicide treatment to control weed growth and soil erosion.
- Install soil moisture sensors in strategic planting zones.
- Require certification that the irrigation system was installed and operates as designed, and conduct a post-installation audit of actual water consumption
- Provide for supplemental irrigation on an as-needed basis, such as supply lines and valves, quick-connect couplers or water truck service.

#### Maintenance:

- Establish maintenance guidelines to specify actions to replace dead plants, replenish surface mulch, and remove trash and weeds.
- Regularly monitor all landscaped areas and make adjustments as necessary to assure the health of planted materials and progress toward meeting the project's landscape goals.

#### Where irrigation is provided:

- Use planting zones coordinated according to plant type, climatic exposure, soil condition and slope to facilitate use of zoned irrigation systems Use reclaimed water systems if available and practical,
- Use best available irrigation technology to maximize efficient use of water, including moisture sensors, multi-program electronic timers, rain shutoff devices, remote control valves, drip systems, backflow



OFF-SITE DESIGN  
STANDARDS

4-4

preventers, pressure reducing valves and precipitation-rated sprinkler heads,

- Use gate valves to isolate and shut down mainline breaks,
- Use wind shut-off sensors for the irrigation controllers,
- Design irrigation systems to prevent discharge onto non-landscaped areas or adjacent properties,
- Restrict irrigation cycles to operate at night when wind, evaporation and activity are at a minimum

#### Coverage:

- At installation, plant size, density and spacing shall be as specified in approved landscape plans at 15% coverage.
- Based on these design guidelines and average annual rainfall, irrigated and non-irrigated planting groups shall achieve 70% coverage after three years. Until plant material achieves full coverage, a minimum of 3" of mulch will be maintained throughout planted area, and any growth (e.g. weeds) not included in the Specific Plan plant palette shall be removed twice per year (March and September).

All landscape plans shall be reviewed by Eastern Municipal Water District and the City of Moreno Valley.

### 4.2.3 Streetscapes

Landscaping along public streets is designed to provide a unified appearance along street frontages, to reinforce the street hierarchy, and to establish identities of place, particularly at intersections within the World Logistics Center.

#### 4.2.3.1 General Design Criteria

All landscape design and maintenance within the World Logistics Center shall comply with the Landscape and Water Efficiency Requirements contained in the Municipal Code or these guidelines, whichever imposes a higher design or performance standard.

1. Trees are required along all street frontages according to the criteria for streetscapes given in the following sections.
2. All street trees are to be 24" box within street right of way, unless otherwise noted. Trees in other areas shall be 15 gallon minimum in size but 25% shall be minimum 24" box.
3. Landscaping berms along street frontages may be utilized. Maximum slopes may not exceed 2:1. City maintained areas shall not exceed 3:1.



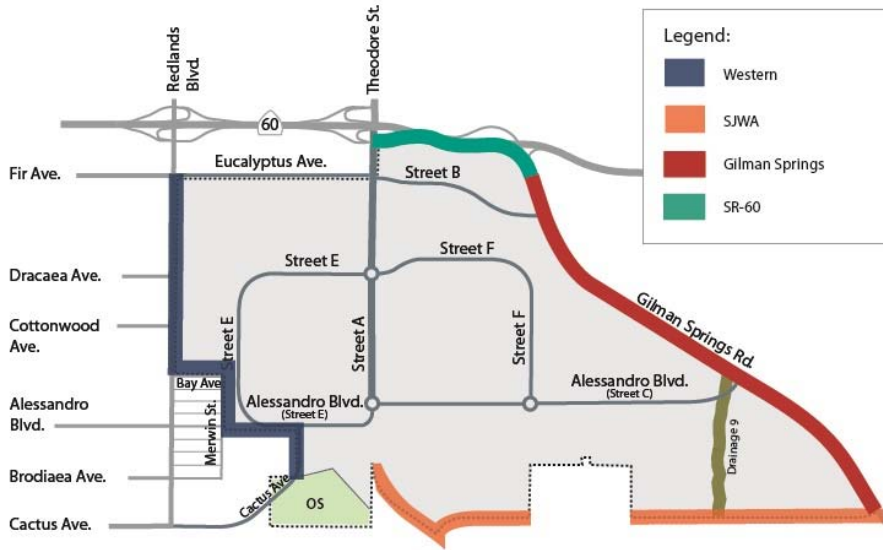
OFF-SITE DESIGN  
STANDARDS

4-5

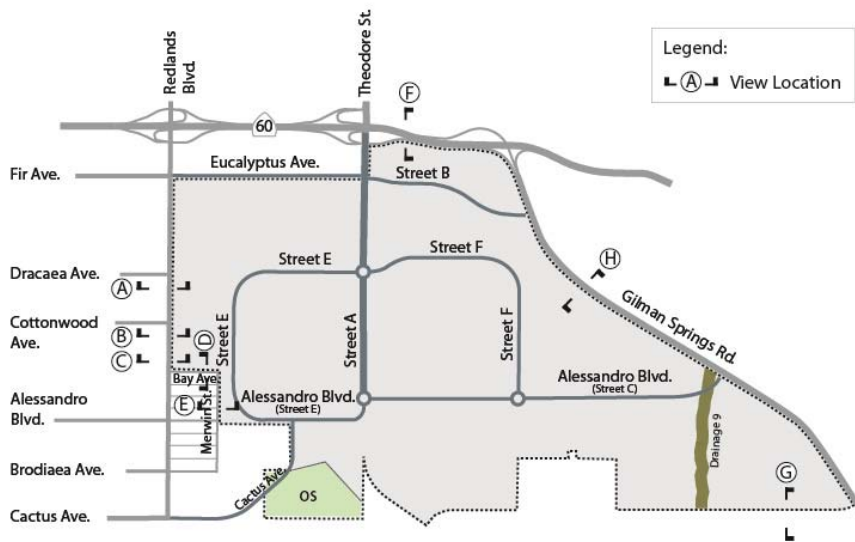
- 4. Shrubs along street frontages are to be utilized where possible.  
(Minimum size at installation is 1 gallon. Minimum size at installation for grasses is 1 gallon.)

**4.2.4 Special Edge Treatment Areas Design Criteria**

There are four discrete edge treatment plans in and around the project. The areas are indicated below:



*Exhibit 4-1 Special Edge Treatment Areas Design Criteria*



*Exhibit 4-2 Edge Exhibit Map* (Key map for following exhibits)



**OFF-SITE DESIGN STANDARDS**

### 4.2.4.1 Western Edge

When viewed from the sidewalk on the western side of Redlands and Merwin and the southern side of Bay, all but 15 feet of future buildings shall be screened by walls, berms, and/or landscaping.

#### Redlands Boulevard

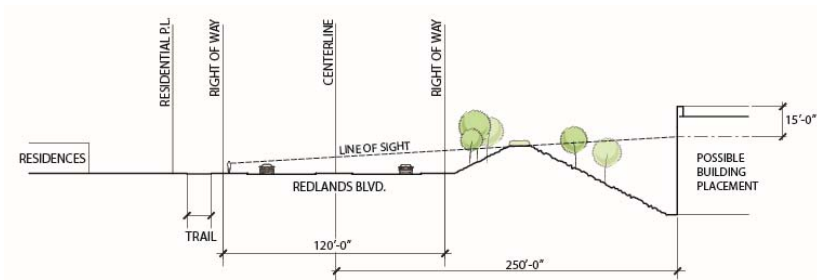


Exhibit 4-3 Redlands Blvd. Section A

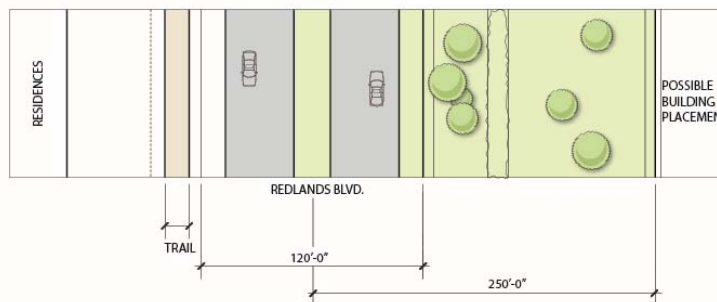


Exhibit 4-4 Redlands Blvd. Plan View A

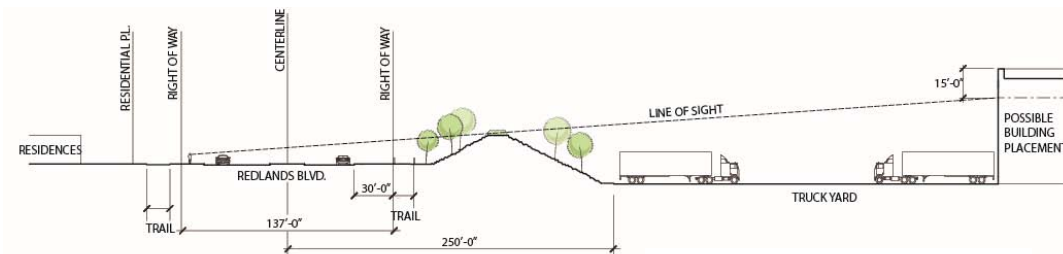


Exhibit 4-5 Redlands Blvd. Section B

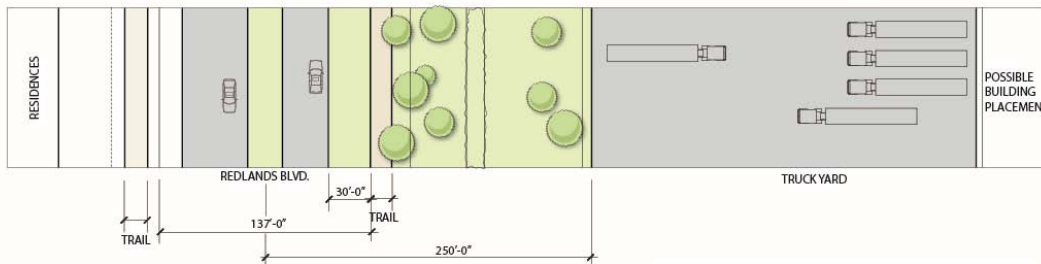


Exhibit 4-6 Redlands Blvd. Plan View B

These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.



OFF-SITE DESIGN STANDARDS

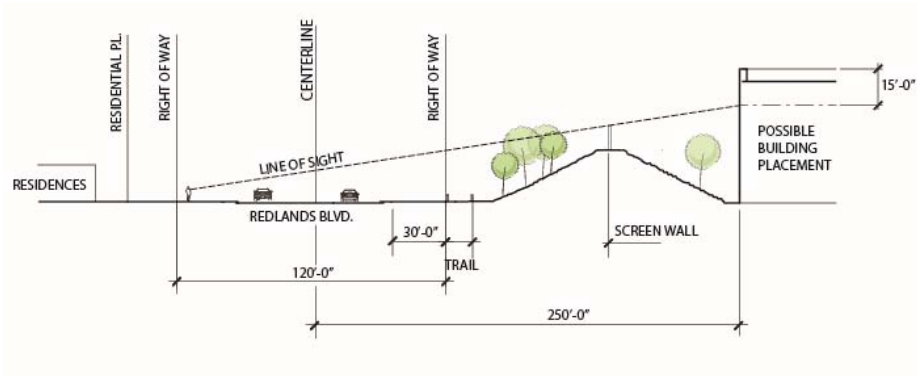


Exhibit 4-7 Redlands Blvd. Section C

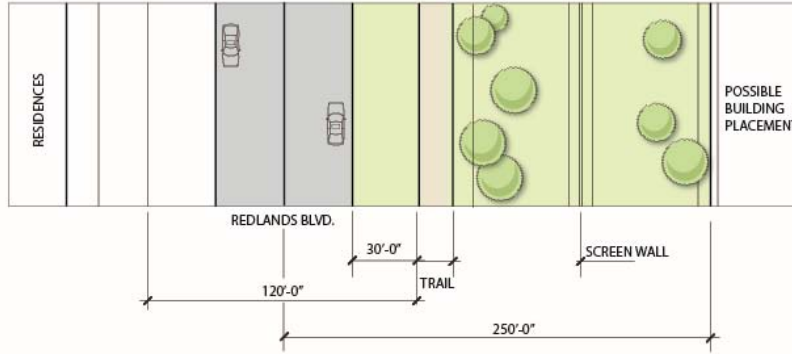


Exhibit 4-8 Redlands Blvd. Plan View C

### Bay Avenue

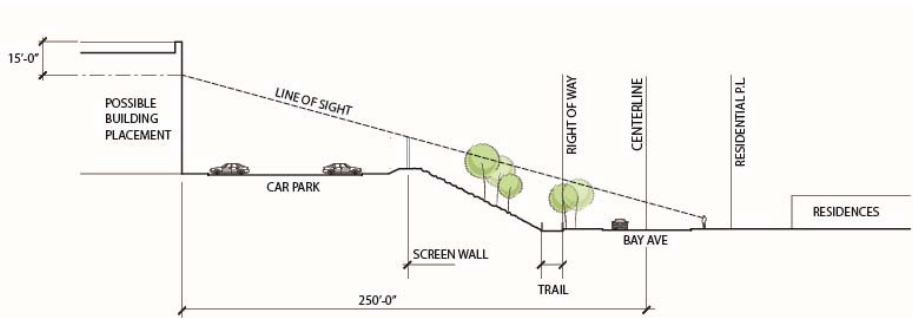


Exhibit 4-9 Bay Ave. Section D

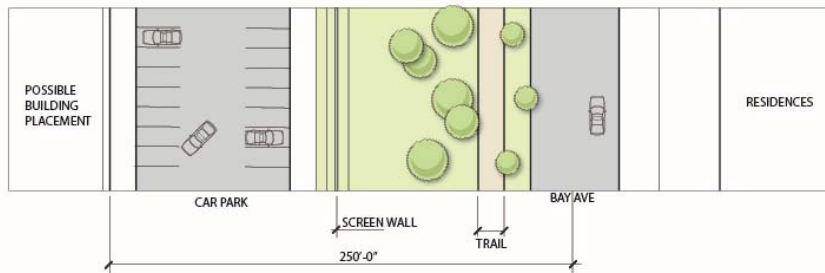


Exhibit 4-10 Bay Ave. Plan View D

These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.



OFF-SITE DESIGN STANDARDS

4-8

**Merwin Street**

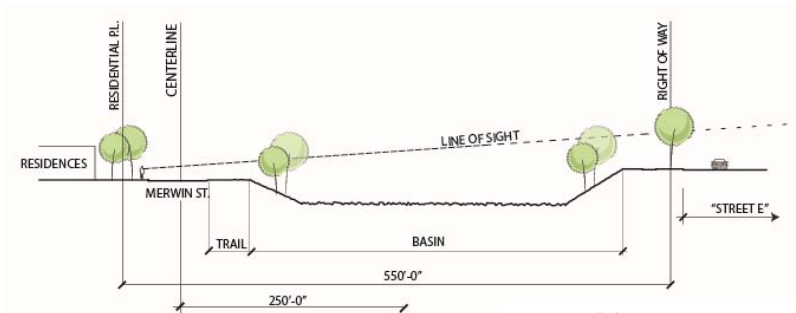


Exhibit 4-11 Merwin St. Section E

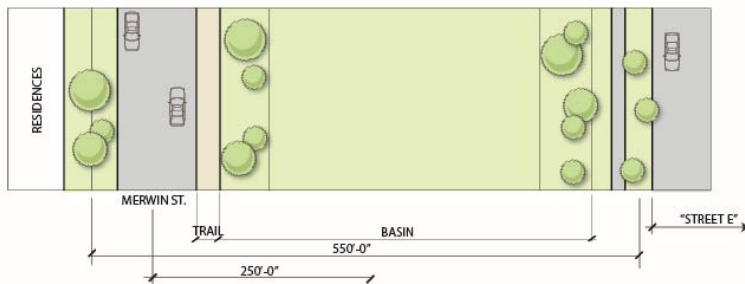


Exhibit 4-12 Merwin St. Plan View E

**4.2.4.2 SR-60 Edge**

SR-60 screening criteria is to screen buildings and trucking areas in a similar manner as the area south of SR60 between Redlands Blvd. and Theodore Street (Highland Fairview Corporate Park).

**SR-60 between Theodore and Gilman Springs Road**

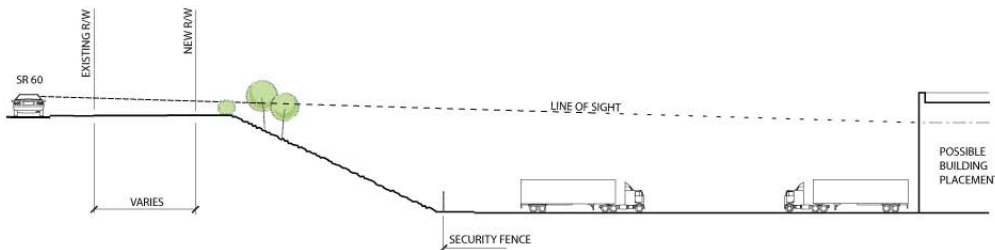


Exhibit 4-13 SR-60 Section F

These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.



**OFF-SITE DESIGN STANDARDS**

4-9

### 4.2.4.3 SJWA Edge

When viewed from the southerly property line, all trucks and truck dock doors are to be screened by walls and/or landscaping.

#### SJWA

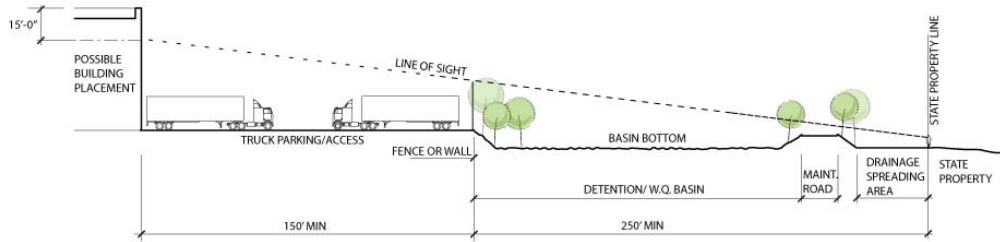


Exhibit 4-14 SJWA Section G

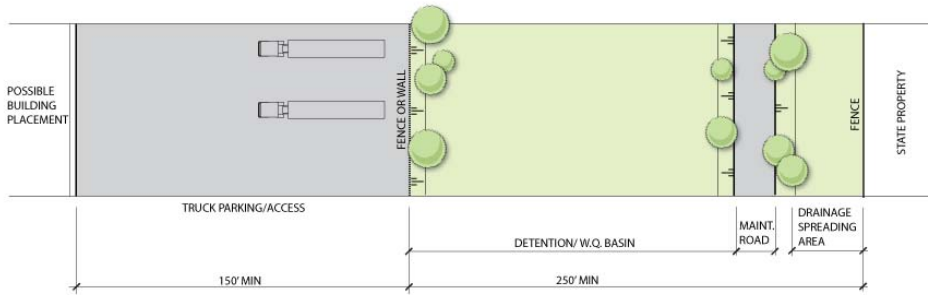


Exhibit 4-15 SJWA Plan View G

These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.





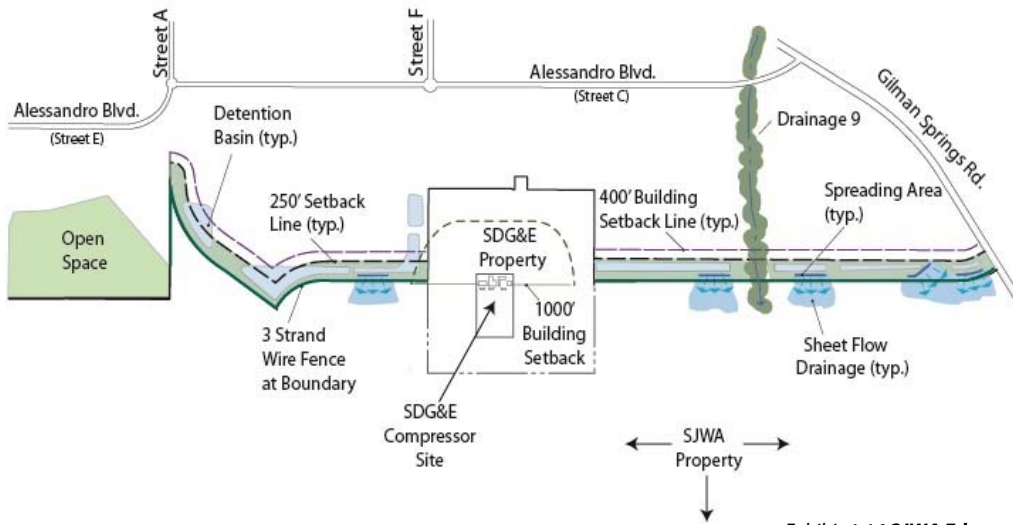


Exhibit 4-16 SJWA Edge

This is a graphic representation of the potential development of property along the project's southerly property line, adjacent to the San Jacinto Wildlife Area (SJWA). The location, configuration, and size of improvements shown are conceptual and will be refined in connection with detailed engineering plans as the project proceeds.

See Section 2.6 of the Specific Plan regarding requirements for the review and approval of a concept plan for the SJWA Edge Treatment Area.



SJWA- View Simulation from SJWA Visitor's Center



OFF-SITE DESIGN STANDARDS

4-11

### 4.2.4.4 Gilman Springs Road Edge

A combination of landscaping, walls, and fences will serve to screen the view from Gilman Springs Road.

## Gilman Springs Road

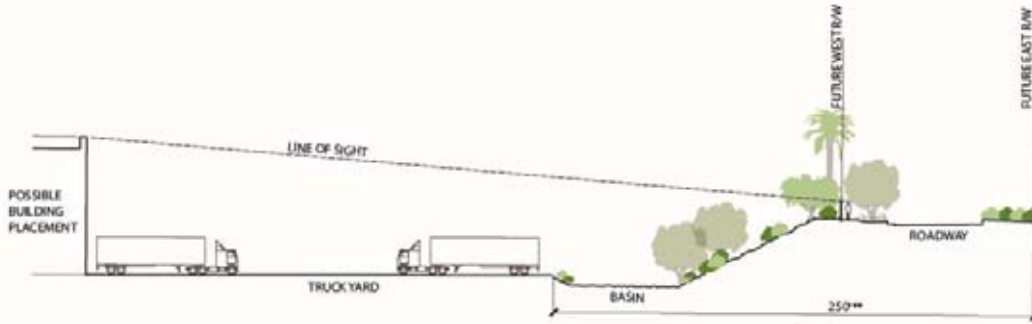


Exhibit 4-17 Gilman Springs Road Section, Downhill

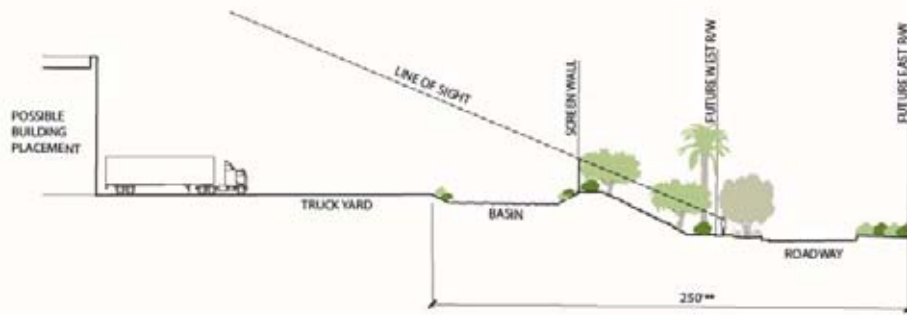


Exhibit 4-18 Gilman Springs Road Section, Uphill

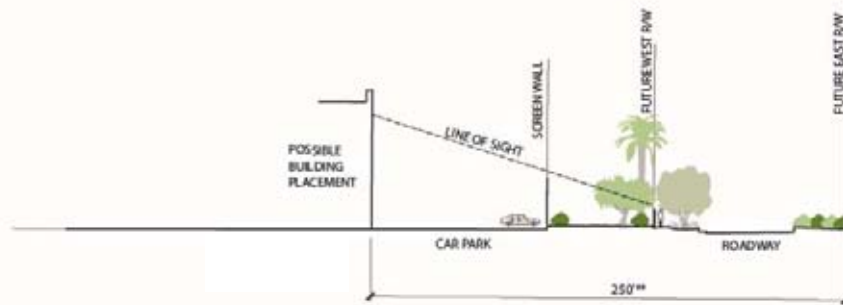


Exhibit 4-19 Gilman Springs Road Section, Flat

\*\*Required setback to truck activity areas. A shorter setback is permitted subject to air quality and noise analyses.

These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.



OFF-SITE DESIGN STANDARDS

### 4.2.5 Screening Criteria for All Interior Roadways

From the adjacent sidewalk, all trucks and truck dock doors are to be screened by walls and/or landscaping.

#### All Interior Roadways

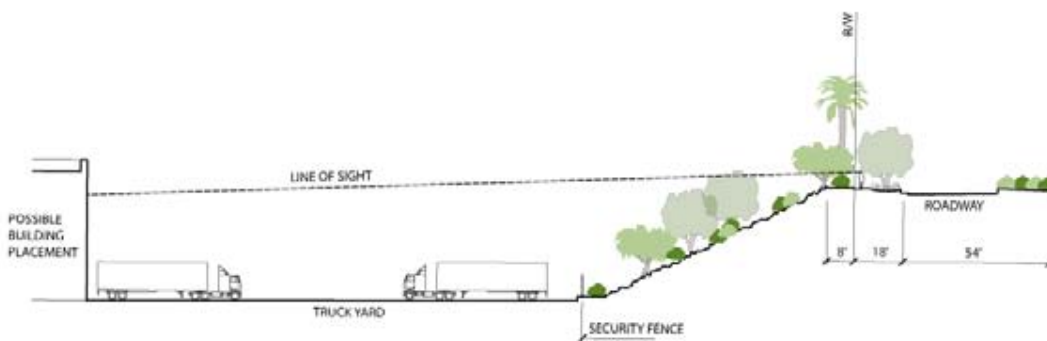


Exhibit 4-20 Section, Downhill

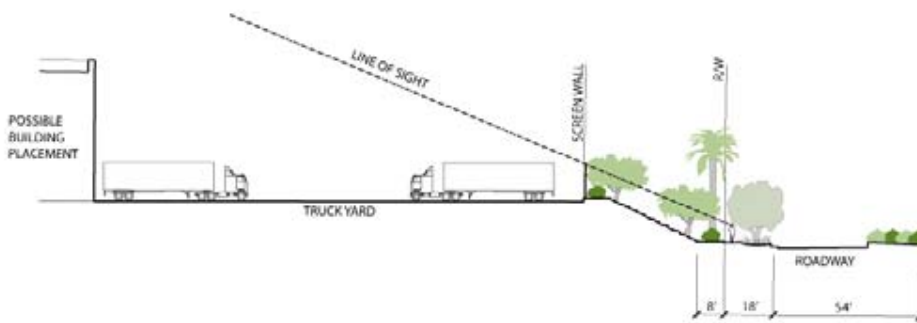


Exhibit 4-21 Section, Uphill

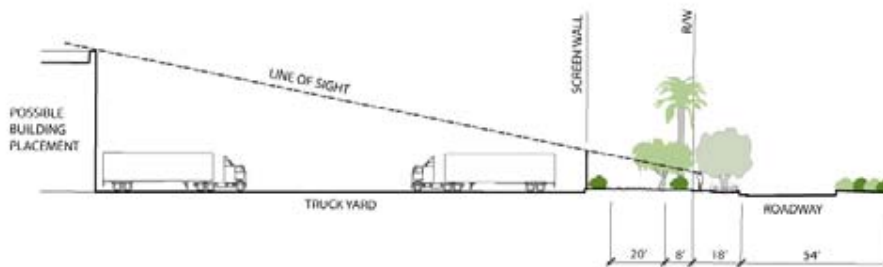


Exhibit 4-22 Section, Flat

These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.



OFF-SITE DESIGN STANDARDS

### 4.2.6 Perimeter Planting

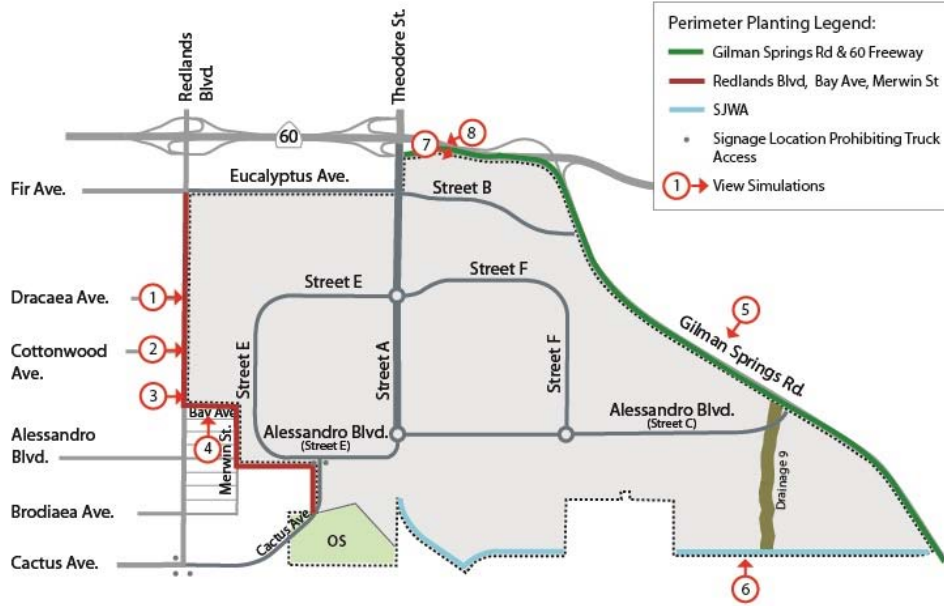
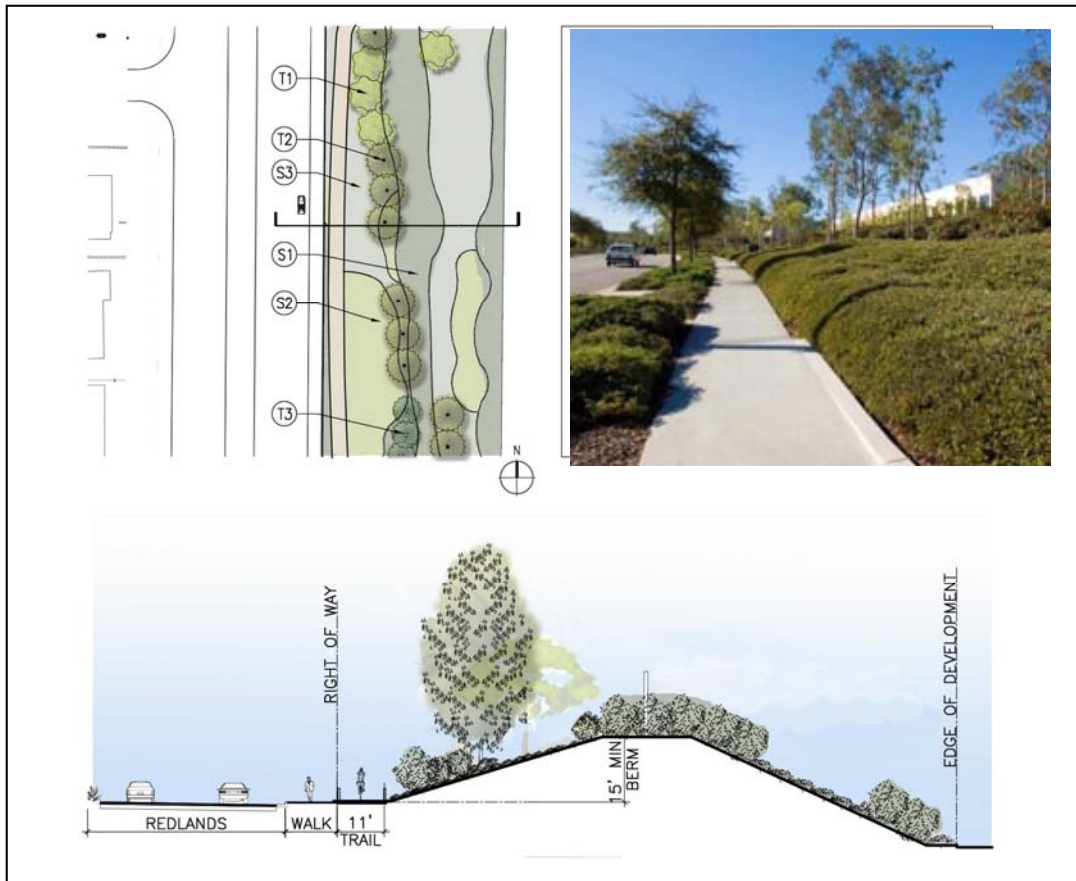


Exhibit 4-23 Perimeter Planting Map (see pages 4-15 to 4-29)



OFF-SITE DESIGN STANDARDS

## Redlands Boulevard



**Not to scale** | This exhibit is a graphic representation of a conceptual design at maturity

### Trees (24" box minimum)

- T1. Cercidium 'Desert Museum': Desert Museum Palo Verde
- T2. Pinus eldarica: Afghan Pine or Pinus halepensis: Aleppo Pine or Schinus molle: California Pepper
- T3. Acacia farnesiana: Sweet Acacia

### Shrubs / Ground Cover (1 gallon minimum)

- S1. Leucophyllum texanum: Texas Ranger  
Eleagnus pungens 'Fruitlandii': Fruitland Silverberry
- S2. Fallugia paradoxa: Apache Plume  
Justicia californica: Chuparosa  
Senna phyllodinea: Silver Cassia  
Simmondsia chinensis: Jojoba  
Baileya multiradiata: Desert Marigold
- S3. Acacia redolens 'Desert Carpet': Spreading Acacia  
Baccharis 'Starn': Coyote Bush  
Myoporum parvifolium 'Putah Creek': Creeping Myoporum  
Rosmarinus "Huntington Carpet": Rosemary



**OFF-SITE DESIGN STANDARDS**

4-15





**Redlands Blvd. View 1 at Installation**



**Redlands Blvd. View 1 at Maturity**

- These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.
- "Maturity" - 15 years estimated based on average rainfall and growing seasons.
- These renderings do not include street trees which will add to the screening effects.



**OFF-SITE DESIGN STANDARDS**



**Redlands Blvd. View 2 at Installation**



**Redlands Blvd. View 2 at Maturity**

- These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.
- "Maturity" - 15 years estimated based on average rainfall and growing seasons.
- These renderings do not include street trees which will add to the screening effects.



**OFF-SITE DESIGN STANDARDS**

4-17





**Redlands Blvd.** View 3 at Installation



**Redlands Blvd.** View 3 at Maturity (15 years)

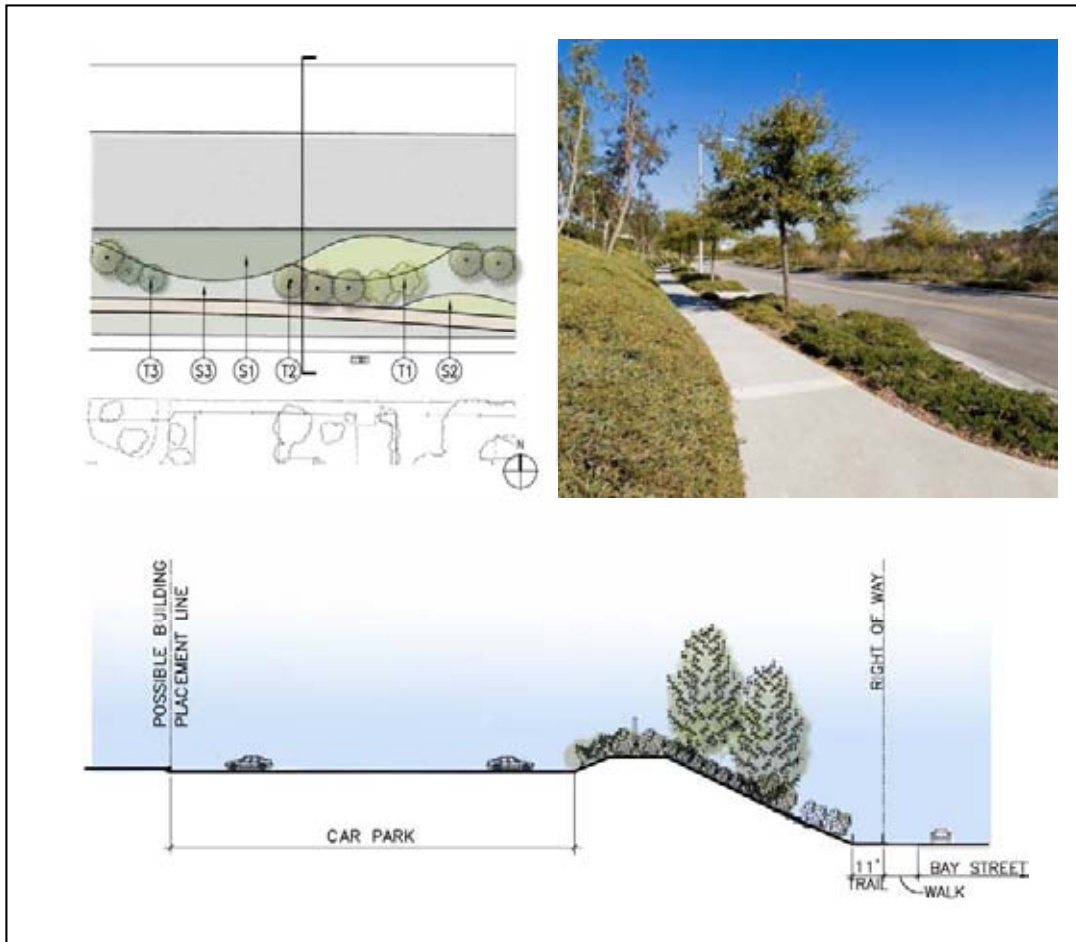
- These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.
- "Maturity" - 15 years estimated based on average rainfall and growing seasons.
- These renderings do not include street trees which will add to the screening effects.



**OFF-SITE DESIGN STANDARDS**

4-18

## Bay Avenue



**Not to scale** | This exhibit is a graphic representation of a conceptual design at maturity

### Trees (15 gallon minimum)

- T1. Cercidium 'Desert Museum': Desert Museum Palo Verde
- T2. Pinus eldarica: Afghan Pine or Pinus halepensis: Aleppo Pine or Schinus molle: California Pepper
- T3. Acacia farnesiana: Sweet Acacia

### Shrubs / Ground Cover (1 gallon minimum)

- S1. Leucophyllum texanum: Texas Ranger Elaeagnus  
Elaeagnus pungens 'Fruitlandii': Fruitland Silverberry
- S2. Fallugia paradoxa: Apache Plume  
Justicia californica: Chuparosa  
Senna phyllodinea: Silver Cassia  
Simmondsia chinensis: Jojoba  
Baileya multiradiata: Desert Marigold
- S3. Acacia redolens 'Desert Carpet': Spreading Acacia  
Baccharis 'Starn': Coyote Bush  
Myoporum parvifolium 'Putah Creek': Creeping Myoporum



**OFF-SITE DESIGN  
STANDARDS**

4-19



**Bay Avenue** View 4 at Installation



**Bay Avenue** View 4 at Maturity (15 years)

- These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.
- "Maturity" - 15 years estimated based on average rainfall and growing seasons.
- These renderings do not include street trees which will add to the screening effects.



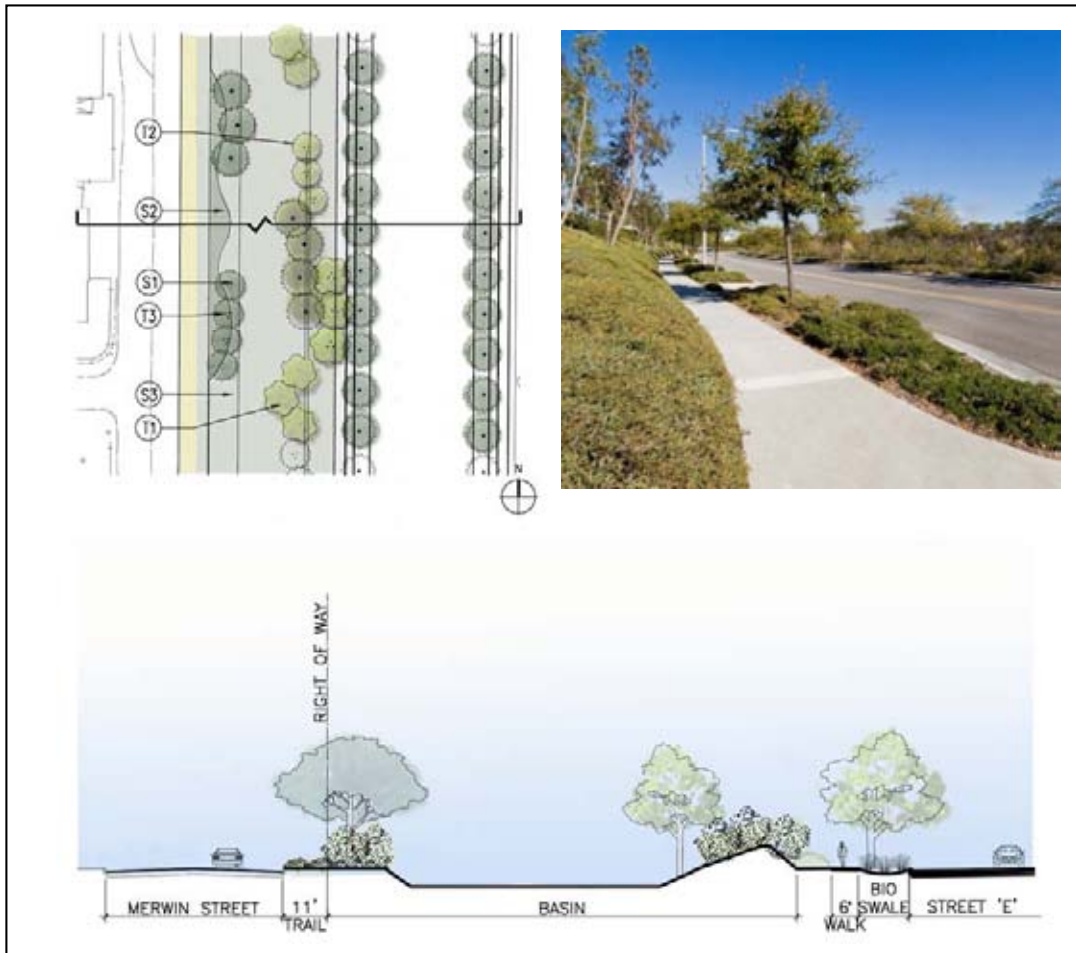
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**OFF-SITE DESIGN STANDARDS**

4-20



## Merwin Street



**Not to scale** | This exhibit is a graphic representation of a conceptual design at maturity

### Trees (15 gallon minimum)

- T1. Cercidium 'Desert Museum': Desert Museum Palo Verde
- T2. Pinus eldarica: Afghan Pine or Schinus molle: California Pepper
- T3. Acacia farnesiana: Sweet Acacia

### Shrubs / Ground Cover (1 gallon minimum)

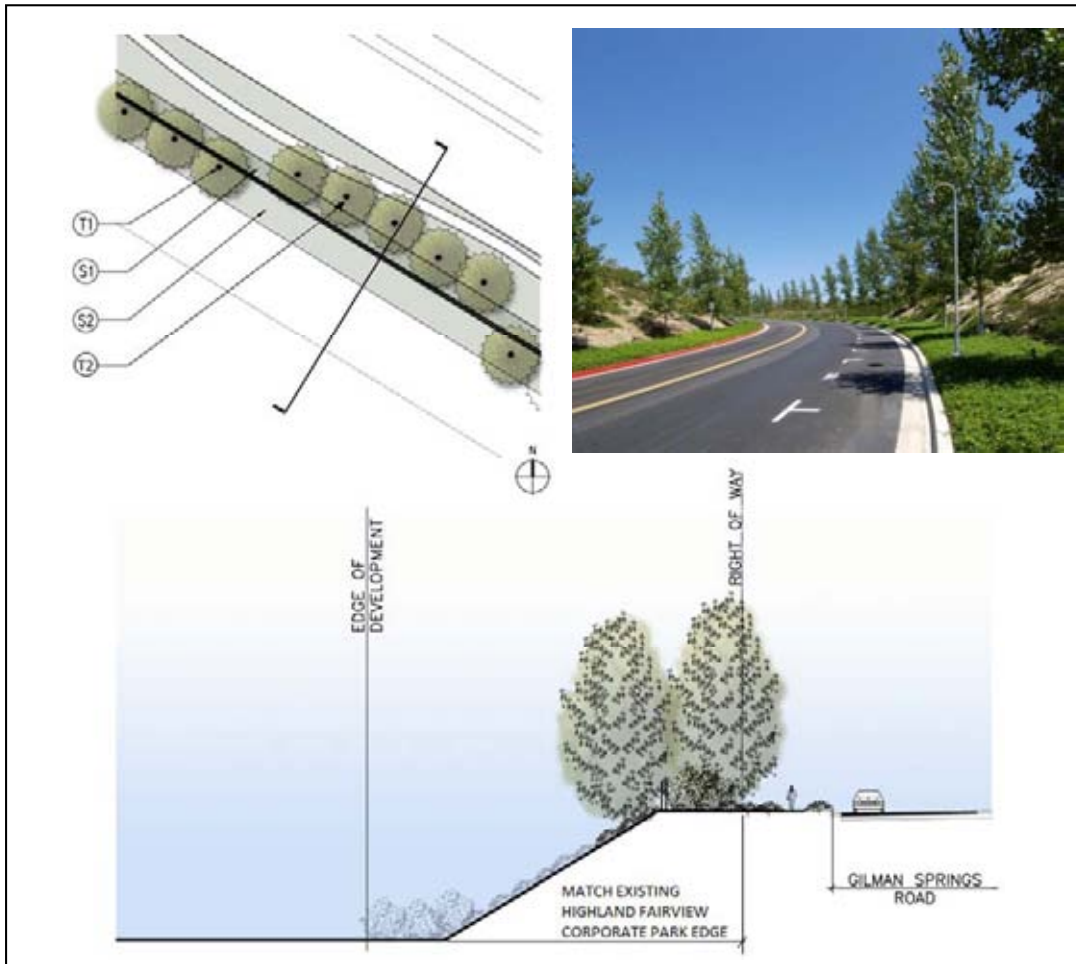
- S1. Leucophyllum texanum: Texas Ranger  
Eleagnus pungens 'Fruitlandii': Fruitland Silverberry
- S2. Fallugia paradoxa: Apache Plume  
Justicia californica: Chuparosa  
Senna phyllodinea: Silver Cassia  
Simmondsia chinensis: Jojoba  
Baileya multiradiata: Desert Marigold
- S3. Acacia redolens 'Desert Carpet': Spreading Acacia  
Baccharis 'Starn': Coyote Bush  
Myoporum parvifolium 'Putah Creek': Creeping Myoporum  
Rosmarinus "Huntington Carpet": Rosemary



**OFF-SITE DESIGN  
STANDARDS**

4-21

## Gilman Springs Road



**Not to scale** | *This exhibit is a graphic representation of a conceptual design at maturity*

### **Trees (Palms – 25' brown trunk height, all other trees – 24" box min. – all matching)**

- T1. Pinus eldarica: Afghan Pine
- T2. Washington Robusta: Mexican Fan Palm

### **Shrubs / Ground Cover (1 gallon minimum)**

- S1. Rhus ovata: Sugar Bush
- S2. Rosmarinus officinalis 'Prostratus': Creeping Rosemary



**OFF-SITE DESIGN  
STANDARDS**

4-22



**Gilman Springs Rd. View 5 at Installation**



**Gilman Springs Rd. View 5 at Maturity (15 years)**

- These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.
- "Maturity" - 15 years estimated based on average rainfall and growing seasons.
- These renderings do not include street trees which will add to the screening effects.



**OFF-SITE DESIGN STANDARDS**

4-23



**Gilman Springs Rd.** Panoramic View at Maturity

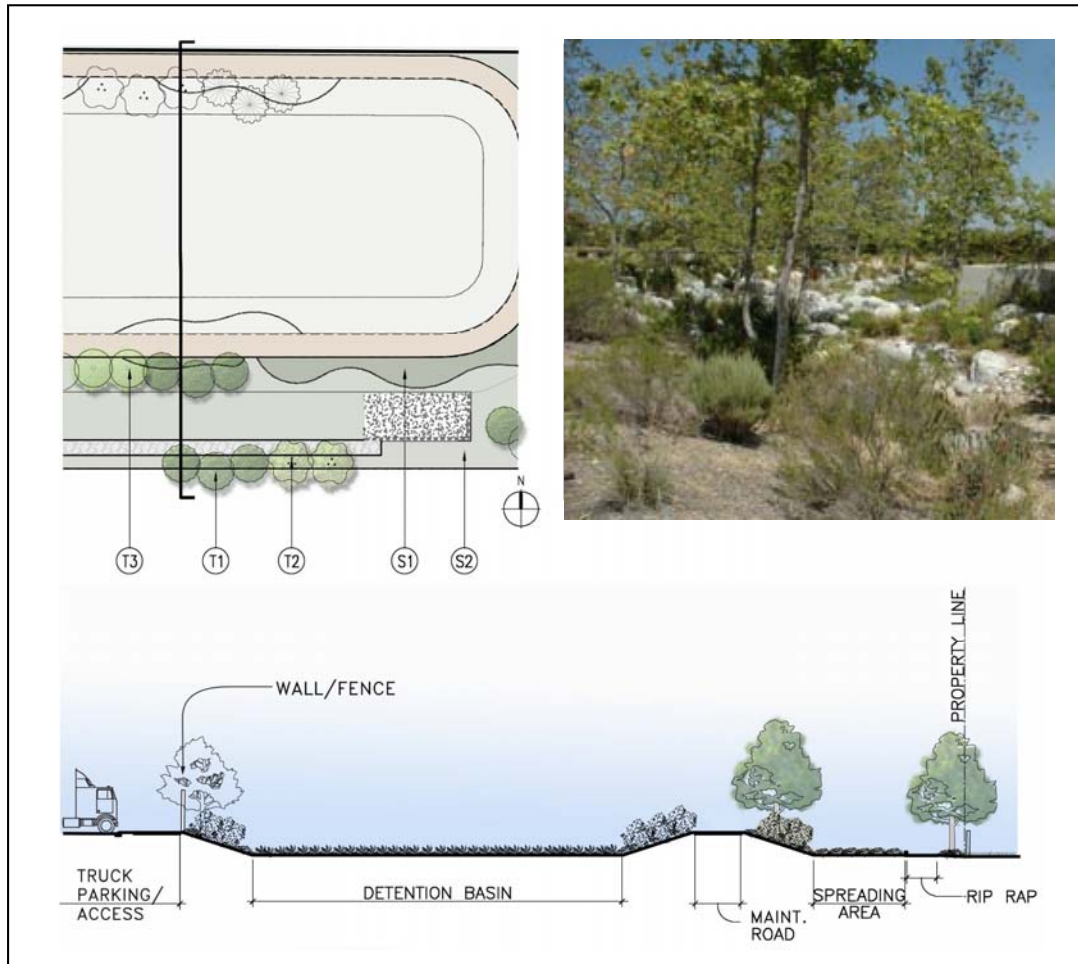


**OFF-SITE DESIGN STANDARDS**

4-24



## SJWA (San Jacinto Wildlife Area)



**Not to scale** | This exhibit is a graphic representation of a conceptual design at maturity

### Trees (15 gallon minimum)

- T1. *Tristania conferta*: Brisbane box
- T2. *Chilopsis linearis*: Desert Willow
- T3. *Platanus racemosa*: California Sycamore
- Populus Fremontii*: Cottonwood (Planted at detention basins / Well adapted to riparian regions of Moreno Valley)

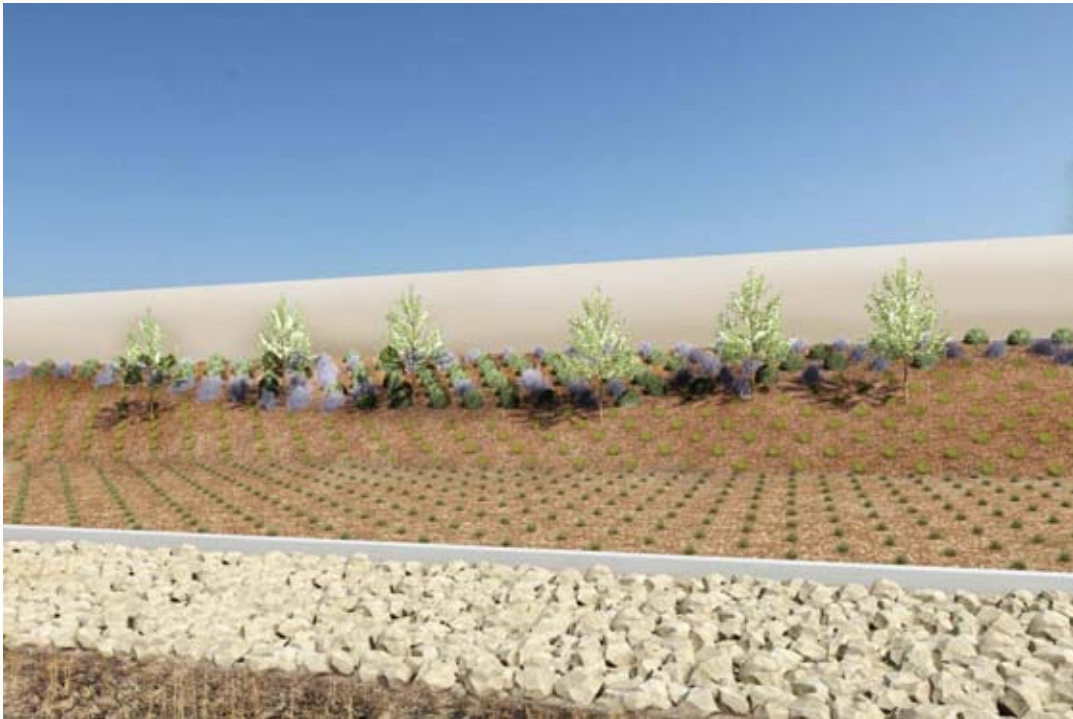
### Shrubs / Ground Cover (1 gallon minimum)

- S1. *Baccharis sarathroides*: Desert Broom
- Leucophyllum texanum*: Texas Ranger
- Simmondsia chinensis*: Jojoba
- Lycium andersonii*: Anderson Thornbush
- Celtis pallida*: Desert Hackberry
- S2. *Rosmarinus officinalis* 'Prostratus': Creeping Rosemary



**OFF-SITE DESIGN  
STANDARDS**

4-25



**SJWA (San Jacinto Wildlife Area) View 6 at Installation**



**SJWA (San Jacinto Wildlife Area) View 6 at Maturity (15 years)**

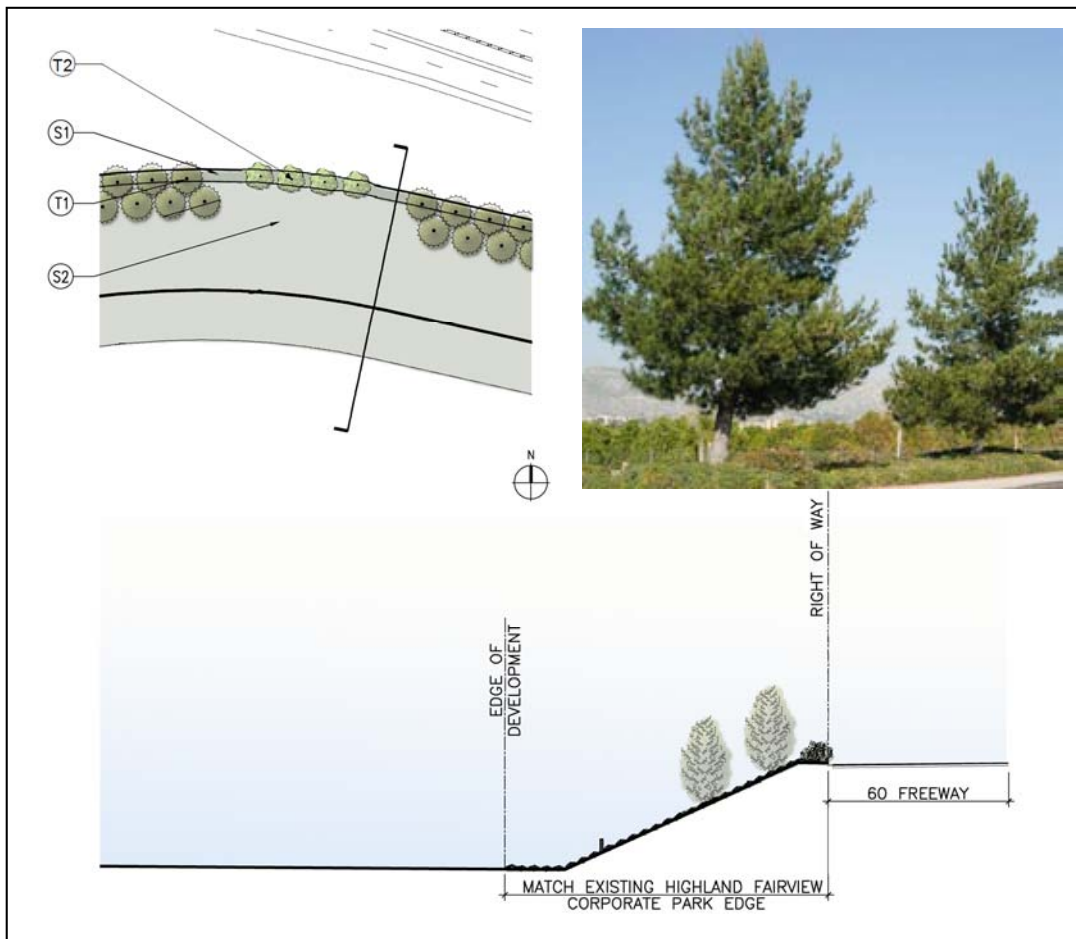
- These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.
- "Maturity" - 15 years estimated based on average rainfall and growing seasons.
- These renderings do not include street trees which will add to the screening effects.



**OFF-SITE DESIGN  
STANDARDS**

4-26

## 60 Freeway



**Not to scale** | This exhibit is a graphic representation of a conceptual design at maturity

### Trees (Palms – 25' brown trunk height, all other trees – 36" box min. – all matching)

T1. Pinus eldarica: Afghan Pine

T2. Washington robusta: Mexican Fan Palm

### Shrubs / Ground Cover (1 gallon minimum)

S1. Cotoneaster lacteus: Cotoneaster

S2. Acacia redolens 'Desert Carpet': Spreading Acacia  
Rosmarinus "Huntington Carpet": Rosemary



OFF-SITE DESIGN  
STANDARDS

4-27

Packet Pg. 520





**60 Freeway View 7 at Installation**



**60 Freeway View 7 at Maturity (15 years)**

- *These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.*
- *"Maturity" - 15 years estimated based on average rainfall and growing seasons.*
- *These renderings do not include street trees which will add to the screening effects.*



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**OFF-SITE DESIGN  
STANDARDS**

4-28



**60 Freeway View 8 at Installation**



**60 Freeway View 8 at Maturity (15 years)**

- *These sections depict varying screening techniques through use of walls, berms and/or landscaping. One or more of these techniques may be used to achieve required screening.*
- *"Maturity" - 15 years estimated based on average rainfall and growing seasons.*
- *These renderings do not include street trees which will add to the screening effects.*



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**OFF-SITE DESIGN STANDARDS**

4-29

### 4.2.7 Roundabout & Entry

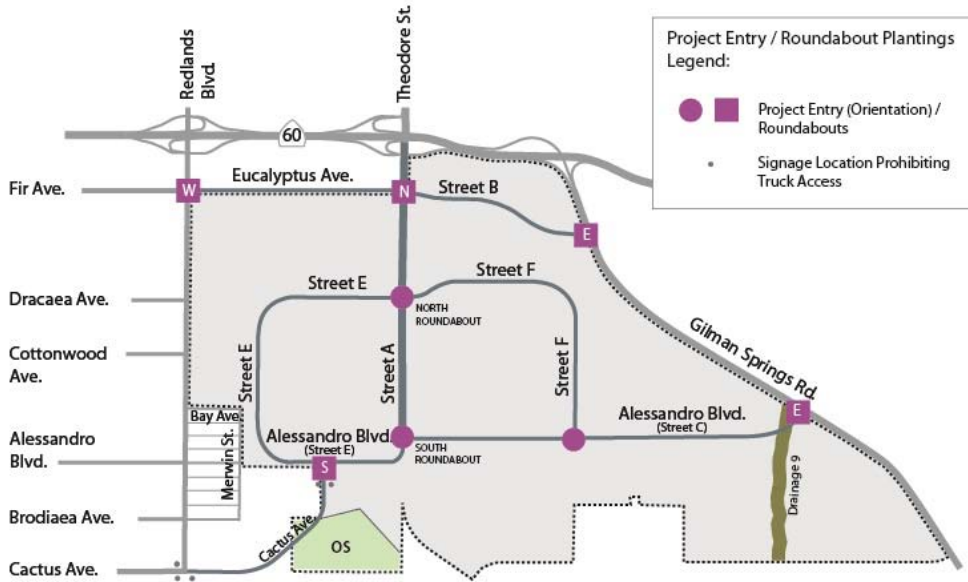


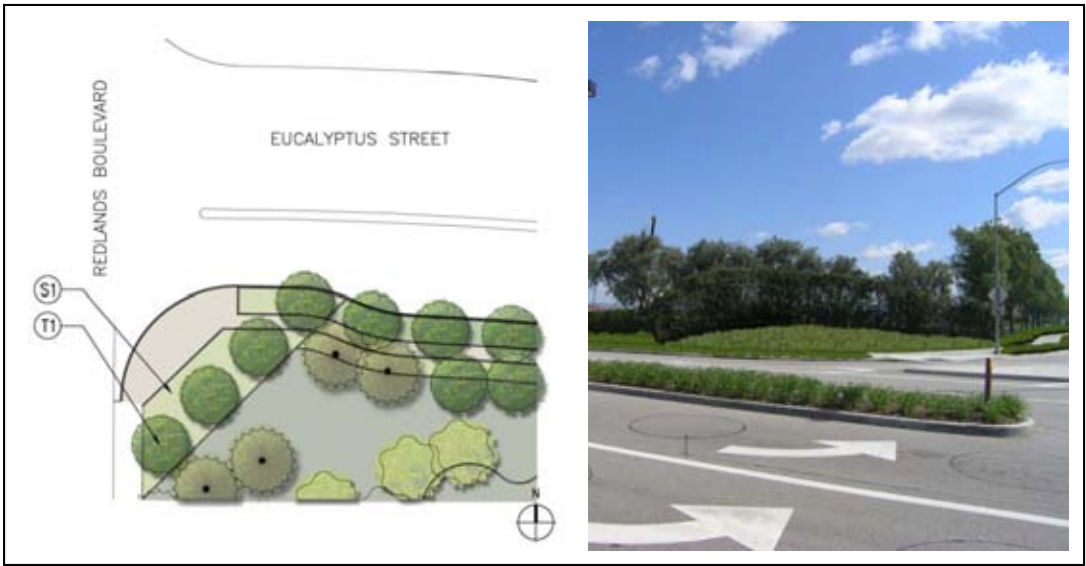
Exhibit 4-24 Roundabout & Entry Map (see pages 4-31 to 4-36)



OFF-SITE DESIGN STANDARDS

4-30

### Project Entry West (Eucalyptus)



**Not to scale** This exhibit is a graphic representation of a conceptual design.

**Trees (24" box minimum – all matching)**

T1. Tristania conferta: Brisbane box

**Shrubs / Ground Cover (1 gallon minimum)**

S1. Lomandra longifolia 'Breeze': Dwarf Mat Rush

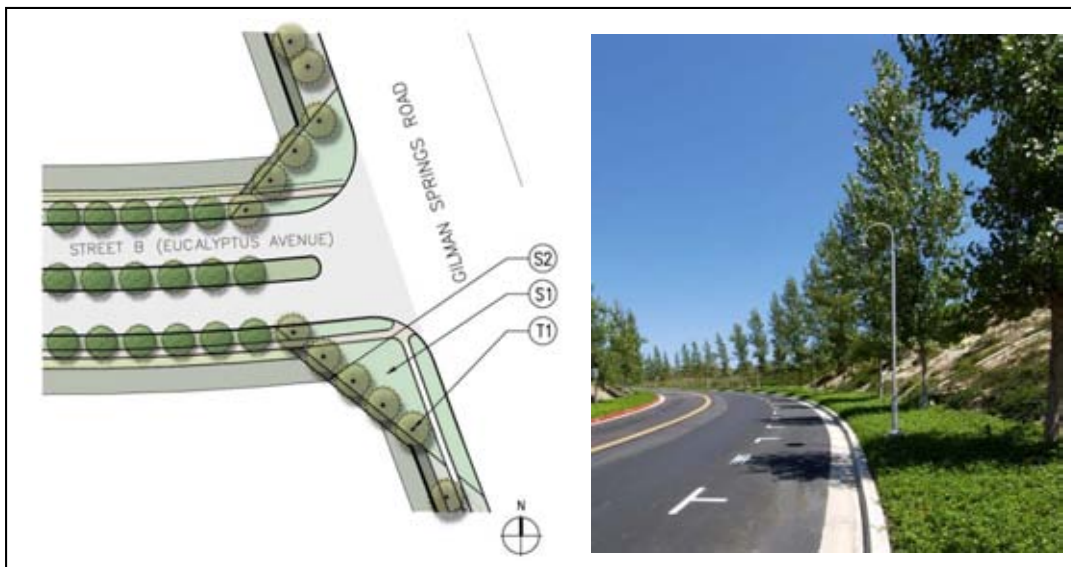


**OFF-SITE DESIGN STANDARDS**

Attachment: PC Resolution 2015-14 Change of Zone (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a



## Project Entry East (Gilman Springs Road)



**Not to scale** | *This exhibit is a graphic representation of a conceptual design.*

### Trees (24" box minimum – all matching)

- T1. *Pinus eldarica*: Afghan Pine

### Shrubs / Ground Cover (1 gallon minimum)

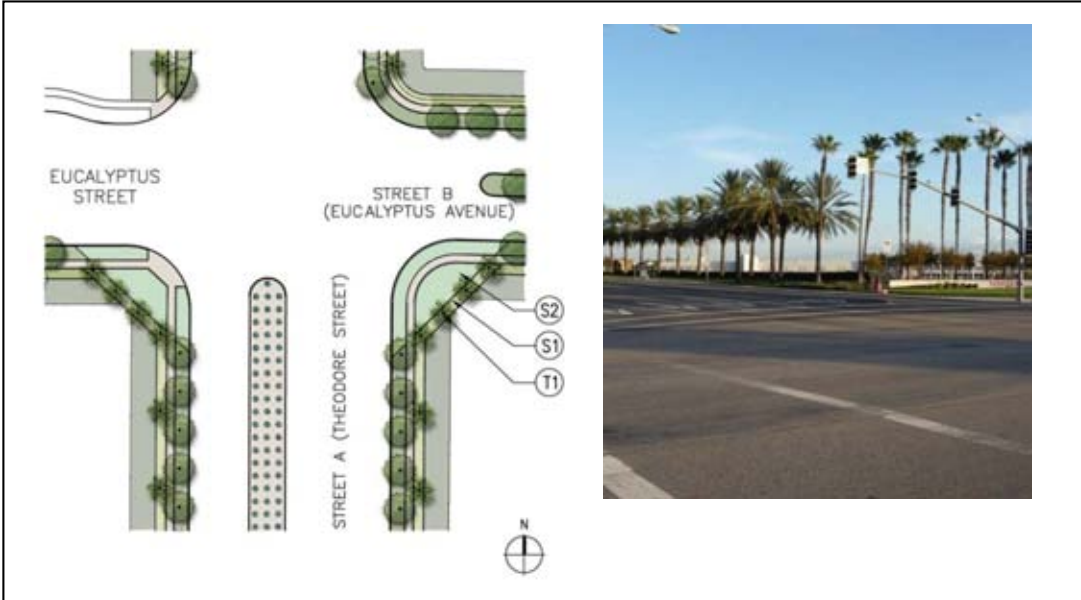
- S1. *Lomandra longifolia* 'Breeze': Dwarf Mat Rush
- S2. *Cotoneaster lacteus*: Cotoneaster



OFF-SITE DESIGN  
STANDARDS

4-32

### Project Entry North (Street A – Theodore Street)



Not to scale | This exhibit is a graphic representation of a conceptual design.

**Trees (25’ brown-trunk height–all matching)**

- T1. Washingtonia robusta: Mexican Fan Palm

**Shrubs / Ground Cover (1 gallon minimum)**

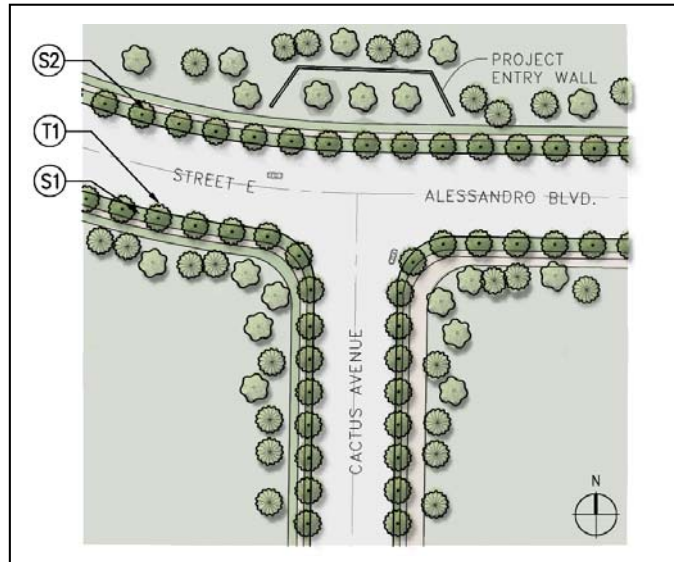
- S1. Baccharis ‘Starn’: Coyote Bush
- S2. Lomandra longifolia: ‘Breeze’: Dwarf Mat Rush



OFF-SITE DESIGN STANDARDS

Attachment: PC Resolution 2015-14 Change of Zone (combined) (1462 : World Logistics Center project includes a General Plan Amendment, a

## Project Entry South (Cactus Avenue)



**Not to scale** | This exhibit is a graphic representation of a conceptual design.

### Trees (24" box minimum – all matching)

T1. *Prosopis chilensis*: Chilean Mesquite

### Shrubs / Ground Cover (1 gallon minimum)

S1. *Muhlenbergia rigens*: Deer Grass

S2. *Simmondsia chinensis* 'Vista': Compact Jojoba

### Landscape Buffer

See Section 4.2.9 for Plant Palette (page 4-40)

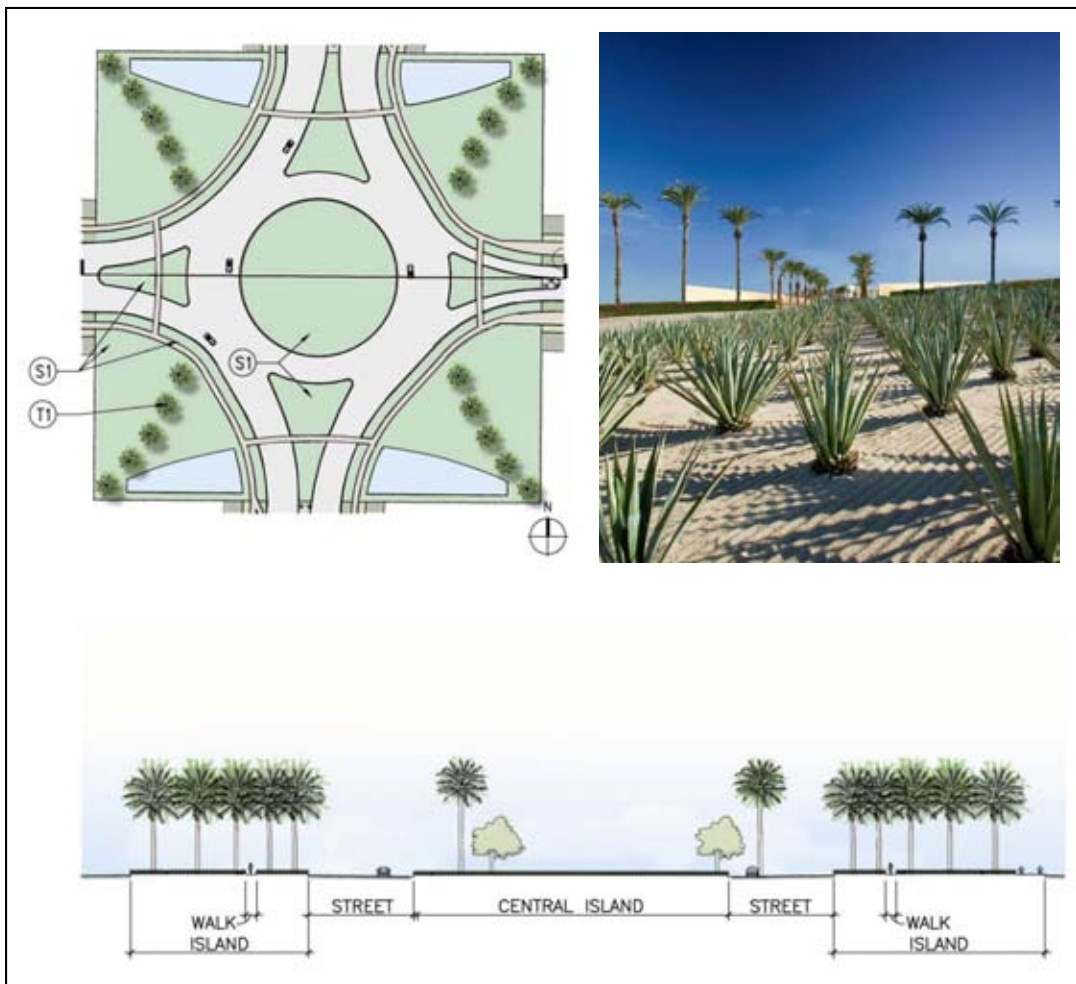


OFF-SITE DESIGN  
STANDARDS

4-34

Packet Pg. 527

## North Roundabout



**Not to scale** | This exhibit is a graphic representation of a conceptual design. In connection with any development plan incorporating any or all of the roundabout, a preliminary plan for the entire roundabout shall be reviewed and approved by the City. Detailed plans will be required prior to the approval of Street Improvement Plans.

### Trees (25' brown-trunk height--all matching)

T1. Phoenix dactylifera: Date Palm (to be replaced by Washington robusta: Mexican Fan Palm, in City maintained areas)

### Shrubs / Ground Cover (1 gallon minimum)

S1. Lomandara longifolia 'Breeze': Dwarf Mat Rush



OFF-SITE DESIGN  
STANDARDS

4-35

## South Roundabout



**Not to scale** | This exhibit is a graphic representation of a conceptual design. In connection with any development plan incorporating any or all of the roundabout, a preliminary plan for the entire roundabout shall be reviewed and approved by the City. Detailed plans will be required prior to the approval of Street Improvement Plans. Walls illustrated may or may not be a part of these plans.

### Trees (25' brown-trunk height--all matching)

T1. Phoenix dactylifera: Date Palm (to be replaced by Washington robusta: Mexican Fan Palm, in City maintained areas)

### Shrubs / Ground Cover (1 gallon minimum)

S1. Lomandra longifolia 'Breeze': Dwarf Mat Rush  
S2. Baccharis 'Starn': Coyote Bush



OFF-SITE DESIGN  
STANDARDS

4-36



### 4.2.8 Streetscape Planting



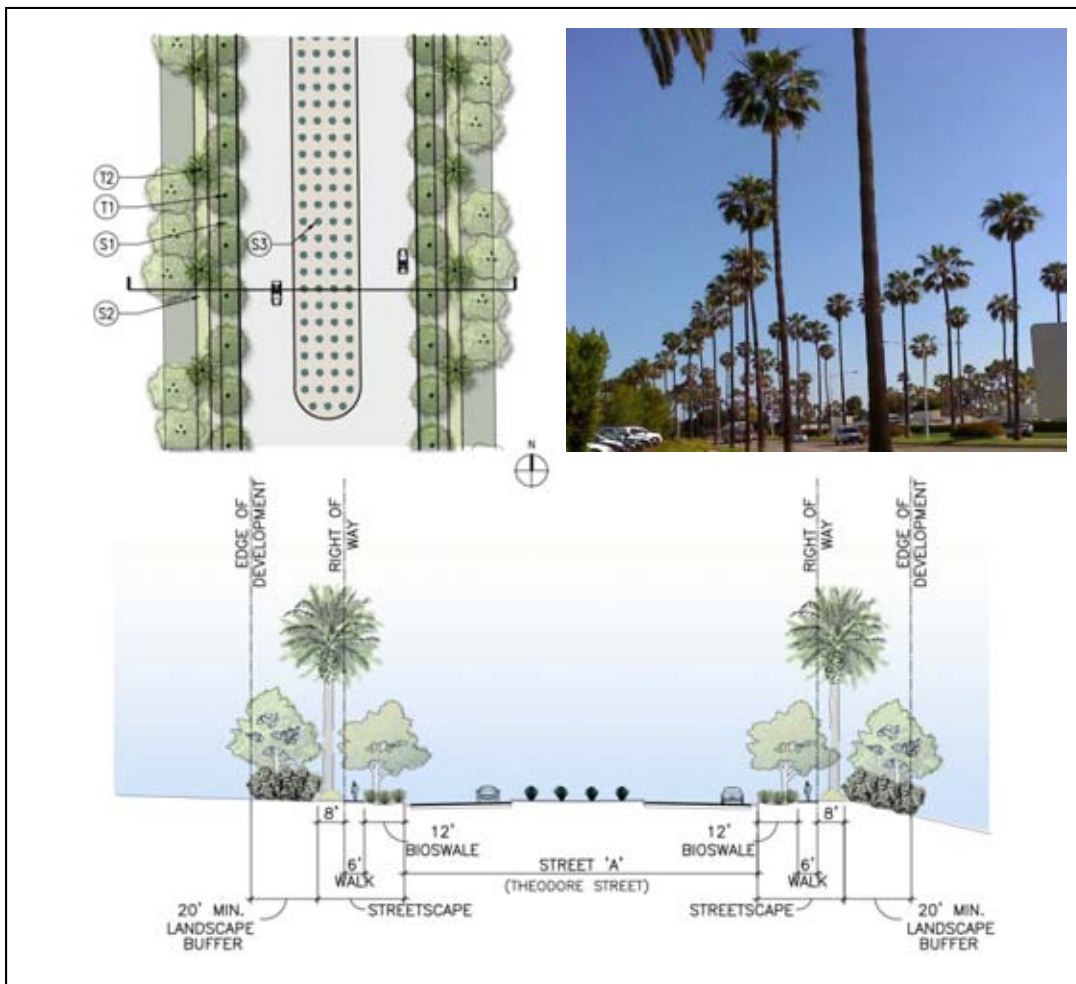
Exhibit 4-25 Streetscape Planting Map (see pages 4-38 to 4-42)



OFF-SITE DESIGN STANDARDS



## Street A (Theodore Street)



**Not to scale** | This exhibit is a graphic representation of a conceptual design.

### Trees (Palms – 25' brown trunk height, all other trees – 24" box min. – all matching)

- T1. Prosopis chilensis: Chilean Mesquite
- T2. Washingtonia robusta: Mexican Fan Palm

### Shrubs / Ground Cover (1 gallon minimum)

- S1. Muhlenbergia rigens: Deer Grass
- S2. Baccharis 'Starn': Coyote Bush
- S3. Aloe vera: Aloe

### Landscape Buffer

See Section 4.2.9 for Plant Palette (page 4-41)



**OFF-SITE DESIGN  
STANDARDS**

4-38

## Eucalyptus Avenue



**Not to scale** | *This exhibit is a graphic representation of a conceptual design.*

### **Trees (Palms – 25' brown trunk height, all other trees – 24" box min. – all matching)**

- T1. *Tristania conferta*: Brisbane Box
- T2. *Pinus eldarica*: Afghan Pine
- T3. *Phoenix dactylifera*: Date Palm

### **Shrubs / Ground Cover (1 gallon minimum)**

- S1. *Myoporum parvifolium* 'Putah Creek': Creeping Myoporum
- S2. *Lomandra longifolia* 'Breeze': Dwarf Mat Rush

### **Landscape Buffer**

See Section 4.2.9 for Plant Palette (page 4-41)



**OFF-SITE DESIGN  
STANDARDS**

4-39

# Street B (Eucalyptus Avenue Extension)



Not to scale | This exhibit is a graphic representation of a conceptual design.

### Trees (24" box minimum – all matching)

- T1. Tristania conferta: Brisbane Box

### Shrubs / Ground Cover (1 gallon minimum)

- S1. Muhlenbergia rigens: Deer Grass
- S2. Simmondsia chinensis 'Vista': Compact Jojoba

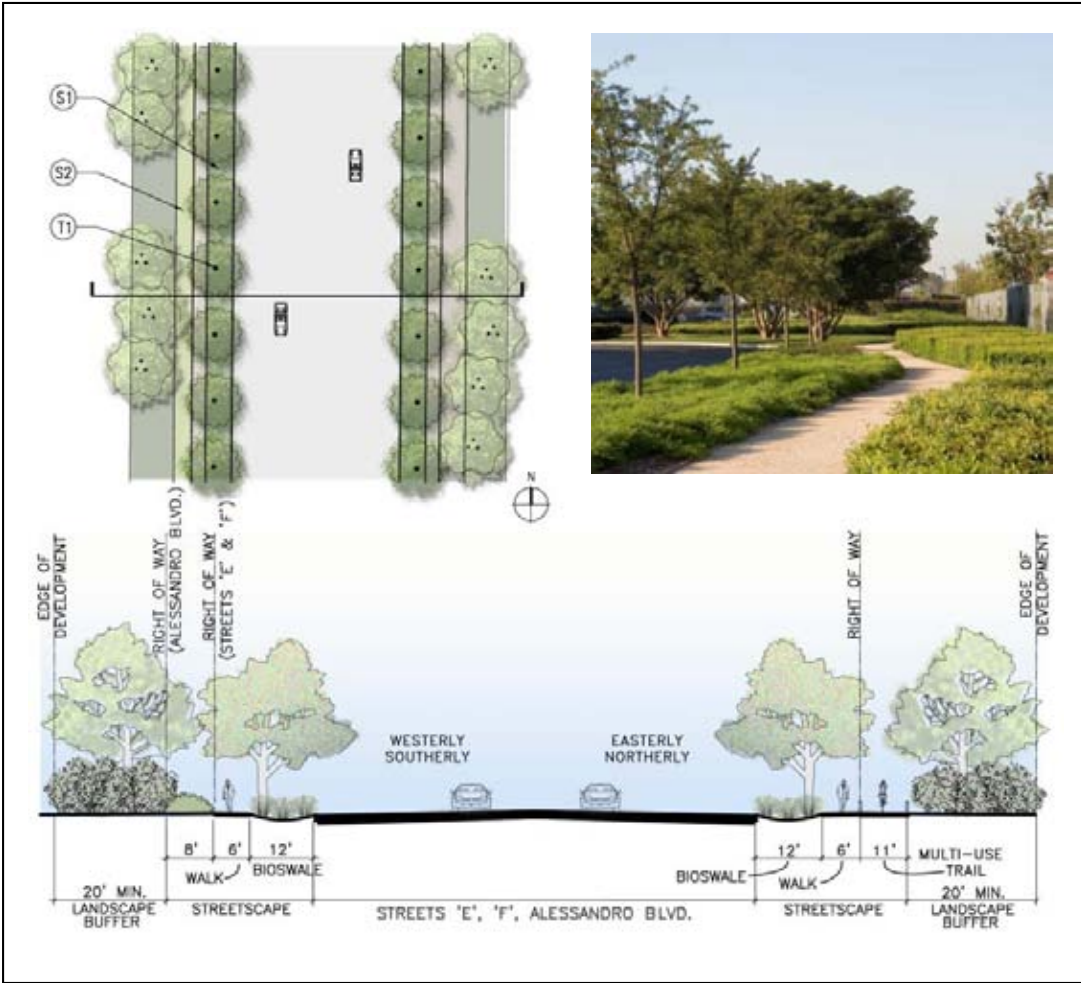
### Landscape Buffer

See Section 4.2.9 for Plant Palette (page 4-41)



OFF-SITE DESIGN STANDARDS

# Street E, F and Alessandro Boulevard



Not to scale | This exhibit is a graphic representation of a conceptual design.

### Trees (24" box minimum – all matching)

- T1. Prosopis chilensis: Chilean Mesquite

### Shrubs / Ground Cover (1 gallon minimum)

- S1. Muhlenbergia rigens: Deer Grass
- S2. Simmondsia chinensis 'Vista': Compact Jojoba

### Landscape Buffer

See Section 4.2.9 for Plant Palette (page 4-41)

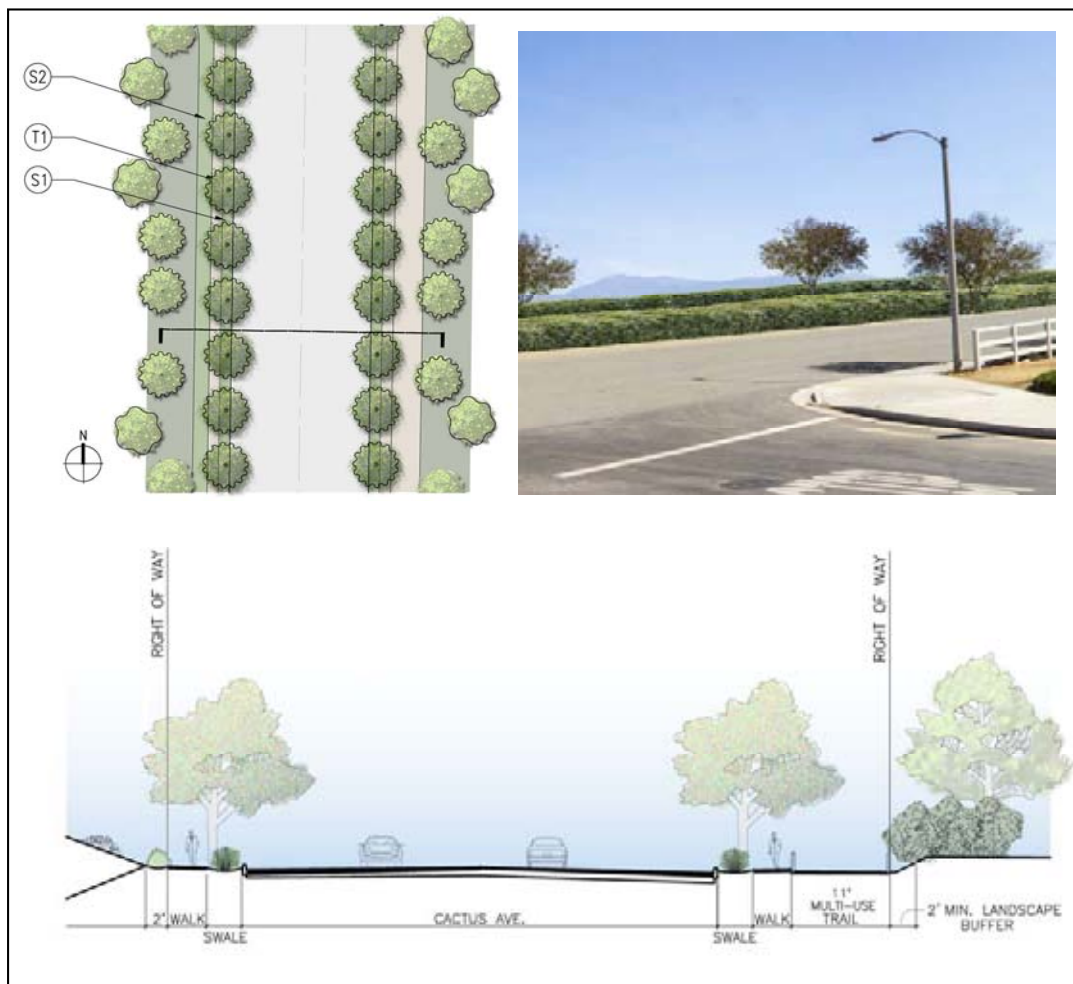


OFF-SITE DESIGN STANDARDS

4-41



## Cactus Avenue



**Not to scale** | This exhibit is a graphic representation of a conceptual design.

### Trees (24" box minimum – all matching)

T1. *Prosopis chilensis*: Chilean Mesquite

### Shrubs / Ground Cover (1 gallon minimum)

S1. *Muhlenbergia rigens*: Deer Grass

S2. *Simmondsia chinensis* 'Vista': Compact Jojoba

### Landscape Buffer

See Section 4.2.9 for Plant Palette (page 4-41)



OFF-SITE DESIGN  
STANDARDS

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### 4.2.9 Offsite Plant Selection

These plant selections shall apply to those portions of the WLC property that are not within development sites. This includes common areas, open space, public areas, streetscapes, etc. All trees are to be 15 gallon (minimum) unless otherwise noted.

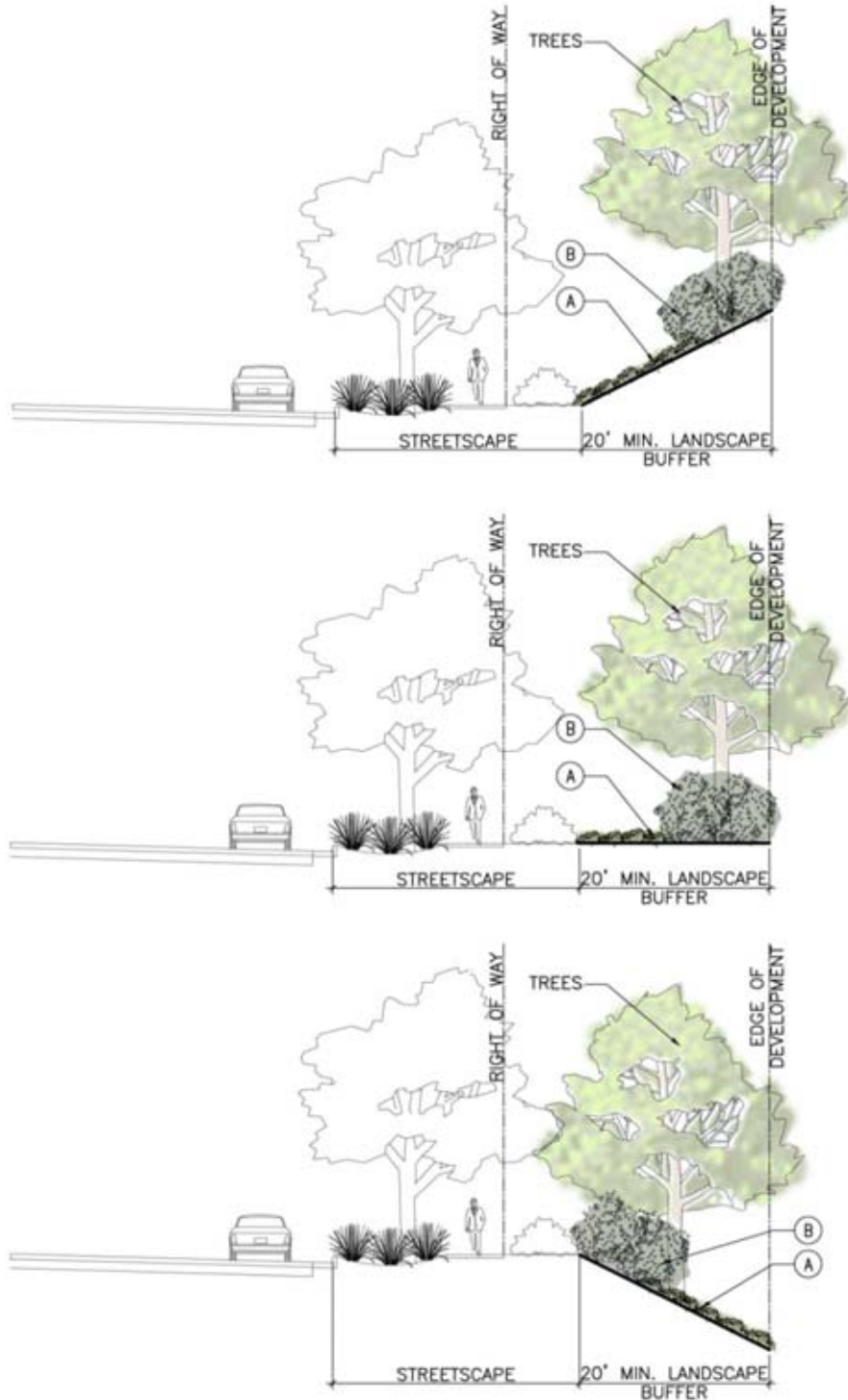


Exhibit 4-26 **Slope Planting Guideline** (From Top: Up-slope, Flat-slope, Down-slope)



**OFF-SITE DESIGN STANDARDS**



## Landscape Buffer, Interior Slopes, and Detention Basins Plant List

### Trees (15 gallon minimum)

<i>Celtis occidentalis</i>	Common Hackberry
<i>Cupressus sempervirens</i>	Italian Cypress
<i>Ebenopsis ebano</i>	Texas Ebony
<i>Olea europea</i>	Olive Tree
<i>Pinus halepensis</i>	Aleppo Pine
<i>Populus Fremontii</i>	Cottonwood
<i>Prosopis chilensis</i>	Chilean Mesquite
<i>Prosopis glandulosa</i> 'Maverick'	Thornless Texas Honey Mesquite
<i>Schinus molle</i>	California Pepper
<i>Washingtonia robusta</i>	Mexican Fan Palm

### (A) Groundcover (1 gallon minimum)

<i>Acacia redolens</i> 'Desert Carpet'	Spreading Acacia 'Desert Carpet'
<i>Baccharis</i> 'Starn'	Coyote Bush
<i>Myoporum parvifolium</i> 'Putah Creek'	Creeping Myoporum

### (B) Shrubs (1 gallon minimum)

<i>Atriplex canescens</i>	Four Wing Saltbush
<i>Atriplex lentiformis</i>	Quail Brush
<i>Baccharis sarothroides</i>	Desert Broom
<i>Celtis pallida</i>	Desert Hackberry
<i>Cordia boissieri</i>	Texas Olive
<i>Dasyliirion wheeleri</i>	Desert Spoon
<i>Elaeagnus Pungens</i> 'Fruitlandii'	Fruitland Silverberry
<i>Eriogonum fasciculatum</i>	Common Buckwheat
<i>Fallugia paradoxa</i>	Apache Plume
<i>Lycium andersonii</i>	Anderson Lycium
<i>Muhlenbergia rigens</i>	Deergrass
<i>Rhus ovata</i>	Sugar Bush
<i>Simmondsia chinensis</i>	Jojoba



OFF-SITE DESIGN  
STANDARDS

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#### 4.2.10 Off-site Maintenance

Public streets (curb-to-curb), sidewalks, and trails will be maintained by the City. If the City is responsible for maintaining medians and/or curb separated parkways, funding of the maintenance will require a special financing district. These details to be established with each site specific Plot Plan application or Tentative Map.

Parkways, slopes, drainage facilities, and common areas will be maintained by a property owners' association.

### 4.3 Off-site Lighting

#### 4.3.1 Objectives

Exterior lighting is to be provided to enhance the safety and security of motorists, pedestrians and cyclists.

Lighting is intended to create a night time character that reinforces the image of the World Logistics Center as a quality business location.

Lighting is an important element contributing to the identity and unity of the World Logistics Center.

To reinforce identity and unity, all exterior lighting is to be consistent in height, spacing, color and type of fixture throughout the building site and compatible throughout the World Logistics Center.

All lighting in the vicinity of the San Jacinto Wildlife Area shall be designed to confine all direct light rays to the project site and avoid the visibility of direct light rays from the wildlife area.

Street lighting on public streets shall meet the requirements of the City Standard Plans.

### 4.4 Off-site Utilities

#### 4.4.1 Telephone, CATV and Similar Service Wires and Cables

All telephone, CATV and similar service wires and cables shall be installed underground.

#### 4.4.2 Electrical Transmission Lines

Electrical transmission lines less than 115kV shall be installed underground.



OFF-SITE DESIGN  
STANDARDS

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## 5.0 ON-SITE DESIGN STANDARDS



### 5.1 On-site Design Standards And Guidelines

In order to manage the orderly and consistent development of the World Logistics Center, the following design standards and guidelines will be applied to all development in the Specific Plan area.

These Design Standards and Guidelines serve to create an eco-friendly, high-quality development and establish a distinctive character for the World Logistics Center project. In reviewing development proposals, these guidelines will be the primary tool used to evaluate proposed site design, architecture, landscaping, and other project features such as lighting and site amenities.

#### 5.1.1 General Purpose

On-site design standards and guidelines are set forth to guide the design, construction, review and approval of all buildings within the World Logistics Center. The goal is to attain the best possible design for each site within the World Logistics Center.

#### 5.1.2 Uses Shall Be Developed In Accordance with the Specific Plan

All properties within the World Logistics Center shall be developed in conformance with this Specific Plan.

#### 5.1.3 Uses Shall Be Developed In Accordance With City of Moreno Valley Municipal Codes

All development will be consistent with the Specific Plan objectives and design guidelines. Details of specific development projects will be determined by subdivisions and site development plans. In the event of a



ON-SITE DESIGN  
STANDARDS

5-1

conflict between the Specific Plan and the City of Moreno Valley Municipal Code, the Specific Plan will prevail. If the Specific Plan is silent on a particular subject, the Municipal Code will apply.

#### **5.1.4 Subdivision Map Act**

Lots created within the World Logistics Center Specific Plan area shall comply with the Subdivision Map Act and be in conformance with the Specific Plan.

#### **5.1.5 Water Quality Management Plan**

All development within the World Logistics Center shall be subject to applicable laws of the State of California regarding water quality.

#### **5.1.6 Trash and Recyclable Materials**

All development within the World Logistics Center shall provide enclosures (or compactors) for collection of trash and recyclable materials subject to water quality standards and best management practices.

#### **5.1.7 Waste Hauling**

Construction and other waste disposal shall be hauled to a city-approved facility.

#### **5.1.8 Water Quality Site Design**

##### **5.1.8.1 General Standards**

Refer to the National Pollution Discharge Elimination System (NPDES) Permit Board Order R8-2010-0033 for complete and current information on water quality management standards. Current requirements can be obtained by visiting the State Water Resource Control Board website at [www.swrcb.ca.gov](http://www.swrcb.ca.gov).

##### **5.1.8.2 Water Quality Management Plan**

Most developments are required to implement a Water Quality Management Plan (WQMP) in accordance with the NPDES Permit Board Order R8-2010-0033. The WQMP for the Santa Ana Region of Riverside County was approved by the Santa Ana Region Water Quality Control Board on October 22, 2012. Projects identified as a 'Priority Development project' are required to prepare a Project-Specific WQMP. The MS4 Permit mandates a Low Impact Development (LID) approach to stormwater treatment and management of runoff discharges. The project site should be designed to minimize imperviousness, detain



**ON-SITE DESIGN  
STANDARDS**

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runoff, and infiltrate, reuse or evapotranspire runoff where feasible. LID Best Management Practices (BMPs) should be used to infiltrate, evapotranspire, harvest and use, or treat runoff from impervious surfaces, in accordance with the Design Handbook for Low Impact Development Practices. The project should also ensure that runoff does not create a hydrologic condition of concern. The Regional Water Quality Control Board continuously updates impairments as studies are completed. The most current version of impairment data should be reviewed prior to preparation of the Preliminary and Final Project-Specific WQMP.



***Example of Water Quality Feature***



**ON-SITE DESIGN  
STANDARDS**

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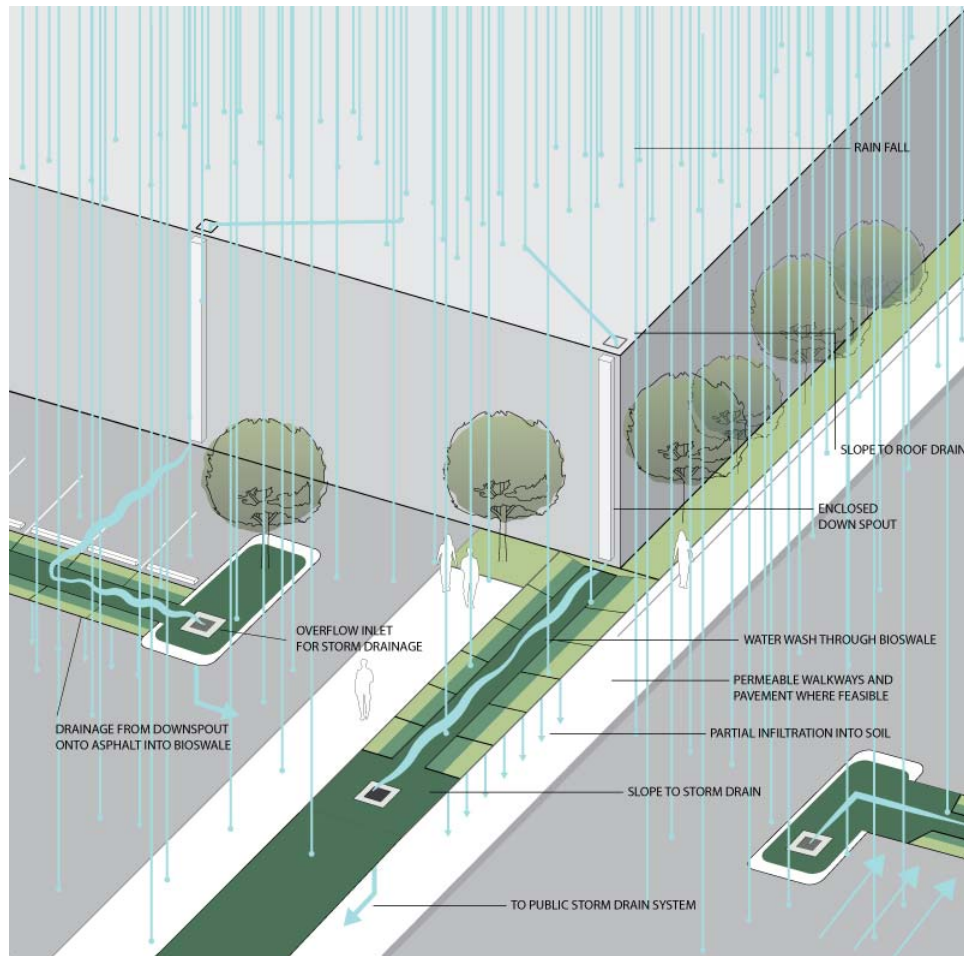


Exhibit 5-1 **Water Quality Management Diagram**

### 5.1.8.3 Site Design BMPs

Site Design BMPs are intended to create a hydrologically functional project design that attempts to mimic the natural hydrologic regime. In accordance with the Riverside County WQMP, project proponents shall implement Site Design concepts that achieve each of the following:

- Minimize Urban Runoff
- Minimize Impervious Footprint
- Conserve Natural Areas
- Minimize Directly Connected Impervious Areas (DCIAs)

Methods of accomplishing the Site Design concepts include:

- Maximize the permeable area.
- Incorporate landscape buffer areas between sidewalks and streets.
- Maximize canopy interception and water conservation by preserving existing native trees and shrubs, and planting additional native or drought tolerant trees and large shrubs.



**ON-SITE DESIGN  
STANDARDS**

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- Use natural drainage systems.
- Where soil and conditions are suitable, use perforated pipe or gravel filtration pits for low flow infiltration.
- Construct ponding areas or retention facilities to increase opportunities for infiltration consistent with vector control objectives.
- Minimize the use of impervious surfaces, such as decorative concrete, in the landscape design.
- Sites must be designed to contain and infiltrate roof runoff, or direct roof runoff to vegetative swales or buffer areas, where feasible.
- Where landscaping is proposed, drain impervious sidewalks, walkways, trails, and patios into adjacent landscaping.
- Increase the use of vegetated drainage swales in lieu of underground piping or imperviously lined swales.
- Parking areas may be paved with a permeable surface, or designed to drain into landscaping prior to discharging to the MS4.
- Where landscaping is proposed in parking areas, incorporate landscape areas into the drainage design.



***Example of Water Quality Feature***



**ON-SITE DESIGN  
STANDARDS**

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#### 5.1.8.4 Source Control BMPs

Source Control BMPs are also required to be implemented for each project as part of the Final WQMP. Source Control BMPs are those measures which can be taken to eliminate the presence of pollutants through prevention. Such measures can be both non-structural and structural.

Non-structural Source Control BMPs include:

- Education for property owners, operators, tenants, occupants, or employees
- Activity restrictions
- Irrigation system and landscape maintenance
- Common area litter control
- Street sweeping private streets and parking lots
- Drainage facility inspection and maintenance

Structural Source Control BMPs include:

- Stenciling and signage
- Landscape and irrigation system design
- Protect slopes and channels
- Properly design fueling areas, trash storage areas, loading docks, and outdoor material storage areas

#### 5.1.8.5 Treatment Control BMPs

The Treatment Control BMP strategy for the project is to select Low Impact Development (LID) BMPs that promote infiltration and evapotranspiration, including infiltration basins, bioretention facilities, and extended detention basins. Generally infiltration BMPs have advantages over other types of BMPs, including reduction of the volume and rate of runoff, as well as full treatment of all potential pollutants potentially contained in the stormwater runoff. It is recognized however that infiltration may not be feasible on sites with low infiltration rates, or located on compacted engineered fill. If the BMP is considered in a fill condition, and the infiltration surface of the BMP cannot extend down into native soils, or if the BMP is considered in a cut condition, and there is no practicable way to verify infiltration rates at the final BMP elevation, infiltration BMPs will not be used. Prior to final design, infiltration tests shall be performed within the boundaries of the proposed infiltration BMP and at the bottom elevation (infiltration surface) of the proposed infiltration BMP to



**ON-SITE DESIGN  
STANDARDS**

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confirm the suitability of infiltration. In situations where infiltration BMPs are not appropriate, bioretention and/or biotreatment BMPs (including extended detention basins, bioswales, and constructed wetlands) that provide opportunity for evapotranspiration and incidental infiltration will be considered. Harvest and use BMPs will also be considered as a Treatment Control BMP to store runoff for later non-potable uses. Ponds may be used to collect stormwater runoff for harvest and use.

#### 5.1.8.6 Infiltration Basin

An infiltration basin is a flat earthen basin designed to capture the design capture volume. The stormwater infiltrates through the bottom of the basin into the underlying soil over a 72 hour drawdown period. Flows exceeding the design capture volume must discharge to a downstream conveyance system. Infiltration basins are highly effective in removing all targeted pollutants from stormwater runoff. The use of infiltration basins may be restricted by concerns over groundwater contamination, soil permeability, and clogging at the site. Where this BMP is being used, the soil beneath the basin must be thoroughly evaluated in a geotechnical report since the underlying soils are critical to the basin's long term performance. To protect the basin from erosion, the sides and bottom of the basin must be vegetated, preferably with native or low water use plant species.

In addition, these basins may not be appropriate for the following site conditions:

- Industrial sites or locations where spills may occur
- Sites with very low soil infiltration rates
- Sites with high groundwater tables or excessively high infiltration rates, where pollutants can affect groundwater quality
- Sites with unstabilized soil or construction activity upstream
- On steeply sloping terrain

#### 5.1.8.7 Bioretention Facility

Bioretention facilities are shallow, vegetated basins underlain by an engineered soil media. Healthy plant and biological activity in the root zone maintain and renew the macro-pore space in the soil and maximize plant uptake of pollutants and runoff. This keeps the BMP from becoming clogged and allows more of the soil column to function as both a sponge (retaining water) and a highly effective and self-maintaining biofilter. In most cases, the bottom of a bioretention



**ON-SITE DESIGN  
STANDARDS**

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facility is unlined, which also provides an opportunity for infiltration to the extent that the underlying onsite soil can accommodate it. When the infiltration rate of the underlying soil is exceeded, fully biotreated flows are discharged via underdrains. Bioretention facilities therefore will inherently achieve the maximum feasible level of infiltration and evapotranspiration and achieve the minimum feasible (but highly biotreated) discharge to the storm drain system.

These facilities work best when they are designed in a relatively level area. Unlike other BMPs, bioretention facilities can be used in smaller landscape spaces on the site, such as:

- Parking islands
- Medians
- Site entrances



***Example of Water Quality Feature***

Landscape areas on the site can often be designed as bioretention facilities. This can be accomplished by:

- Depressing landscape areas below adjacent impervious surfaces, rather than elevating those areas
- Grading the site to direct runoff from those impervious surfaces into the bioretention facility, rather than away from the landscaping
- Sizing and designing the depressed landscape area as a bioretention facility as described in the Riverside County Low Impact Development BMP Design Handbook



**ON-SITE DESIGN  
STANDARDS**

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**Example of Water Quality Feature**

#### **5.1.8.8 Extended Detention Basin**

The extended detention basin is designed to detain the design volume of stormwater and maximize opportunities for volume losses through infiltration, evaporation, evapotranspiration, and surface wetting. Additional pollutant removal is provided through sedimentation, in which pollutants can attach to sediment accumulated in the basin through the process of settling. Stormwater enters the basin through a forebay where any trash, debris, and sediment accumulate for easy removal. Flows from the forebay enter the top stage of the basin which is vegetated with native grasses and interspersed with gravel-filled trenches which together enhance evapotranspiration and infiltration. Water that does not get infiltrated or evapotranspired is conveyed to the bottom stage of the basin. At the bottom stage of the basin, low or incidental dry weather flows will be treated through a media filter and collected in a subdrain structure. Any additional flows will be detained in the basin for an extended period by incorporating an outlet structure that is more restrictive than a traditional detention basin outlet. The restrictive outlet extends the drawdown time of the basin which further allows particles and associated pollutants to settle out before exiting the basin, while maximizing opportunities for additional incidental value losses.



**ON-SITE DESIGN  
STANDARDS**

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## 5.2 Site Planning Guidelines

### 5.2.1 Overview

The World Logistics Center Specific Plan has an overall, coordinated design character that emphasizes a clean, contemporary, straightforward, quality image. This image is expressed in site planning, architecture, landscaping, and lighting.

Architectural design is to be compatible in character, massing and materials throughout The World Logistics Center, while allowing for individual identity and creativity in each project. Landscaping, building design, lighting, and utilities are to be closely coordinated along roadways. Criteria for occupancy, building heights, site planning, architecture, landscaping, and lighting are given in further detail in the following sections.

### 5.2.2 Design Objectives

The objective of the guidelines is to promote the planned image of a quality business and logistics center. Each site will be developed in a manner that emphasizes a clean, pleasant and contemporary environment, and produces an effect that is consistent and compatible with adjacent sites and development throughout the World Logistics Center.



**ON-SITE DESIGN  
STANDARDS**

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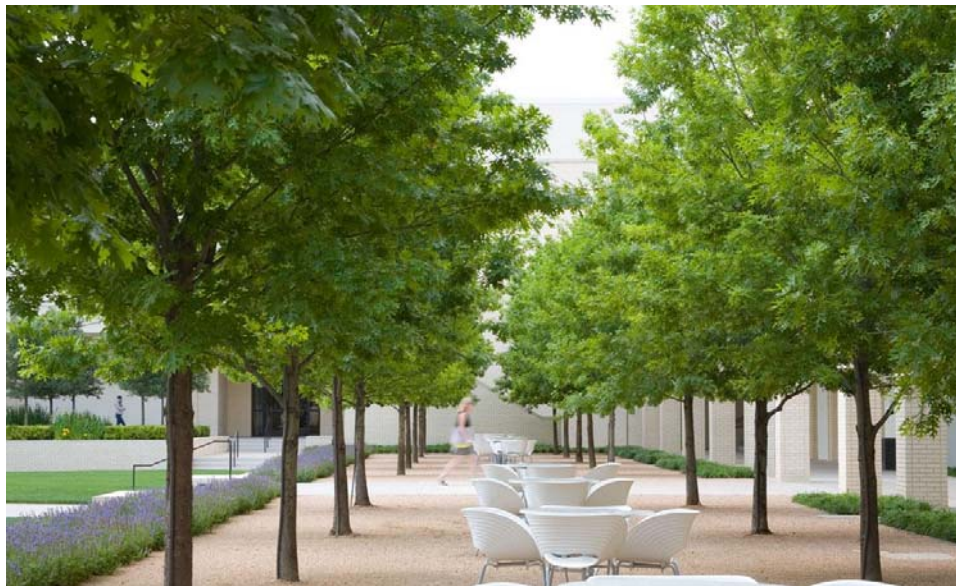
### 5.2.3 Sustainable Design

Building in an ecological and resource-efficient manner has many advantages for the environment as well as for building users. Sustainable design reduces pollution and conserves natural resources. The architects and engineers that make contributions to the WLC must understand this and strive to lessen the impact their designs have on the environment.

In addition, all buildings in the World Logistics Center, of at least 500,000 square feet, shall be designed to meet or exceed the LEED Certified Building Standards as described in Section 12.8.

The following sustainability goals have been set for buildings at the WLC:

- Design buildings to accommodate renewable energy systems where feasible
- Create building forms and landscape that protect patrons and employees from unpleasant climate conditions
- Use water resources responsibly with a constant effort to minimize the use of potable water
- Incorporate life cycle planning and decision making



The design of each building at the World Logistics Center will pursue these goals, by incorporating design features such as, but not limited to, the following:



**ON-SITE DESIGN  
STANDARDS**

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Water conservation:

- Low flow faucets and fixtures
- Rain water collection (where practical)
- Native landscape
- Direct and capture low-use irrigation and rainfall runoff to landscape areas

Energy conservation:

- Building orientation
- Glazing, overhangs, and landscaping to capture and control natural daylight
- High performance glazing
- Use of atriums, skylights and internal courtyards to provide additional daylighting

Natural resource conservation:

- Use of renewable materials where feasible
- The use of building materials with recycled content where feasible



**ON-SITE DESIGN  
STANDARDS**

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### 5.2.4 Building Location

Buildings are to be located on each site in a manner that is efficient, appropriate to site conditions, supportive of the overall architectural composition and compatible with nearby projects throughout the World Logistics Center.

- 5.2.4.1 Buildings shall be located to enhance project visibility and identity, while maintaining compatible relationships with adjacent projects and street views.
- 5.2.4.2 Buildings shall be oriented so that loading and service areas are screened from view from streets and public areas.
- 5.2.4.3 Buildings shall be arranged to provide convenient access to entrances and efficient on-site circulation for vehicles and pedestrians.
- 5.2.4.4 Buildings shall be arranged to provide landscape outdoor plazas or entries.
- 5.2.4.5 Visitor parking shall be convenient to public building entries, as shown below.
- 5.2.4.6 Indoor and outdoor break areas shall be provided convenient to major office areas.



*Example of Plaza Entry*



**ON-SITE DESIGN  
STANDARDS**

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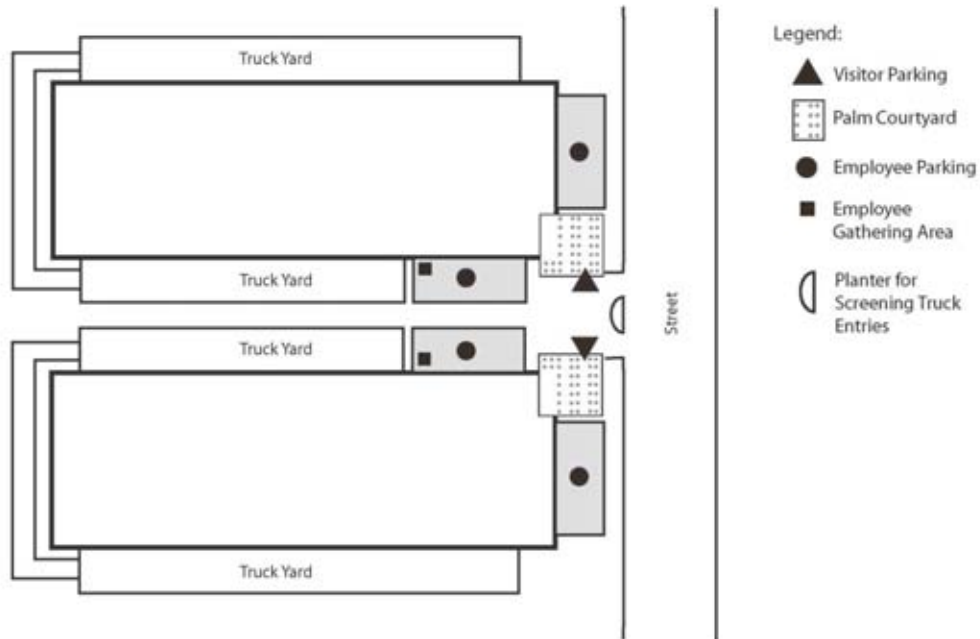


Exhibit 5-2 **Visitor Parking Plan**

### 5.2.5 Site Access

Vehicular access to individual sites is limited to minimize disruption of traffic flow. All access to public streets is subject to approval by the City of Moreno Valley.

### 5.2.6 Vehicular Circulation

Onsite vehicular circulation should be clear and direct. Dead-end parking aisles should be avoided.

### 5.2.7 Parking

- 5.2.7.1 Off-street parking shall be provided in accordance with the Municipal Code.
- 5.2.7.2 Off-street parking shall be provided to accommodate all vehicles associated with the permitted use of each site. On-street parking is prohibited, except in designated truck parking areas.
- 5.2.7.3 Designated spaces must be provided in convenient locations for handicap, carpool, alternate fuel vehicles, motorcycles and bicycles as required by the State of California and the City of Moreno Valley.



**ON-SITE DESIGN  
STANDARDS**

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- 5.2.7.4 Parking areas for motorcycles and bicycles are to be designed for orderly, uncluttered parking. Bicycle parking areas are to be provided with racks and locking capabilities.
- 5.2.7.5 The view of parking areas from public streets shall be softened by means of grading and/or landscaping.
- 5.2.7.6 Parking is prohibited in any required landscape areas.
- 5.2.7.7 Vehicle parking areas are to be landscaped to provide a shade canopy (50% coverage at maturity) and pleasant appearance. Planters must be large enough to avoid crowding of plant material and damage by vehicles.
- 5.2.7.8 Parking lots shall comply with the accessible parking standards required by the City of Moreno Valley.

### 5.2.8 Pedestrian Circulation

Safe, clear pedestrian circulation must be provided between buildings, parking areas and entries on all sites. Where a pedestrian walkway into the site from the public sidewalk is provided, it should be located at a driveway and in conformance with the street tree interval.



*Example of  
Pedestrian  
Walkway*

### 5.2.9 Truck Parking

All truck yards shall be screened from public view from adjacent streets per this Specific Plan.

### 5.2.10 Service Areas

Service, storage, maintenance, loading, refuse collection areas and similar facilities are to be located out of view of public roadways and buildings on adjacent sites, or screened by architectural barriers.



**ON-SITE DESIGN  
STANDARDS**

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*Example of Service Structure*

Service areas may not extend into required building and landscape setback zones.

Service areas should be located and designed so that service vehicles have clear and convenient access and do not disrupt vehicular and pedestrian circulation. No loading or unloading is permitted from public streets.

#### **5.2.11 Grading and Drainage**

All project grading shall conform to the Municipal Code. Site grading and drainage shall be designed so that surface drainage is collected and treated before leaving the site.

Site grading shall be designed to be compatible with streetscape grades and to minimize the need for handrails or pedestrian ramps within the site.

Concrete swales in parking lots should be located at the edge of parking spaces and/or curb. Swales are prohibited in the middle of drive aisles. Directing drainage to curb and gutters is preferred over concrete swales.

Run-off from roofs, site, and impervious areas shall be directed to planter areas to minimize run-off.



**ON-SITE DESIGN  
STANDARDS**

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### 5.2.12 Walls and Fences

Walls and fences must be designed as an integral part of the overall architectural or landscaping design concept.

Within designated edge treatment areas, proposed fencing shall be included in the required Concept Plan (see Section 2.5). Along the SJWA boundary special fencing shall be used to restrict animals from passing between the SJWA property and the project site. This fencing shall be of a durable material (metal or plastic) and shall be partially buried to resist burrowing animals.

Plot Plans shall include all site fencing details.

#### Materials

Walls are to be constructed of materials compatible with the overall design character of the building. Walls shall be poured-in-place concrete. Fences shall be wrought iron or tubular steel. Chain link fencing is permitted only where not visible from streets, sidewalks, public parking areas or public building entries.

#### Design features may include:

- Varied heights, wall plane offsets, and angles.
- Pilasters or distinctive elements.
- Trim, reveals.
- Minor changes of material and finishes where appropriate.
- Trellis/vine panels, landscape pockets.



*Example of Security Fence*



**ON-SITE DESIGN  
STANDARDS**

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### Walls within Streetside Landscape Setback

Low-profile parking lot screen walls or garden walls are permitted in street-side landscape area.

### Height

Screen walls shall not exceed the height necessary to screen trucks and dock doors. Pilasters and distinctive elements may exceed this maximum.

Walls or fences in the streetside landscaping area visible from the street and not intended for screening purposes shall be limited to a height of 3' 0".

Refuse enclosures shall have walls not less than 6'-0" high. Planting areas for vines, shrubs, and trees shall be provided at the rear and sides of all enclosures.



### Gates Visible From Public Areas

Pedestrian and vehicular access gates visible from public areas (i.e., parking lots, streets, sidewalks, etc.) shall be constructed of a durable material, such as tubular steel.

### Prohibited Materials

Barbed wire, wire, integrated corrugated metal, electronically charged or plain exposed plastic vinyl, concrete/PCC fences are prohibited.



**ON-SITE DESIGN  
STANDARDS**

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### 5.3 On-site Architecture

#### 5.3.1 Objectives

Architectural design should express the character of a corporate logistic center in a manner that is progressive and enduring. Individual creativity and identity are encouraged, but care must be taken to maintain design integrity and compatibility among all projects in order to establish a clear, unified image throughout the World Logistics Center.



Simple Form



Progressive and Enduring



Creativity and Identity



### ON-SITE DESIGN STANDARDS

### 5.3.2 Architectural Character

Architectural character should portray a high quality image in a manner that is both progressive and timeless.

#### Appropriate Characteristics

- Contemporary, classic, technical style
- Clean, smooth, efficient lines
- Distinctive, but compatible image



#### Inappropriate Characteristics

- Trendy, historical, residential styles
- Tricky, complicated, arbitrary forms
- Sharp contrast with surroundings



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ON-SITE DESIGN  
STANDARDS

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### 5.3.3 Building Heights

To maintain consistent and compatible building mass relationships, building heights are limited to the following (unless otherwise approved):

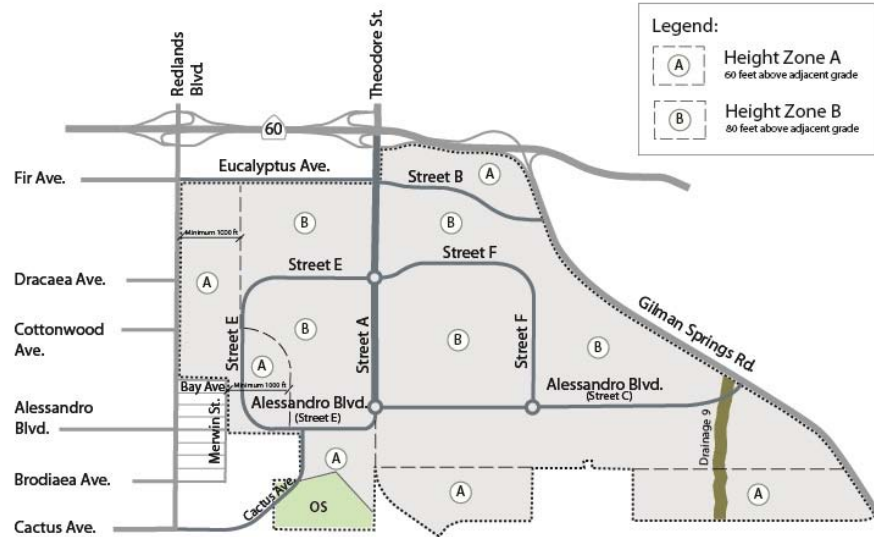


Exhibit 5-3 **Building Height Plan**

Area A: 60 feet above adjacent grade, including parapets, screens, and architectural features

Area B: 80 feet above adjacent grade, including parapets, screens, and architectural features

Height exceptions may be approved by the Planning Official. Exceptions up to 10 additional feet in height may be approved to accommodate special interior uses or screening of special mechanical equipment unique to these facilities. In such cases, up to twenty percent of the building footprint may exceed the height limit.



ON-SITE DESIGN  
STANDARDS

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### 5.3.4 Building Form and Massing

Building design should employ clean, simple, geometric forms and coordinated massing that produce overall unity, scale and interest.

#### Appropriate Treatment

- Straightforward geometry
- Unified composition
- Expression of floor levels and structure
- Solid parapets



#### Inappropriate Treatment

- Complicated forms
- Arbitrary, inconsistent composition



ON-SITE DESIGN  
STANDARDS

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### 5.3.5 Facades

Facades should reflect a coordinated design concept, including expression of building function, structure and scale. Buildings can be designed with a consistent, uniform facade; with the center of the facade emphasized; or with the corners of the facade emphasized.

#### Appropriate Treatment

- Straightforward, functional design
- Expression of structure
- Unity & scale reinforced through an integrated grid module



#### Inappropriate Treatment

- Arbitrary, inconsistent forms and decoration
- Uninterrupted, floating horizontals
- Wall-mounted



ON-SITE DESIGN  
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### 5.3.6 Fenestration

Fenestration should be defined by function and structure, and should be consistent in form, pattern and color.

#### Appropriate Treatment

- Functional glass use and patterns
- Glazing delineation by mullions and structure
- Balance of wall and glazed surfaces
- Tinted or lightly reflecting glazing



#### Inappropriate Treatment

- Arbitrary, decorative glass patterns
- Uninterrupted horizontal glazing
- Highly reflective glass



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### Glazing Colors

<b>Preferred:</b>	Silver, bronze, blue, green, blue-green ranges
<b>Prohibited:</b>	Black, gold, copper ranges
<b>Other:</b>	Requires specific approval



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### 5.3.7 Structure

Structure should be expressed clearly and consistently.

#### Appropriate Treatment

- Visible vertical support
- Visible structural base
- Functional, straight-forward elements
- Columns integrated into the facade
- Proper structural scale



#### Inappropriate Treatment

- Floating horizontal levels
- False, decorative structure
- Undersized or oversized structural components



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### 5.3.8 Roofs

Rooflines should be horizontal.

#### Appropriate Treatment

- Visible vertical support
- Horizontal planes and parapets
- Varied but proportional parapet height
- Roofing materials hidden from off-site view



#### Inappropriate Treatment

- Gable, hip and mansard roof forms
- Metal, tile, shingle and shake roofing
- Arbitrary decoration



ON-SITE DESIGN  
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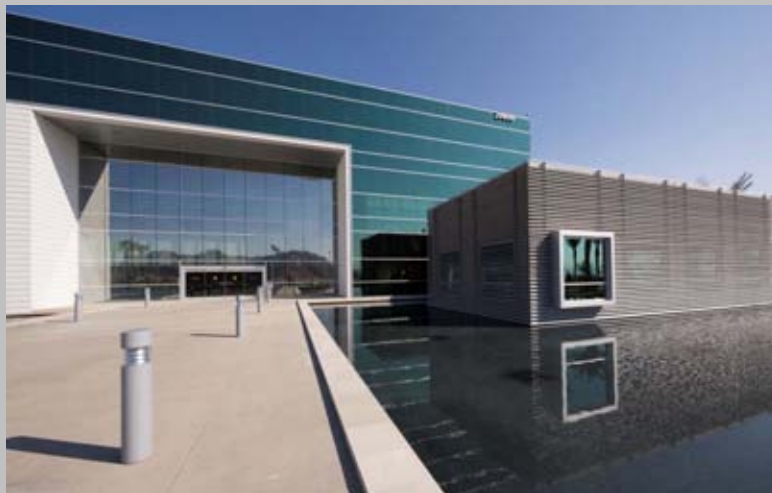
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### 5.3.9 Entrances

Entrances should be clearly defined and inviting.

#### Appropriate Treatment

- Articulation and color for identity and interest
- Light, open, inviting aspect
- Entry space sequence
- Recessed, protected doorway
- Integration with overall building form
- Coordinated landscaping



#### Inappropriate Treatment

- Exaggerated forms and color
- Dark, confined appearance
- Abrupt entry. Flush doorways. Tacked-on entry alcove



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### 5.3.10 Materials

Exterior building materials should be smooth, clean and efficient, with an appearance that is contemporary and technical.

#### Appropriate Materials

- Smooth, precast or tilt-up concrete
- Smooth metal panel systems
- Tinted or lightly reflective glass



#### Inappropriate Treatment

- Wood beams and siding, brick, Spanish tile, corrugated metal, rough concrete, or highly reflective glass
- Stucco (unless limited in use, with a smooth troweled surface detailed like concrete)



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### 5.3.11 Other Materials

All other materials, including Drivit<sup>®</sup>, concrete masonry, wall tile, glass fiber reinforced concrete and new technology materials must be approved through the Plot Plan process.



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### 5.3.12 Exterior Colors

Exterior building colors are to be selected from the palettes below to maintain compatibility within the World Logistics Center.

#### Appropriate Treatment

- Concrete or stone should have light, natural finish
- Painted wall surfaces directly facing streets or public areas are to be primarily off-white or light warm shades
- Other colors are permitted on recessed or interior facing wall surfaces, or on special features, reveals or mullions
- Service doors and mechanical screens are to be the same color as the wall



#### Inappropriate Treatment

- Arbitrary patterns, stripes
- Garish use of color



ON-SITE DESIGN  
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**Primary Wall Colors**

Colors for primary exterior walls are to be within the range of colors represented by the following list:

Warm Whites

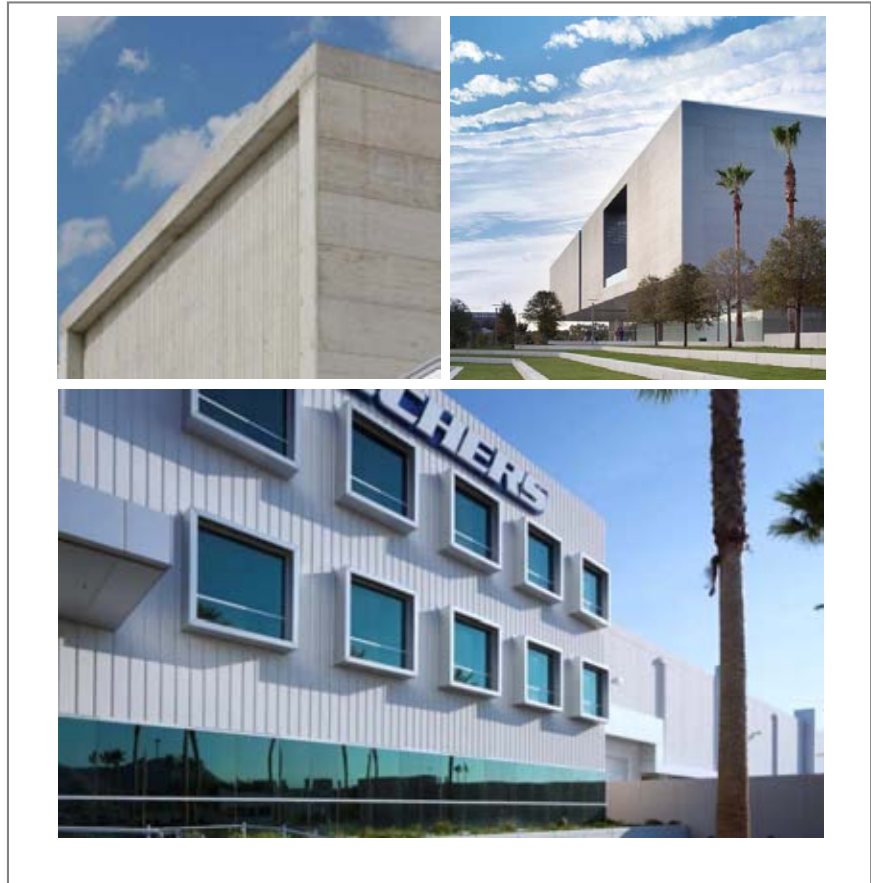
Lorette	Pantone Warm Grey 1C
Trotting	Pantone 4685C
Tracing Paper	Pantone Warm Grey 2U
Slinky	Pantone Warm Grey 1U

Cool Whites

A La Mode	Pantone 427C
Windblown	Pantone 428C
Chain Link	Pantone 434C
Carbon	Pantone 434C

Others

TBD	Pantone 7501C San Jacinto Wildlife Area Edge
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**ON-SITE DESIGN STANDARDS**



### 5.3.13 Design Details

Detailing should be clean, clear and straightforward. Details should reinforce overall design unity, interest and scale.

#### Appropriate Treatment

- Coordinated mullions and details
- Expression and alignment of structural connections
- Finishes commensurate with building materials
- Coordinated entry spaces and landscaping



#### Inappropriate Treatment

- Insufficient or excessive detailing
- Inadequate interface between materials
- No indication of scale
- Lack of interest



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### 5.3.14 Ground-mounted Equipment

All exterior ground-mounted equipment—including, but not limited to, mechanical equipment, electrical equipment, emergency generators, boilers, storage tanks, risers, electrical conduit, gas lines, cellular telephone facilities, and satellite dishes must be screened from on-site and off-site view. Wall-mounted equipment is not allowed.

#### Appropriate Treatment

- Ground equipment hidden by screen walls or landscaping
- Screen walls of same or similar material as building walls
- Vines, shrubs, trees on rear and sides of enclosure



#### Inappropriate Treatment

- Screen material contrasting with adjacent surfaces
- Wood or chain link fencing
- No planting areas for vines, shrubs, and trees, at the rear or sides of walled enclosures



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### 5.3.15 Roof-mounted Equipment

All roof-mounted equipment—including, but not limited to, mechanical equipment, electrical equipment, storage tanks, cellular telephone facilities, satellite dishes, skylights, vents, exhaust fans, smoke hatches, and ducts—must be below the top of the parapet or equipment screen. Roof access shall be through roof hatches, not exterior ladders. Roof hatches shall be located so that guardrails at parapets are not required.

#### Appropriate Treatment

- Rooftop equipment hidden from off-site view by building parapet or equipment screen
- Rooftop screens fully integrated into architecture



#### Inappropriate Treatment

- Rooftop equipment extending above parapet or screen
- One-sided rooftop screens that do not hide the equipment from view from secondary streets or from adjacent sites
- Rooftop screens too close to parapet
- Rooftop screens not related to building geometry
- Wood rooftop screens



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### 5.3.16 Ancillary Structures

On a case by case basis, additional buildings may be required to house functions for the proper operation of the facility. The design guidelines found herein apply to all structures regardless of the time of construction, location on site, or use they contain.

### 5.3.17 Building Appurtenances

On a case by case basis, the proper functioning of a facility may require a piece of equipment, ductwork, shaft, conveyance mechanism, etc. to be physically added to the side of the main building. These appurtenances must comply with the guidelines stated herein to allow for aesthetic continuity.



*Example of a Building Appurtenance*



### 5.3.18 Cameras

The location, appearance, and installation of exterior security cameras must be integrated with the architecture. The top of any roof-mounted camera must be below the top of the parapet, screened from view from the ground. Parapet-mounted cameras are not allowed. Exposed wires are not allowed. The color of the camera housing must match the color of the poles or the building wall. The color of the camera globe must be clear.

#### Appropriate Treatment

- Cameras mounted on poles in parking lot (preferred)
- Cameras suspended from soffits (second choice)
- Cameras mounted on building walls with the top of the camera below the top of the parapet (third choice)



#### Inappropriate Treatment

- Wall-mounted cameras with the top of the camera above the top of the parapet
- Black camera globes
- Exposed wires
- Parapet-mounted cameras
- Roof-mounted cameras visible from the ground
- Cameras mounted in spheres on arms projecting from building walls.



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## 5.4 On-site Landscaping

### 5.4.1 Objectives

Landscaping is an important element contributing to the identity and unity of the World Logistics Center. As such, all landscaping for the project shall:

- Promote a pleasant, distinctive, corporate environment,
- Augment internal cohesion and continuity within the World Logistics Center,
- Enhance the structured urban design concept of the World Logistics Center, and
- Promote water conservation.

The landscaping design concept is focused toward:

- Providing a clean, contemporary visual appearance,
- Coordinating the landscaping treatment along freeway and surface streets to emphasize the circulation system,
- Coordinating streetscapes within the World Logistics Center to unify its general appearance, and
- Coordinating on-site landscaping design continuity among individual development sites within the World Logistics Center.

The following guidelines present parameters for general landscape design, water conservation, streetscapes, and on-site landscaping.

### 5.4.2 Water Conservation Measures

The World Logistics Center employs an aggressive approach to water conservation. Every element of the landscape program has been evaluated to determine how to achieve the project's landscape goals while consuming as little water as possible. From the formulation of the overall landscape concept, through each level of the design process, to the day-to-day maintenance practices of the installed materials, conservation of limited water resources is a constant primary focus.

This approach represents a significant departure from conventional development strategies, particularly in a large-scale master-planned logistics campus setting. Most of the project will be designed without mechanical irrigation, relying instead on maximizing the collection and harvesting of runoff to be directed to landscape areas. This program will



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require the use of carefully selected plant types, complex drainage designs, intricate planting techniques, and specialized maintenance programs.

Implementation of these new design concepts will result in a landscape aesthetic that will appear different than traditional landscape treatments. At installation, plant material will be smaller and with greater spacing in order to match available water to the needs of specific plants. As landscaping gets established, coverage may take longer, certain plants will appear dry as they go through dormant periods, and in some cases supplemental watering may be necessary in periods of severe drought. At maturity, the landscaping at the WLC project will provide a strong, clean, simple design element, demonstrating the WLC's commitment to the creation of a successful logistics campus in a sustainable environment.

The landscape program will incorporate the following design elements and practices to minimize the use of limited water resources:

#### **Project Design:**

- Design project so that pads, streets and other paved areas drain to landscape areas, medians and parkways,
- Maximize water harvesting, retention and treatment techniques throughout the project
- Utilize zero-inch curb design to facilitate rainwater runoff from road surfaces
- Direct rooftop and parking area runoff to bioswales, basins or landscaped areas

#### **Landscape Design:**

- Develop watershed areas for the project areas in order to manage water harvesting and distribution
- Calculate estimated runoff from roofs and paved areas to manage water harvesting and retention practices
- Conduct site-specific analyses of seasonal weather patterns, rain patterns, soils and drainage, grades and slopes, macro and micro climates, solar exposure, prevailing wind conditions, historical evapotranspiration rates and weather station (CIMIS) data
- Design to meet peak moisture demand of all plant materials within design zones and avoid flow rates that exceed infiltration rate of soil
- Maximize the use of drought tolerant plant species
- Select plant palettes tolerant of periodic inundation from storm water runoff



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- Calculate optimum spacing of plants to avoid overcrowding and need for excessive irrigation.
- Select container plant sizes are to achieve a high root to canopy ratio; no root bound or oversized plants

#### Construction:

- Grade all planting areas to control high intensity rainfall and runoff episodes. Provide riprap at downspouts; create multiple watersheds to disperse water flow. Use surface mulch and straw wattles.
- Grade all planting areas to provide for the retention and infiltration of water to each plant.
- Provide soil amendment to plant pits based upon soil laboratory test results and landscape species.
- Construct planting pits to be 3-4 times the diameter of the planting container and twice as deep.
- Provide a pre-hydration program prior to planting installation to reflect climate and soil conditions.
- Cover all planting areas with a combination of organic and inorganic mulches to be used along with pre-emergent herbicide treatment to control weed growth and soil erosion.
- Install soil moisture sensors in strategic planting zones.
- Require certification that the irrigation system was installed and operates as designed, and conduct a post-installation audit of actual water consumption
- Provide for supplemental irrigation on an as-needed basis, such as supply lines and valves, quick-connect couplers or water truck service.

#### Maintenance:

- Establish maintenance guidelines to specify actions to replace dead plants, replenish surface mulch, and remove trash and weeds.
- Regularly monitor all landscaped areas and make adjustments as necessary to assure the health of planted materials and progress toward meeting the project's landscape goals.

#### Where irrigation is provided:

- Use planting zones coordinated according to plant type, climatic exposure, soil condition and slope to facilitate use of zoned irrigation systems Use reclaimed water systems if available and practical,
- Use best available irrigation technology to maximize efficient use of water, including moisture sensors, multi-program electronic timers, rain shutoff devices, remote control valves, drip systems, backflow preventers, pressure reducing valves and precipitation-rated sprinkler heads,
- Use gate valves to isolate and shut down mainline breaks,



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- Use wind shut-off sensors for the irrigation controllers,
- Design irrigation systems to prevent discharge onto non-landscaped areas or adjacent properties,
- Restrict irrigation cycles to operate at night when wind, evaporation and activity are at a minimum

#### Coverage:

- At installation, plant size, density and spacing shall be as specified in approved landscape plans at 15% coverage.
- Based on these design guidelines and average annual rainfall, irrigated and non-irrigated planting groups shall achieve 70% coverage after three years. Until plant material achieves full coverage, a minimum of 3" of mulch will be maintained throughout planted area, and any growth (e.g. weeds) not included in the Specific Plan plant palette shall be removed twice per year (March and September).

#### 5.4.3 Landscape Criteria

Onsite landscaping is to be coordinated in a manner that enhances overall continuity of development in the World Logistics Center, while providing for the individual identity and needs of each project within. The design must address the following criteria.

- Landscaping should be used to reinforce site planning principles, such as using trees to define parking lots and drive aisles.
- Plant materials for on-site landscaping are to be selected from the Plant Selection List, Section 5.4.4.
- Flexibility in the choice of plant materials is limited along street frontages and site perimeters to enhance landscaping coordination along common frontages, but increases toward the site interior to accommodate individual design.
- Landscaping in parking areas shall comply with the standards contained in the Municipal Code.
- Planting areas for vines, shrubs, and trees is required at the rear and sides of walled enclosures, including trash enclosures.
- Comprehensive planting, including trees, is required along all screen walls, buildings and site perimeters.
- All projects which include designated truck loading areas shall screen such areas from view from adjacent public streets and from onsite visitor parking and building entry areas (palm courts). Such screening shall be accomplished with solid block walls and opaque metal gates.



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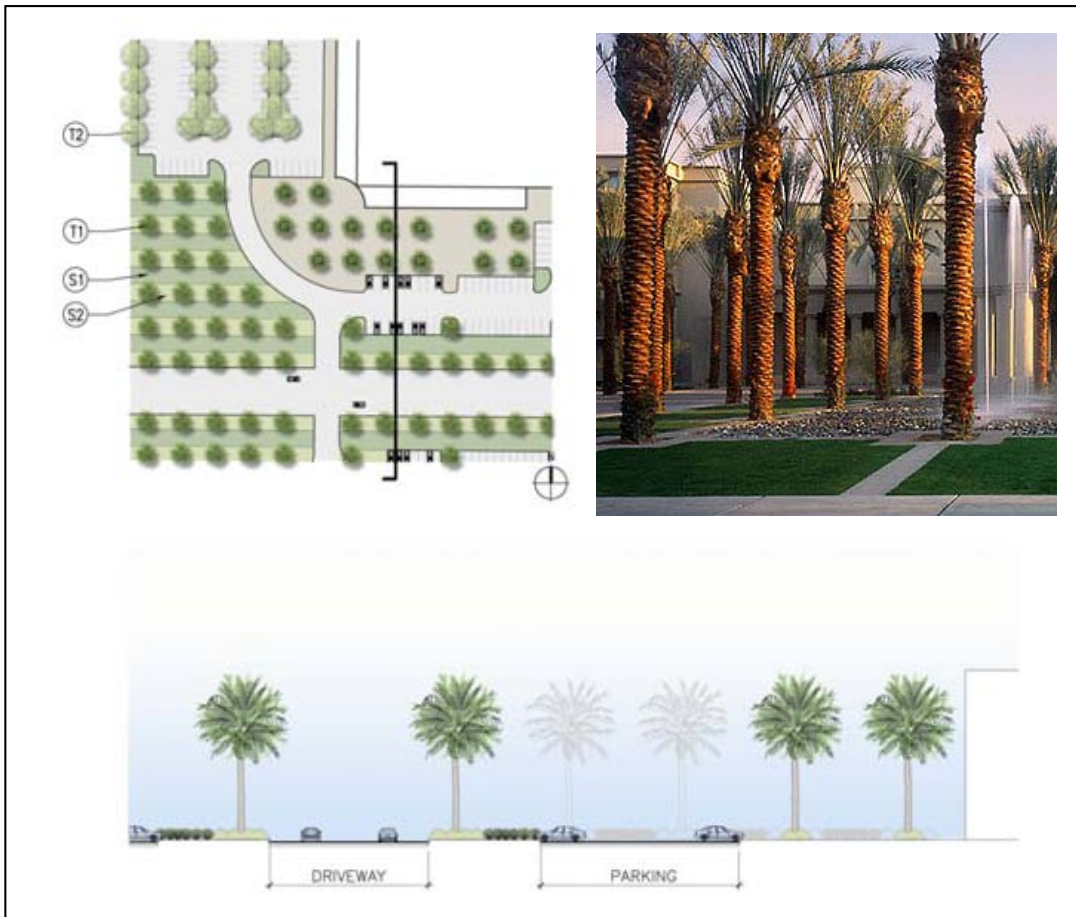
- Landscaping within truck loading areas, not visible from public view, shall be designed to be sustainable without artificial irrigation, relying on rainfall and runoff from adjacent impervious surfaces (i.e. truck yards and building roofs). The landscape design shall also incorporate sustainable techniques to capture and direct rainfall runoff to these landscape areas. These areas may include slopes, water quality basins and drainage facilities. Rock or organic mulch shall be placed between plantings to provide coverage and erosion protection.
- Landscaping in visitor parking areas, palm courts and any other areas visible from public view shall have a higher level of landscape treatment and shall utilize an automatic irrigation system to maintain the desired level of landscape appearance. The landscape design shall incorporate sustainable design techniques to capture and direct rainfall runoff to landscape areas, reducing the need for supplemental irrigation.



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## Palm Court



**Not to scale** | This exhibit is a graphic representation of a conceptual design at maturity.

### Trees (Palms – 25' brown trunk height / All other trees – 24" box minimum)

- T1. Phoenix dactylifera: Date Palm
- T2. See section 5.4.4 for plant list

### Shrubs / Groundcover (1 gallon minimum)

- S1. Muhlenbergia rigens: Deer Grass
- S2. See section 5.4.4 for plant list



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#### 5.4.4 On-site Landscape Planting

All trees to be 15 gallon, minimum, unless otherwise noted.

##### Trees

Acacia aneura	Mulga
Acacia farnesiana	Sweet Acacia
Caesalpinia cacalaco	Cascalote
Celtis occidentalis	Common Hackberry
Cercidium 'Desert Museum'	Desert Museum Palo Verde
Chilopsis linearis	Desert Willow
Cupressus sempervirens	Italian Cypress
Ebenopsis ebano	Texas Ebony
Olea europaea	Olive
Phoenix dactylifera	Date Palm
Pinus brutia var. Eldarica	Afgan Pine
Pinus halepensis	Aleppo Pine
Populus Fremontii	Cottonweed Tree
Prosopis alba	Argentine Mesquite
Prosopis chilensis	Chilean Mesquite
Prosopis glandulosa	Texas Honey Mesquite
Prosopis glandulosa 'Maverick'	Thornless Texas Honey Mesquite
Schinus molle	California Pepper
Tristania conferta	Brisbane Box
Washingtonia filifera	California Fan Palm
Washingtonia robusta	Mexican Fan Palm

##### Shrubs / Groundcover

Abutilon palmeri	Indian Mallow
Acacia greggii	Catclaw Acacia
Acacia redolens 'Desert Carpet'	Spreading Acacia 'Desert Carpet'
Aloe spp.	Aloe
Atriplex canescens	Four Wing Saltbush
Atriplex lentiformis	Quail Bush
Baccharis sarothroides	Desert Broom
Baccharis 'Stam'	Coyote Bush
Caesalpinia pulcherrima	Redbird of Paradise
Calliandra californica	Baja Fairy Duster
Celtis pallida	Desert Hackberry
Cordia boissieri	Texas Olive
Dasyllirion wheeleri	Desert Spoon
Encelia farinosa	Desert Encelia
Fallugia paradoxa	Apache Plume
Hypstis emoryi	Desert Lavender
Isomeris arborea	Bladderpod
Justicia californica	Chuparosa
Leucophyllum texanum	Texas Ranger
Lycium andersonii	Anderson Lycium



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Rhus ovata  
Salvia greggii  
Senna nemophila  
Senna phyllodinea  
Simmondsia chinensis

**Perennials and Grasses**

Asclepias subulata  
Baileya multiradiada  
Eriogonum fasciculatum  
Penstemon eatoni  
Penstemon parryi  
Sphaeralcea ambigua  
Muhlenbergia rigens  
Nolina parryi

Sugar Bush  
Autumn Sage  
Desert Cassia  
Silver Cassia  
Jojoba

Desert Milkweed  
Desert Marigold  
Common Buckwheat  
Firecracker Penstemon  
Parry Penstemon  
Desert Globe Mallow  
Deer Grass  
Parry Beargrass



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### 5.4.5 Minimum Landscape Areas

If parking or access drives are located between any building and a public street frontage, a 15-foot minimum landscaping area is required between the parking or drive aisle and the building. On other sides of the building, a 10-foot minimum landscaping area is required between the parking or drive aisle and the building, except in loading areas.



1. A minimum landscape zone 15 feet is required along building perimeters facing a roadway frontage.
2. A minimum landscape zone of 10 feet is required along all other building perimeters except loading areas.
3. A minimum landscape zone of 5 feet is required along all internal property lines.
4. A minimum flat landscape zone of 8 feet is required next to screen walls facing the street.

Note: If perpendicular parking spaces are located adjacent to the minimum landscape zone, then a 2'-6" minimum parking overhang is required in addition to the above measurements (17'-6", 12'-6" and 7'-6" respectively).

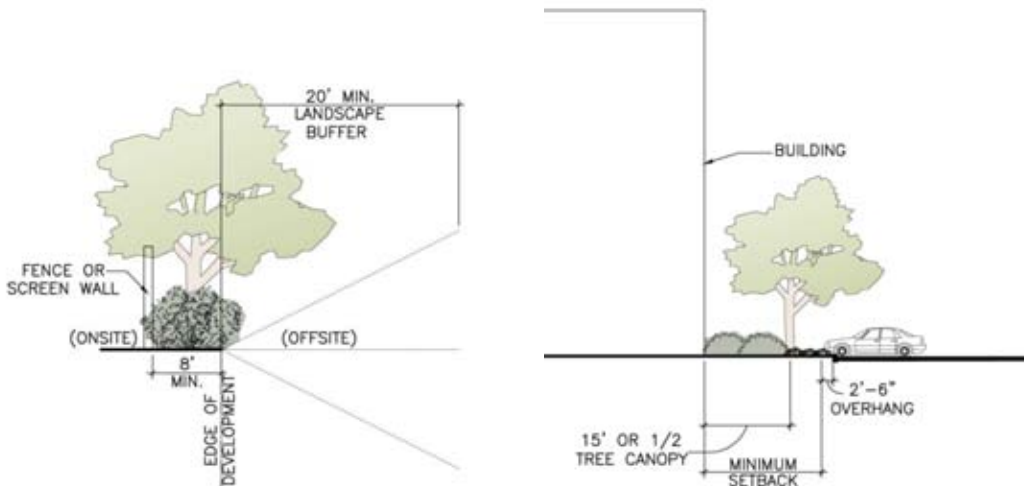
Trees along screen walls, buildings and site perimeters are required at a minimum average spacing of 1 tree per 30 linear feet of perimeter, planted at 15 feet or half (1/2) the tree canopy spread from the face of building.



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Left: Landscape Setbacks on Slopes  
 Right: Landscape Setbacks from Face of Building.

### 5.4.6 Furnishings

#### Site Furnishings

Site furnishings such as benches, tables, trash receptacles, planters, tree grates, kiosks, drinking fountains, and other pedestrian amenities should be integral elements of the building and landscape design, and placed at building entrances, open spaces and other pedestrian areas to create a pedestrian friendly environment. Site furnishings should not block pedestrian access or visibility to plazas, open space areas and/or building entrances and should be made of durable, weather-resistant materials.



**Example of Site Furniture**



**ON-SITE DESIGN STANDARDS**

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## 5.5 On-site Lighting

### 5.5.1 Objectives

Exterior lighting is to be provided to enhance the safety and security of motorists, pedestrians and cyclists.

Lighting is intended to create a nighttime character that contributes to the identity and unity of the World Logistics Center as a quality business location.

To reinforce identity and unity, all exterior lighting is to be consistent in height, spacing, color and type of fixture throughout the building site.

All lighting in the vicinity of the San Jacinto Wildlife Area shall be designed to confine all direct light rays to the project site and avoid the visibility of direct light rays from the wildlife area.

### 5.5.2 General On-site Lighting Parameters

To ensure consistency throughout the World Logistics Center, on-site lighting must conform to the overall lighting parameters for the World Logistics Center, including the following:

- 5.5.2.1 Onsite lighting includes lighting for parking areas, vehicular and pedestrian circulation, building exteriors, service areas, landscaping, security and special effects.
- 5.5.2.2 All exterior on-site lighting must be shielded and confined within site boundaries. No direct rays or glare are permitted to shine onto public streets or adjacent lots.
- 5.5.2.3 Lighting fixtures are to be of clean, contemporary design.
- 5.5.2.4 Lighting must meet all requirements of the City of Moreno Valley.
- 5.5.2.5 Tilted wall fixtures (i.e. light fixtures which are not 90 degrees from vertical) are not permitted. Lights mounted to the roof parapet are not permitted. Wall-mounted light fixtures used to illuminate vehicular parking lots are not permitted.



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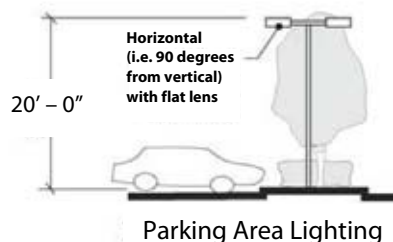
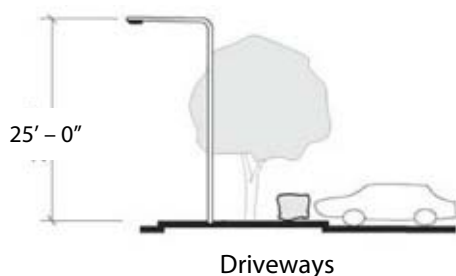
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5.5.2.6 Wall-mounted utility lights that cause off-site glare are not permitted. "Shoebox" lights are preferred.

### 5.5.3 Driveways and Parking Area Lighting

5.5.3.1 All driveways and parking lot lighting shall utilize cut-off fixtures (i.e. the lens is not visible from an angle). Pole height for typical lots shall be as follows:

- Driveways 25' Maximum
- Parking Area 20' Maximum



5.5.3.2 Pole bases in paved areas shall be above grade. They may be round or square. Pole bases in planting areas may be no higher than 6 inches above grade.

5.5.3.3 Both luminaires and poles are to be white.

5.5.3.4 All luminaires shall be metal halide or L.E.D.

### 5.5.4 Pedestrian Circulation Lighting

5.5.4.1 Pedestrian walkways and building entries will be illuminated to provide for pedestrian orientation and to clearly identify a secure route between parking areas and points of entry to the building.

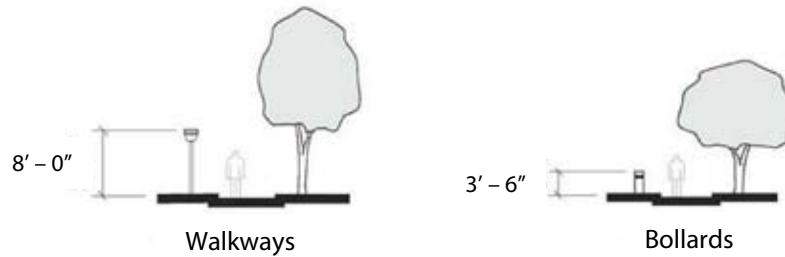
5.5.4.2 Walkway lighting must have cut-off fixtures mounted at a uniform height no more than eight (8) feet above the walkway.



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5.5.4.3 Building entries may be lit with soffit, bollard, step or comparable lighting.



5.5.4.4 Step or bollard lighting shall be used to clearly illuminate level changes and handrails for stairs and ramps.

5.5.4.5 Bollards may be used to supplement and enhance other pedestrian area lighting. Bollard height shall not exceed forty-two (42) inches.

5.5.4.6 Courtyards, arcades and seating areas shall be illuminated to promote pedestrian use and safety. A variety of lighting may be used to create interest and special effects in coordination with the character and function of the area.

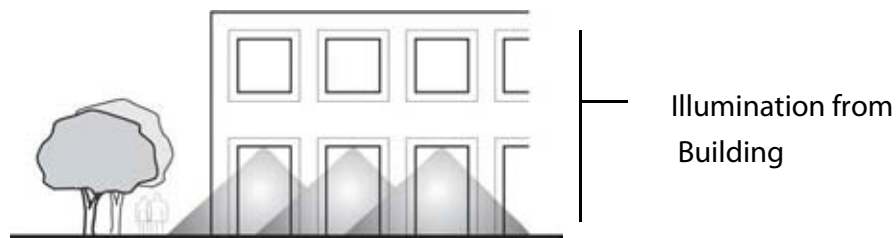
5.5.4.7 Pedestrian lighting shall be subdued warm-white Mercury or incandescent lamps.

### 5.5.5 Architectural Lighting

Architectural lighting effects are encouraged to promote nighttime identity and character.

5.5.5.1 All exterior architectural lighting shall utilize indirect or hidden lighting sources. Acceptable lighting includes wall washing, overhead down lighting and interior lighting that spills outside.

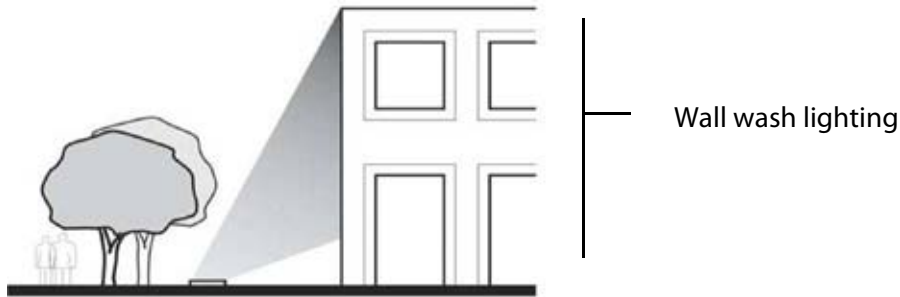
5.5.5.2 Building entry areas should be lit so as to provide a safe and inviting environment.



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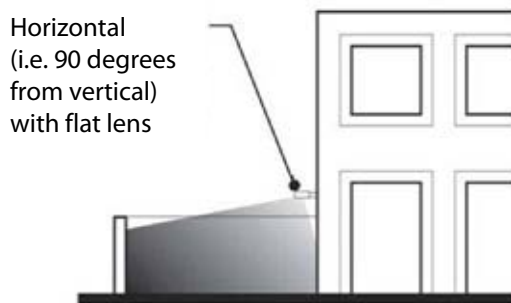
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- 5.5.5.3 All building exteriors facing a freeway must have lighting levels that vary to accent the structure, texture, relief, and/or the color of the building. Lighting levels may not be flat or uniform.



### 5.5.6 Service Area Lighting

Service area and security lighting must be visible only within the limits of the service area.



Lighting contained within service area

- 5.5.6.1 Wall-mounted, security-type, service area lighting fixtures may be used only in screened service areas and only if direct light is kept within these areas. In all other areas, wall-mounted service lighting must consist of cut-off type fixtures.
- 5.5.6.2 Service area and security lighting may not be substituted for pedestrian, architectural or parking area lighting.
- 5.5.6.3 Freestanding fixtures shall be painted the same as parking area fixtures. Any wall-mounted fixtures should be compatible with the wall.

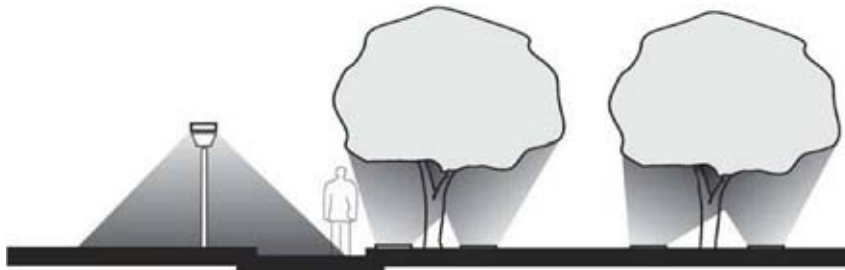


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**5.5.7 Accent Lighting**

Unique lighting may be used to feature architectural elements, landscaping, entries and pedestrian areas, provided it is compatible with all other lighting. Accent lighting used in landscaping and pedestrian areas shall employ light sources such as Metal Halide, Quartz or L.E.D in order to accurately render plants, vegetation, and skin colors.



Landscape Lighting



**ON-SITE DESIGN STANDARDS**

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## 5.6 On-site Utilities

### 5.6.1 Utility Connections and Meters

All utility connections and meters shall be coordinated with the development of the site and should not be exposed, except where required by the utility. Utility connections should be integrated into the building or screened by landscape.

### 5.6.2 Pad-Mounted Transformers and Meter Box Locations

Pad-mounted transformers and/or meter box locations shall be screened from view from surrounding properties and public rights-of-way. Utilities shall be located underground, wherever possible.

### 5.6.3 All Equipment Shall be Internal to Buildings

All equipment shall be internal to buildings to the greatest extent possible. When unfeasible, all such equipment shall be screened and not prominently visible from public rights-of-way.

### 5.6.4 Utilities (including backflow preventers, detector check assemblies, transformers, etc.)

All utilities are to be installed underground. Easements for underground utilities that preclude the planting of trees may not be located where the design guidelines require the planting of trees.

Any necessary above ground equipment such as detector check assemblies, backflow preventers, transformers, etc., shall be screened from view from public areas by landscaping.

Domestic water service shall be extended through development sites in an easement to EMWD. The water line and easement shall be placed in easily accessible locations, such as drive aisles. Fire service and domestic water services and meters shall tie into this line. This line may become part of a loop system and the property owner may need to tie into the public mainline to provide a loop water system to provide adequate water volumes to fire hydrants.



**ON-SITE DESIGN  
STANDARDS**

5-53

## 6.0 SUSTAINABILITY

It is the intent for this development to be a model of sustainability. While this goal is measured in many different ways and the elements of sustainability are constantly evolving, it remains the intent of the WLC to be on the forefront of environmentally sensitive development.

The following are some ways individual projects can incorporate elements of sustainability:

1. Accommodate alternate forms of transportation including, public transportation (bus), charging stations for electric cars, carpooling, and bicycles.
2. Promote the riding of bicycles, through the provision of bike racks / storage, showers and changing rooms.
3. Meet the most current storm water management programs, including on-site water capture methodologies.
4. Reduce the 'heat-island' effect by incorporating lighter paving materials where possible and light roofing materials on all structures.
5. Employ adequate shielding features to ensure zero light spill off-site.

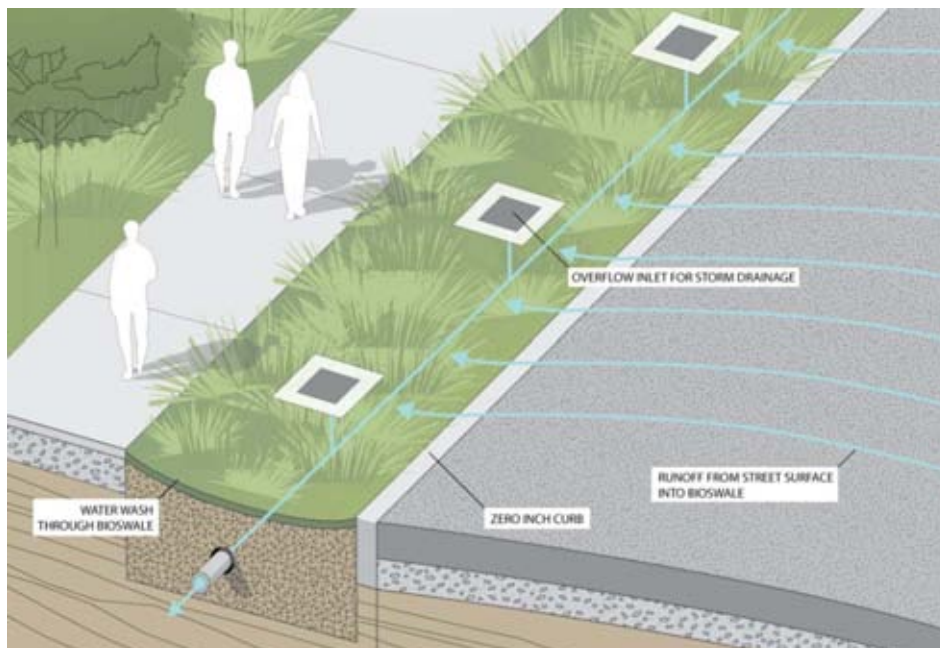


Exhibit 6-1 **Off-site Water Management Plan**



SUSTAINABILIT

6-1

6. Incorporate drought tolerant plant materials throughout.
7. Minimize water use in restrooms.
8. Go beyond code-required commissioning in order to ensure all mechanical and electrical equipment are operating efficiently and are not wasting energy.
9. Incorporate on-site renewable energy.
10. Employ a recycling program.
11. Divert construction waste from landfills.
12. Incorporate recycled materials where feasible.
13. Ensure high indoor air quality standards.
14. Incorporate low-emitting adhesives, paints, coatings, and flooring systems.
15. Increase the amount of day-light into the interior spaces.
16. Increase the amount of interior space with exterior views.
17. Incorporate the best available technologies or best management practices where feasible.
18. Limit idling of engines to three minutes.
19. Utilize onsite electric power sources as much as possible to minimize the use of portable, mobile power generators.



***Example of Bio-swale***



**SUSTAINABILIT**

6-2

**7.0 SIGNAGE**

All signage in this Specific Plan shall conform to an approved Sign Program on file with the City of Moreno Valley.

**7.1 Regulatory Signage**

All regulatory signage (traffic control, public safety, etc.) shall comply with city standards.



**SIGNAGE**

7-1

## 8.0 PROJECT PHASING

### 8.1 Overall Project Phases

The project is expected to be developed in two phases. Phase 1 includes the western portion of the project area extending from Redlands Boulevard to Street F and from Eucalyptus Avenue to south of Alessandro Boulevard. Phase 2 includes the portions of the project along SR60, Gilman Springs Road and the southerly site boundary.

Development will occur as dictated by market and other condition as determined by the developer. Notwithstanding this phasing projection, any portion of the property may be developed at any time at the owner’s discretion subject to the development of infrastructure to support it. Infrastructure needs and timing will be evaluated along with subsequent development proposals.

### 8.2 Infrastructure Phasing

Each project within the World Logistics Center will be supported by the requisite infrastructure as needed, subject to federal, state and local codes.

Each plot plan will include proposals for specific infrastructure improvements needed to support each proposed building.

These improvements shall be consistent with the overall infrastructure plans serving the World Logistics Center.



Exhibit 8-1 Phasing Plan



## PROJECT PHASING

8-1

**9.0 PROPERTY MAINTENANCE**

**9.1 On-site Improvements**

On-site improvements shall be maintained by the property owner or tenant, pursuant to private contractual terms.

**9.2 Common Area Improvements**

Major slopes, landscape areas, community entries, community signage, etc., shall be maintained by a property owners' association.

**9.3 Parkways**

Parkways within public rights-of-way shall be maintained by a property owners' association or by a maintenance district.

**9.4 Streets**

Public streets (curb-to-curb), public sidewalks, and public trails shall be maintained by the City of Moreno Valley.



**PROPERTY MAINTENANCE**



## 10.0 FINANCING OF IMPROVEMENTS

A facilities financing program is important for implementation of the Specific Plan. The financing program needs to assure the timely financing of public streets, utilities, and other necessary capital improvements.

Financing for infrastructure improvements encompasses a variety of different mechanisms, processes, and costs that vary based on the type and purpose of an improvement, financial market conditions, debt service considerations, and agency capabilities and policies.

### 10.1 Capital Financing

Major infrastructure, such as water, sewers, storm drains and roads, may be financed by a special tax established through the formation of a community facilities district (CFD). Another approach may be to create a bond assessment district. Both types of financing districts require tax liens to be placed on participating properties to underwrite the sale of bonds to finance specified improvements. These mechanisms require that the facility to be financed be a public improvement and that participating properties receive a benefit from that improvement. The form of financing selected, if any, will be determined based on the type of uses and pace of development that occurs within the project. Examples include:

1. Community Facility District
2. Other forms of Assessment Districts
3. Facilities Benefit Assessment
4. City/ county direct investment
5. Reimbursement Agreements
6. State and/or federal grants and loans

The developer may elect to use private capital to finance major infrastructure improvements, as well as in-tract improvements to avoid long-term debt assessment upon buyers of improved land.



## 10.2 Capital Funding

The method of infrastructure funding will be determined during the engineering review of implementation development plans and in conjunction with the phasing of the infrastructure. Some possible funding mechanisms for the Specific Plan public improvements are listed below:

1. Development Impact fees
2. Transportation fees (e.g. TUMF)
3. Special taxes
4. Connection fees

## 10.3 Funding of Maintenance

Funding for on-going maintenance for common areas and other public improvements which may be a condition of development, such as street lights, parkway and median landscaping, other right of way improvements will be funded privately through a Property Owners' Association (POA) or publicly through the Community Services Districts (CSD) or structured as a Landscape and Lighting Maintenance District, Community Facilities District or other financing mechanism.



**FINANCING OF  
IMPROVEMENT**

10-2

## 11.0 IMPLEMENTATION



### 11.1 Purpose and Intent

This section contains the procedures for the processing of discretionary development applications to implement the terms of the World Logistics Center Specific Plan. The City will review all development within the project to ensure compliance with the provisions of the Specific Plan.

### 11.2 Approvals Required

All development within the World Logistics Center is subject to the approval of a Plot Plan in conformance with these procedures.

Modifications to the development standards contained in the Specific Plan may be requested by any property owner and may be approved by the City through the variance processes described in Section 11.3.3 herein.

### 11.3 Development Review Process

#### 11.3.1 Subdivisions

All proposed subdivisions within the World Logistics Center shall be processed in accordance with the provisions of the state Subdivision Map Act and the Municipal Code.

#### 11.3.2 Plot Plans

- a. All development proposals within the World Logistics Center shall be subject to the approval of a Plot Plan as described herein. Property and building maintenance activities such as painting, site or building repairs,



IMPLEMENTATI

11-1

parking lot resurfacing/restriping, and landscape maintenance and repair, etc. are exempt from these regulations.

b. The Plot Plan process is intended to ensure that all development proposals comply with all applicable standards and guidelines contained in this Specific Plan and are not detrimental to public health, safety or welfare.

c. Plot Plan applications shall be submitted to the City in conformance with the procedures contained in the Municipal Code .

d. The Community Development Director may approve, conditionally approve, or disapprove a Plot Plan application as provided for in the Municipal Code or may elevate the application to the Planning Commission for review and action. Considerations for Planning Commission review of a plot plan application may include but are not limited to:

1. The need for preparation of a Supplemental Environmental Impact Report or other appropriate environmental document due to new circumstances that become present and constitute potential for significant impacts which were unknown and could not have been known at the time of the approval of this Specific Plan
2. If any buildings greater than 500,000 square feet cannot meet LEED Certified Building Standards and/or buildings are not consistent with Specific Plan energy efficiency standards
3. Building elevations not consistent with the Specific Plan design guidelines
4. Future modification to any state or federal regulations requiring review of such Specific Plan permitted development

e. Project comments received from the Architectural Review Committee of the World Logistics Center Property Owners' Association shall receive consideration in the review process.

f. Public noticing shall be in compliance with the Municipal Code

g. A Plot Plan may be approved if all of the following findings are made:



**IMPLEMENTATI**

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1. The proposed project is consistent with the goals, objectives and policies of the General Plan,
  2. The proposed project complies with this Specific Plan and other applicable regulations, and
  3. The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity,
- h. Reasonable conditions of approval may be imposed to ensure compliance with applicable laws, regulations and standards or to enable the required findings to be made.

### 11.3.3 Variances

Alternatives to development standards and regulations contained herein may be approved through the following variance procedures. Variance applications may be processed along with Plot Plan applications, or as separate applications.

#### 11.3.3.1 Administrative Variances

- a. The purpose of an administrative variance is to provide an administrative procedure for adjustments to certain regulations in this Specific Plan in order to prevent hardships that might result from a strict or literal interpretation and enforcement of those regulations.
- b. The standards and procedures for the submittal, review and approval of an Administrative Variance shall be as contained in Section 9.02.090 of the Municipal Code.

#### 11.3.3.2 Other Variances

- a. All other variance applications shall be processed in accordance with Section 9.02.100 of the Municipal Code

### 11.3.4 Appeals

- a. Any interested party may appeal any administrative decision to the Planning Commission subject to the provisions of Section 9.02.240 of the Municipal Code.
- b. Any interested party may appeal any decision of the Planning Commission to the City Council subject to the provisions of Section 9.02.240 of the Municipal Code.
- c. The decision of the City Council is final.



**IMPLEMENTATI**

11-3



#### 11.4 Covenants, Conditions, and Restrictions (CC&Rs)

The WLC property will be subject to CC&Rs that address issues such as common area improvements, maintenance, community signage, architectural guidelines, etc. The City will review the CC&Rs to insure that they contain the necessary provisions for property maintenance. Prior to the recordation of any final map within the WLC (excluding finance maps), said CC&Rs shall be recorded.

#### 11.5 Other Uses

All uses established within the WLC shall be consistent with the General Plan and this Specific Plan. The Community Development Director shall be responsible for all consistency determinations pursuant to Section 9.01 of the Municipal Code.

#### 11.6 Additional Items

Any items not addressed in the Specific Plan shall be subject to the regulations of the Municipal Code.

#### 11.7 Specific Plan Amendments

Any proposal to amend this Specific Plan shall be processed in the same manner as the original approval subject to the provisions of Chapter 9.13 of the Municipal Code.



**IMPLEMENTATI**

11-4



## 12.0 SPECIAL REGULATIONS

The following regulations apply to all development within the World Logistics Center. These restrictions shall be imposed on all discretionary permits for new development projects, as applicable.

### 12.1 Secure Trucking Areas

All truck areas shall be secured with manned gates during building operation.

### 12.2 Engine Restrictions

All trucks with a gross vehicle weight of 15,000 pounds or more entering any warehouse facility must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other non-diesel fuel source. Facility operators shall maintain a log of all trucks entering a warehouse site to document that this requirement is met. This log shall be available for inspection by the City at any time.

### 12.3 On-site Service Vehicles

The use of diesel-powered service yard vehicles (yard goats, etc.) is prohibited at all times within the Specific Plan area. Pallet jacks, forklifts, and other onsite equipment used during building operation (indoors or outdoors) shall be powered by electricity, natural gas, propane, or other non-diesel fuel.

### 12.4 Property Maintenance Equipment

Electrical power sources will be provided both indoors and outdoors to accommodate the use of electric property maintenance equipment.

### 12.5 Continued Agricultural Activities (Right-to-Farm)

As the World Logistics Center develops, logistics land uses will begin to locate in proximity to existing agricultural activities. Where non-agricultural uses locate near agricultural uses, there is the potential for conflict. These potential conflicts result from the inherent attributes of agricultural operations, including noise, odor, dust, smoke, operation of machinery (including aircraft), crop dusting, storage and disposal of manure, flies, rodents, chemical fertilizers, soil amendments, herbicides, pesticides and the hours of operation. As a result, such agricultural operations can become the subject of nuisance complaints and could be pressured to cease or curtail operations or may be discouraged from making farm improvements.



**SPECIAL  
REGULATIONS**

12-1

To protect the continued viability of agricultural operations within the World Logistics Center, it is the intent of this Specific Plan to limit the circumstances under which pre-existing agricultural operations may be deemed to constitute a nuisance. The intent of this policy of the Specific Plan is to balance the rights of farmers to produce agricultural commodities with the rights of non-farmers who own, occupy or use land adjacent to agricultural property. This right-to-farm policy applies to all legally established agricultural operations existing at the time of the effective date of the World Logistics Center Specific Plan.

### 12.6 Air Quality and Noise Assessment

To address the relationship between development areas and adjacent residential areas, all site development permit applications for properties adjacent to residentially occupied or zoned properties shall include detailed air quality and noise assessments to determine appropriate project design features to meet the performance requirements of the WLC project Environmental Impact Report.

### 12.7 Solar Commitment

All logistics buildings within the LD and LL categories shall provide rooftop solar energy systems sized to offset the power demands of office space contained in the building.

### 12.8 LEED Standards

All buildings in the World Logistics Center, of at least 500,000 square feet, shall be designed to meet or exceed LEED Certified status in accordance with LEED standards and criteria in effect as of the date of approval of this Specific Plan. Such standards and criteria are contained in the following documents:

- LEED Reference Guide for Green Building Design and Construction – LEED 2009
- Green Building and LEED Core Concepts Guide – Second Edition
- LEED for New Construction 2009 Reference Guide – LEED v2.2, Third edition
- LEED for Core and Shell 2009 Reference Guide
- LEED Reference Guide for Green Interior Design and Construction – LEED 2009
- LEED for Commercial Interiors 2009 Reference Guide
- Advanced Energy Modeling for LEED: Technical Manual v1.0



**SPECIAL  
REGULATIONS**

12-2

- LEED Reference Guide for Green Building Operations and Maintenance – LEED 2009

### 12.9 Alessandro Boulevard – Historical Landmark

A portion of the alignment of historic Alessandro Boulevard, as established by Resolution CPAB 88-2, runs through the WLC area. The Specific Plan recognizes the landmark status of this roadway and provides for the preservation of its entire 120-foot right-of-way through the project.

Most of this historic right-of-way is included within Alessandro Boulevard as shown on the Specific Plan exhibits. As the WLC is developed, Alessandro Boulevard will be built to modern roadway standards within the historic alignment. In order to meet these standards, very minor portions of this roadway MAY fall outside of the historic right-of-way. In those instances, the historic right-of-way will be retained and may be improved with walks, trails, landscaping or similar compatible improvements.

In the southwestern portion of the WLC, vehicular traffic will be prohibited on a short reach of historic Alessandro Boulevard. The purpose of this restriction is to reduce through traffic and associated impacts on the existing residential portion of Alessandro Boulevard. This right-of-way will be retained and will be available for use for a future multi-use trail, pedestrian access, emergency access, and monuments, signs or other displays recognizing Moreno Valley's rich history.

Prior to approval of any development including or adjacent to the historic Alessandro Boulevard right-of-way, a concept plan for its entire length shall be submitted to and approved by the Planning Commission.



**SPECIAL  
REGULATIONS**

12-3

## 13.0 DEFINITIONS

**12kV/115 kV overhead power lines** Power lines that distribute electrical power into and through the World Logistics Center project. While 12kV lines are generally placed underground, 115kV lines must remain aboveground due to the heat generated by the flow of electrical energy in the lines.

**Accessory Structure** A separate building, the use of which is incidental to that of the main building on the same lot or premises, and which is used exclusively by the occupant of the main building.

**Ancillary Structures** See accessory structure

**Arterial Streets** A highway intended to serve through traffic where access rights are restricted and intersections with other streets or highways are limited

**Badlands** A rugged, mountainous area located easterly of the City of Moreno Valley, east of Gilman Springs Road in Riverside County.

**Bioretention Facilities** Soil and plant-based filtration devices that remove pollutants through a variety of physical, biological, and chemical treatment processes. These facilities normally consist of a grass buffer strip, sand bed, ponding area, organic layer or mulch layer, planting soil, and plants.

**Building height** The vertical distance from the adjacent grade to the highest point of a building exclusive of vents, air conditioners, or other such incidental appurtenances.

**Class II bikeways** A striped lane located along the right shoulder of a roadway designated for use by bicyclists.

**CNG/LNG** Abbreviation for Compressed Natural Gas (CNG) and Liquefied Natural Gas (LNG).

**Collector Roads** A street intended to convey traffic into and through an area from local roads to arterial streets

**Cut-off fixtures** A lighting fixture designed to eliminate light rays from escaping above a horizontal plane.

**Detention basins** A drainage feature that has been designed to allow large flows of water to enter but limits the outflow by having a small opening at the lowest point of the outlet structure.

**Drainage 9** Refers to an existing ephemeral drainage located in the eastern area of the Specific Plan from Gilman Springs Road flowing south to the SJWA as shown on Exhibit 1-2. This watercourse is referred to as Line E in the drainage studies



## DEFINITIONS

13-1

contained in the DEIR. Line E collects water under Gilman Springs Road at Culvert 5.

**Eastern Municipal Water District (EMWD)** The water district which provides potable water, recycled water and wastewater treatment for the World Logistics Center project.

**Facades** An exterior side of a building, usually, but not always, the front.

**Fenestration** The design of openings in a building or wall, generally including windows, doors, louvers, vents, openings, skylights, storefronts, etc.

**Floor area ratio** A measure of the intensity of development of a particular site. The ratio is calculated by dividing the building area by the parcel area, using the same unit of measure (acres, square feet, etc.)

**Heavy truck** A truck having four axles or more.

**High-cube warehouse** A building used for the storage and/or consolidation of manufactured goods prior to distribution to secondary retail outlets, generally 500,000 square feet or more, often divided for multiple tenants. High-cube warehouse and logistics facilities include ancillary office and maintenance space along with the outdoor storage of trucks, trailers, and shipping containers.

High-cube logistics warehouses are generally constructed with vertical-lift dock-high roll up doors to allow access for the loading and unloading of products from truck/trailers. Building interiors are typically large and open to accommodate the temporary storage and consolidation of the products to be distributed.

**Highland Fairview Corporate Park** A mixed use business park made up of logistics and commercial land uses located between Redlands Blvd and Theodore Street, southerly of SR60.

**Impervious paved surface** Artificial surfaces such as pavement (roads, sidewalks, driveways and parking lots) that are covered by impenetrable materials such as asphalt, concrete, brick, and stone. Also includes building rooftops and other structures that prevent water from penetrating into the ground surface.

**Infiltration Basin** A shallow impoundment that is designed to infiltrate stormwater. Infiltration basins use the natural filtering ability of the soil to remove pollutants in stormwater runoff.

**Jobs/housing balance** The ratio between the number of housing units and the number of full-time jobs in an identified geographic area. The ratio is calculated by dividing the number of full-time jobs by the number of housing units.



## DEFINITIONS

13-2

**Lake Perris State Recreation Area** A 6,675-acre state-owned recreation area including Lake Perris located southerly of the City of Moreno Valley.

**Logistics** The management of the flow of resources between a point of origin and a point of destination including the importation, warehousing, consolidation, repackaging and shipping of goods and materials.

**Luminaire** A light fixture generally affixed to a pole used in exterior areas to illuminate streets, driveways, walkways, and parking areas.

**Medium trucks** Trucks having three axles

**Multi-Use Trails** A planned city-wide system of trails that accommodate pedestrian, equestrian and bicycle users. See the Parks, Recreation and Open Space Element of the City's General Plan

**Native landscape** The use of plant materials found to grow naturally in an area that are adapted to a particular environment and are able to live on natural rainfall, thereby reducing the need for mechanical irrigation

**Off-project** Refers to areas outside of the World Logistics Center. Generally applies to infrastructure improvements needed to implement the WLC project that will extend beyond the WLC boundary.

**Off-site** Refers to those portions of the property that are not within building sites, including common areas, open space, public areas, streetscapes, etc.

**On-site** Refers to individual building sites within the World Logistics Center

**San Jacinto Wildlife Area (SJWA)** A 9,000-acre area owned and managed by the California Department of Fish and Wildlife open to the public. Approximately 1,100 acres of the northerly portion of the SJWA is within the City of Moreno Valley.

**Specific Plan** Refers to the World Logistics Center Specific Plan which covers 2,610 acres of land in eastern Moreno Valley and functions as the land use regulations for the development of a master planned logistics campus.

**Subdivision Map Act** The body of law (Government Code Section 66410-66499.58) that regulates the subdivision of land in California.

**Truck Routes/Truck Route Ordinance** Streets that have been officially designated by for use by vehicles with a gross vehicle weight of three tons or more. See Chapter 12.36 of the Municipal Code.

**World Logistics Center** The project name for the development to be established under the World Logistics Center Specific Plan



## DEFINITIONS

13-3



# EXHIBITS

Enlargements of Exhibits contained within the Specific Plan

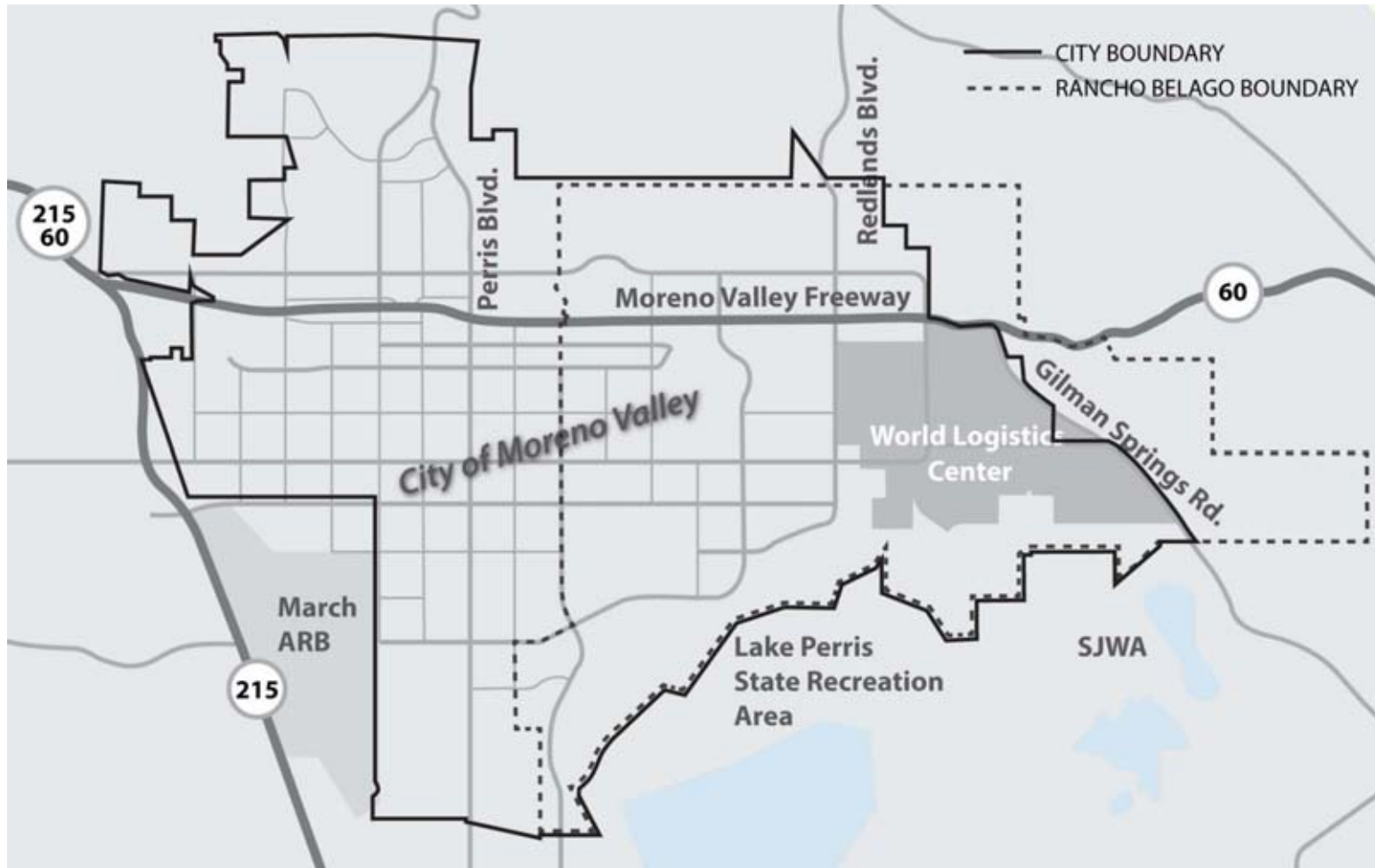


WORLD  
LOGISTICS  
CENTER®

EXHIBITS

E-1

Exhibit 1-1 Moreno Valley Regional Map (pg.1-1)



EXHIBITS

E-2

Exhibit 1-2 Specific Plan Area (pg.1-3)

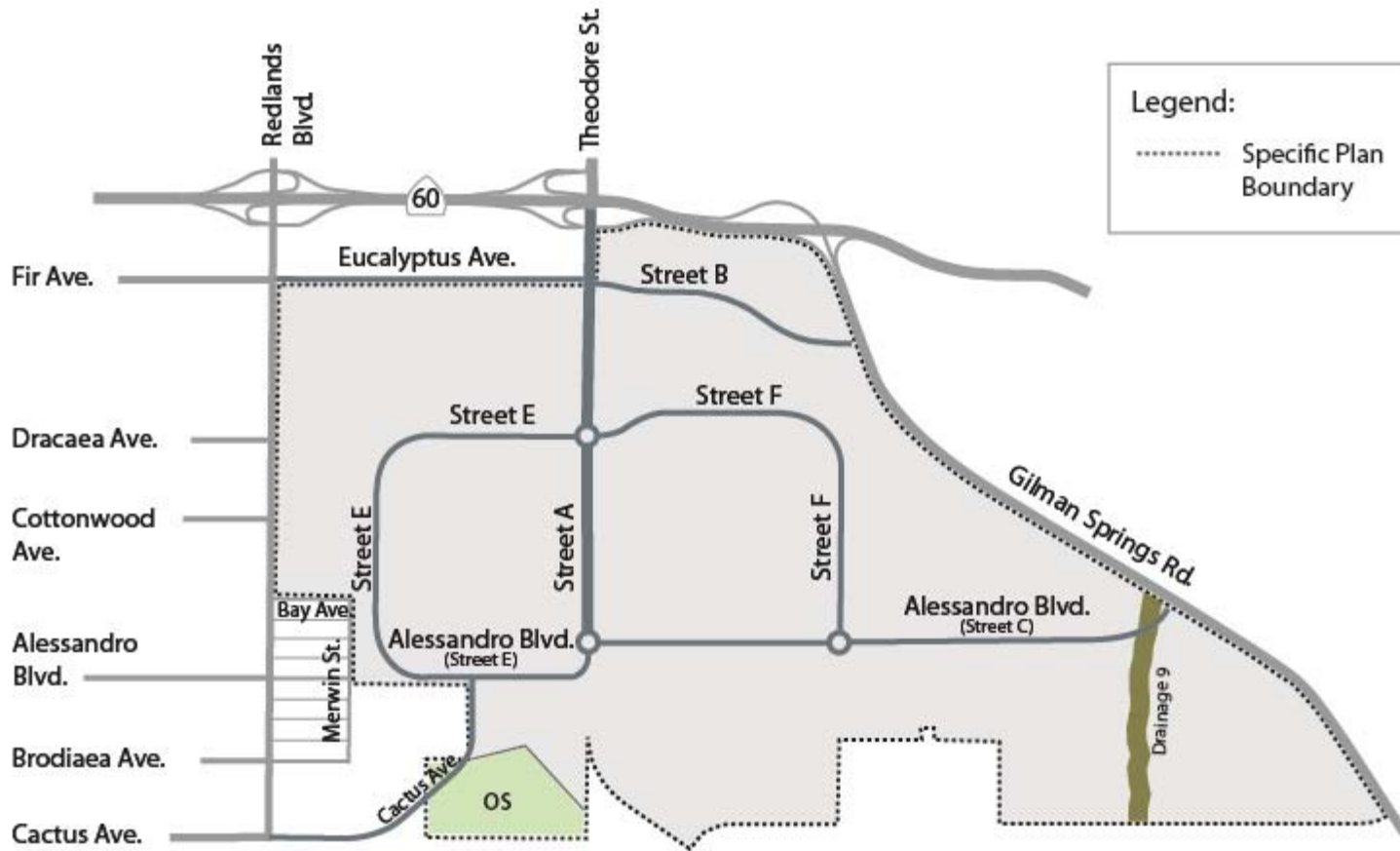


Exhibit 1-3 Surrounding Land Uses (pg.1-6)



Exhibit 1-4 Existing Fault Zones (pg.1-7)

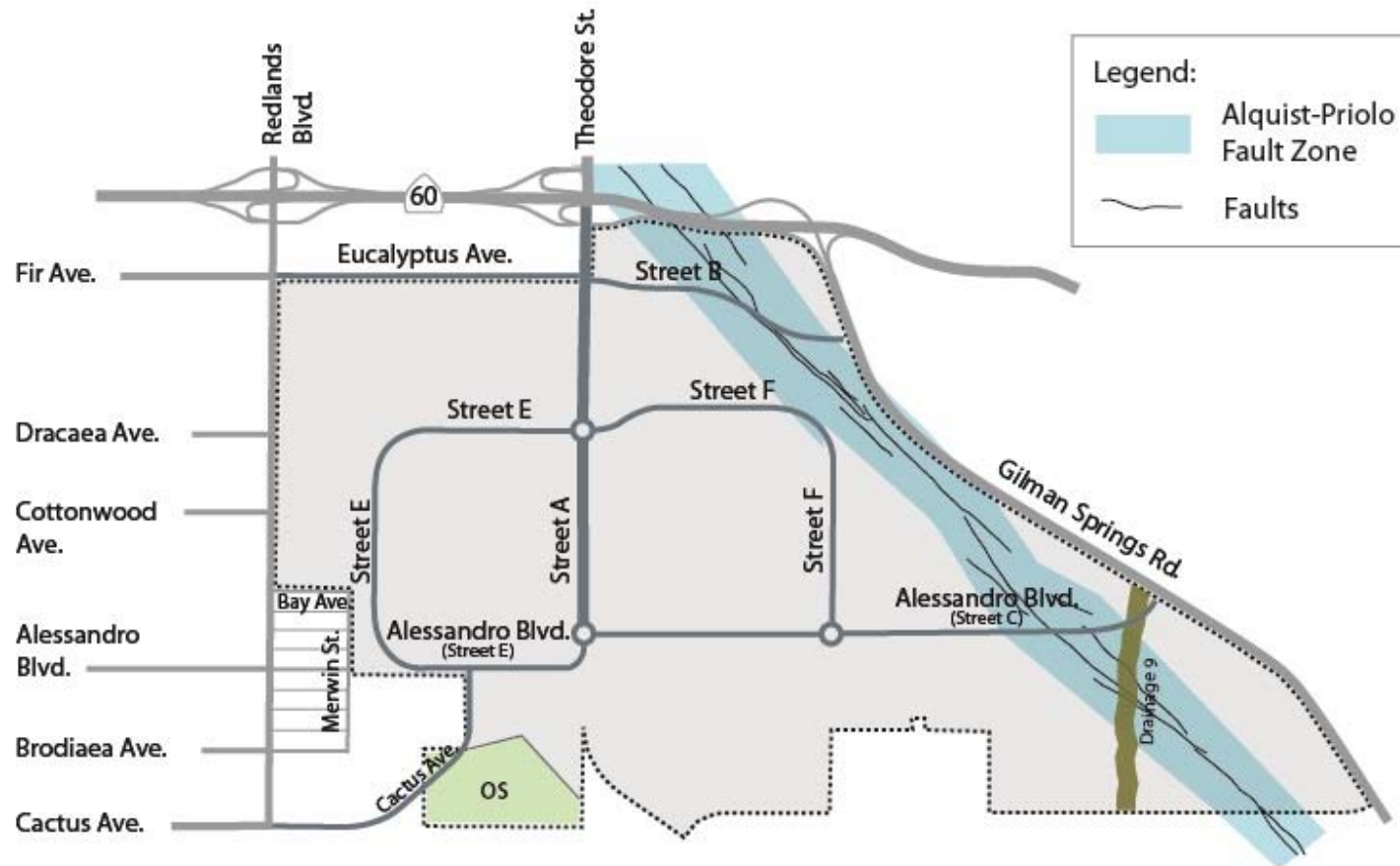




Exhibit 2-1 Land Use Plan (pg.2-2)



Planning Area (PA)	Land Use	Area	Building SF
<b>Logistics Development</b>			
1	LD	77.8	1,100,000
2	LD	193.5	4,200,000
3	LD	120.3	1,600,000
4	LD	301.5	5,600,000
5	LD	64.2	1,100,000
6	LD	115.3	500,000
7	LD	10.3	50,000
8	LD	142.9	2,150,000
9	LD	485.8	10,400,000
10	LD	139.9	2,200,000
11	LD	500	8,000,000
12	LD	231.3	3,500,000
		<b>2,382.8</b>	<b>40,400,000</b>
<b>Light Logistics</b>			
20	LL	16.1	45,500
21	LL	10.5	77,250
22	LL	10.5	77,250
		<b>37.1</b>	<b>200,000</b>
<b>Open Space</b>			
30	OS	74.3	
		<b>74.3</b>	
<b>Right of Way</b>			
ROW		115.8	
		<b>115.8</b>	
<b>Grand Total</b>		<b>2,610.0</b>	<b>40,600,000</b>





Exhibit 2-2 Fire Station Site (pg.2-6)



Exhibit 2-3 Special Edge Treatment Areas Map (pg.2-13)



Exhibit 3-1 Circulation Plan (pg.3-1)

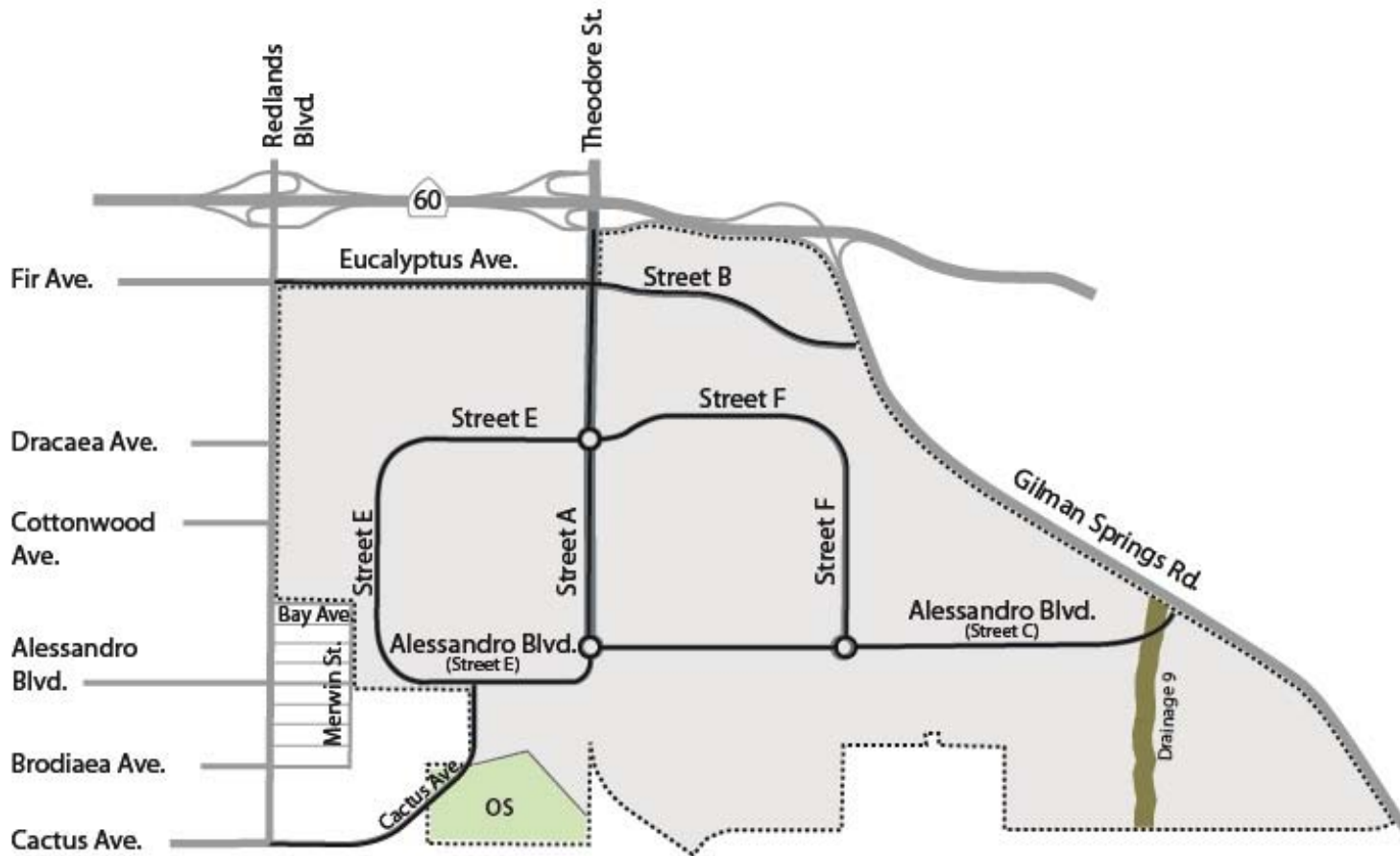


Exhibit 3-2 Project Entries (pg.3-2)

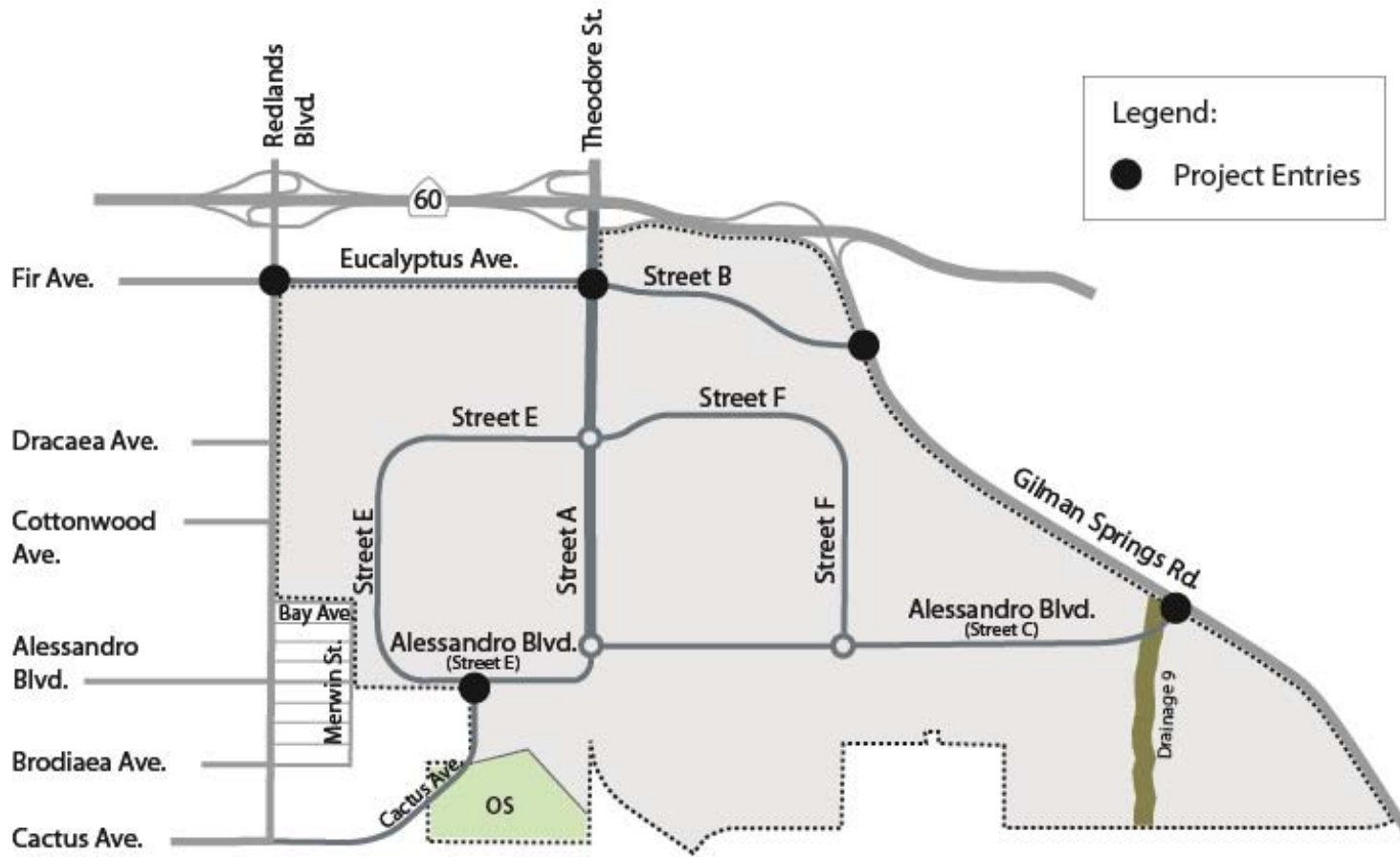


Exhibit 3-3 Street Configurations (pg.3-3)

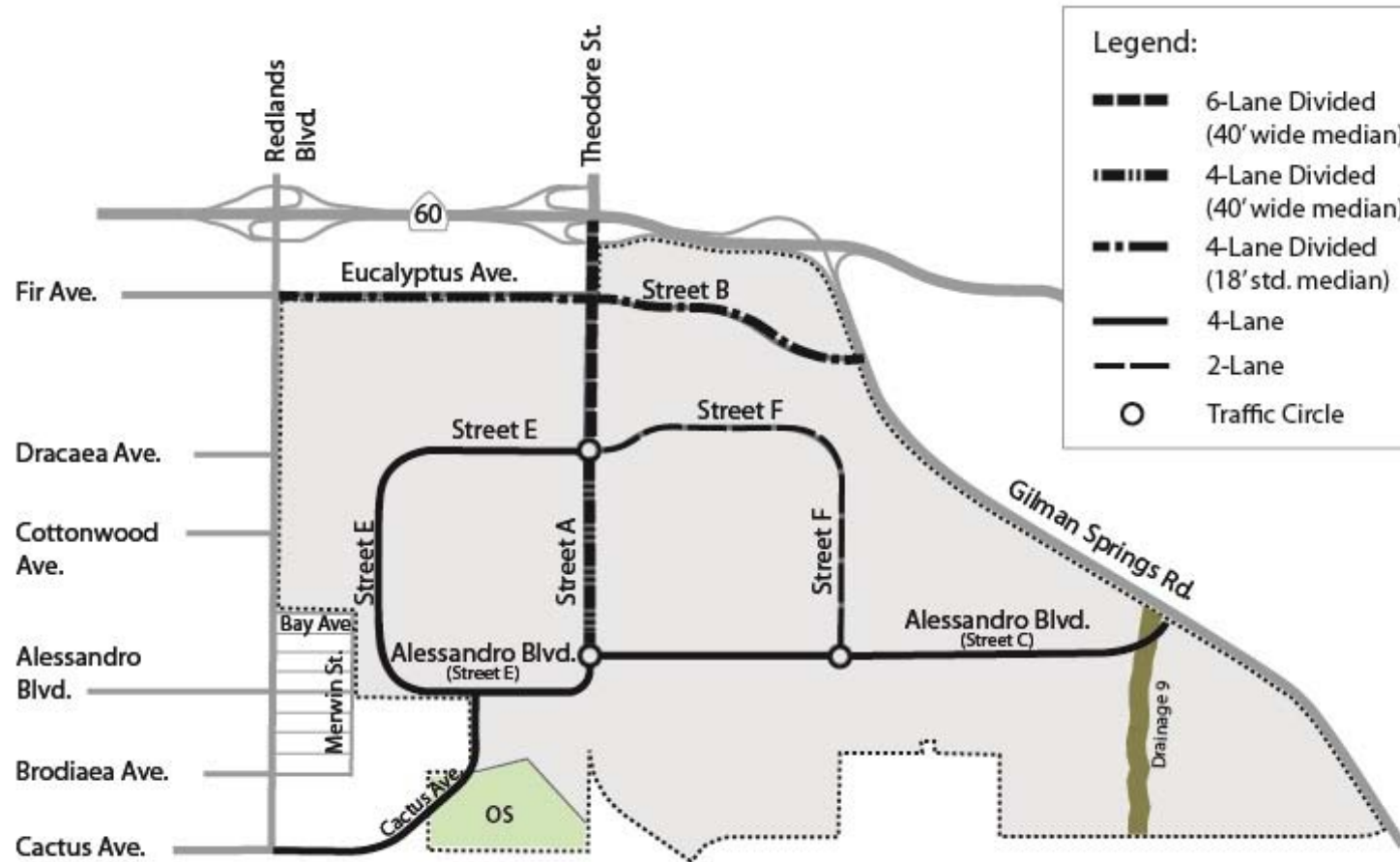


Exhibit 3-4a Street "A" (Theodore Street) North of Street "E" (pg.3-4)

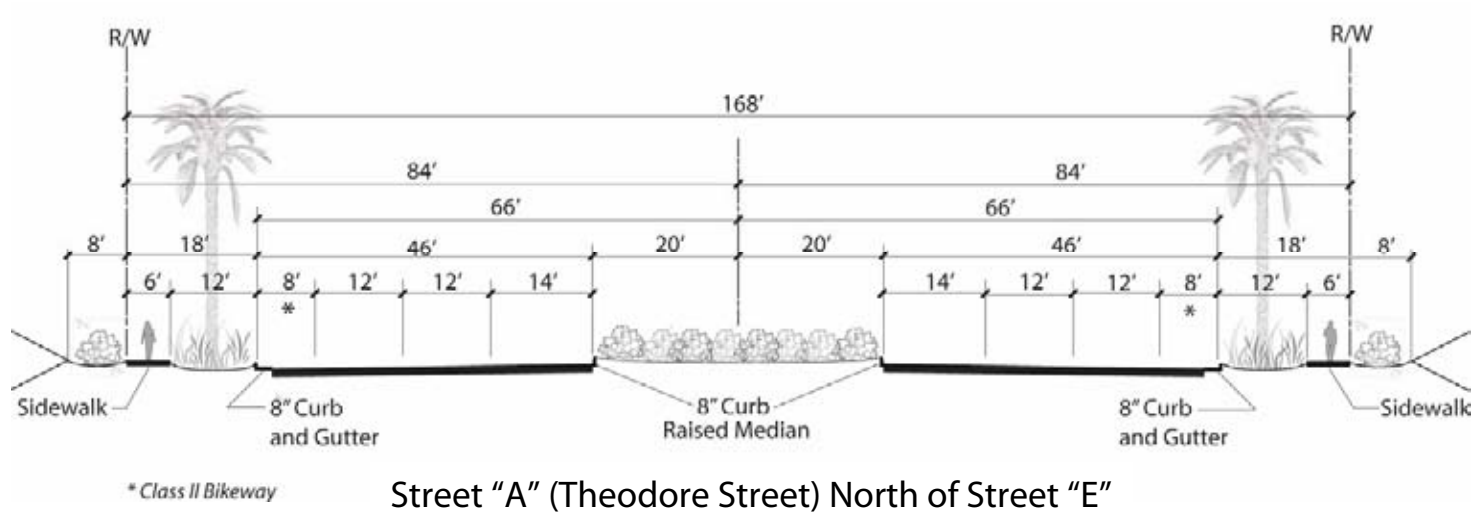


Exhibit 3-4b Street "A" (Theodore Street) South of Street "E" (pg.3-4)

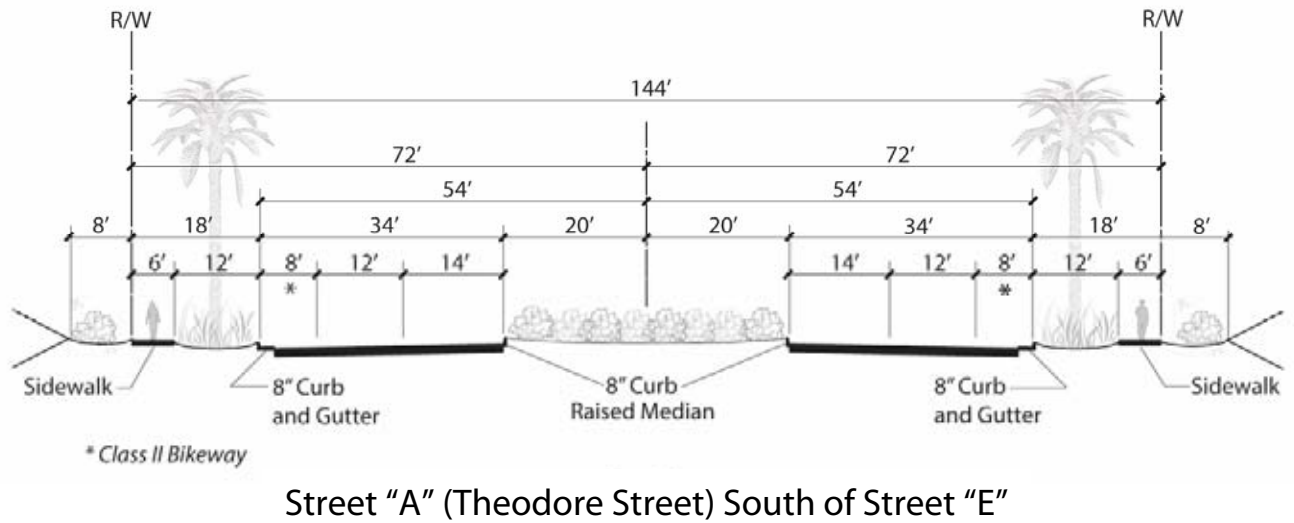




Exhibit 3-5 Eucalyptus Avenue (pg.3-5)

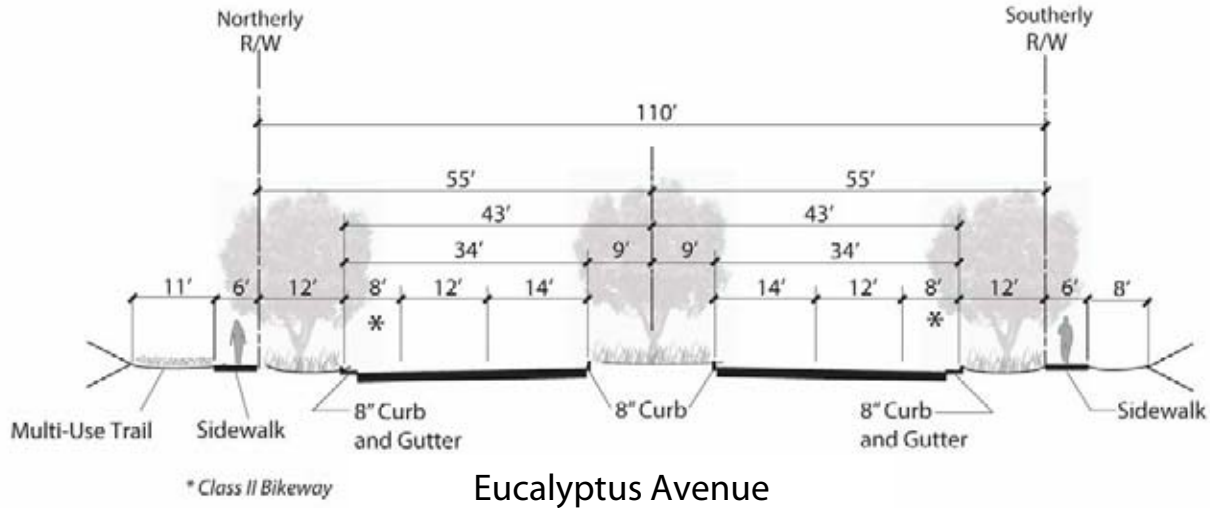


Exhibit 3-6 Street "B" (Eucalyptus Avenue Extension) (pg.3-5)

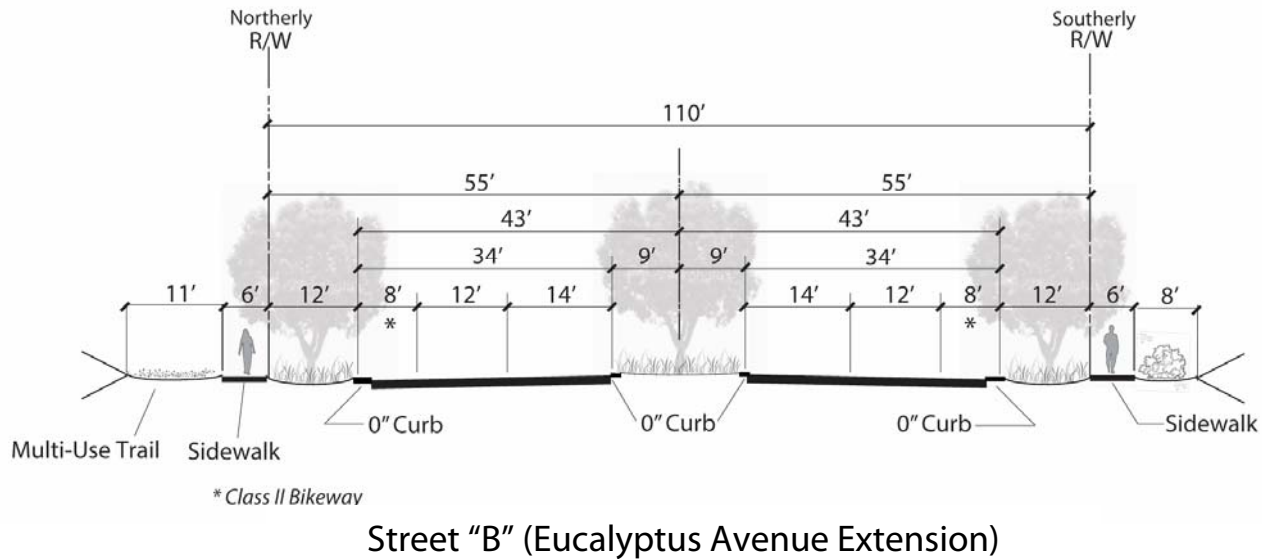
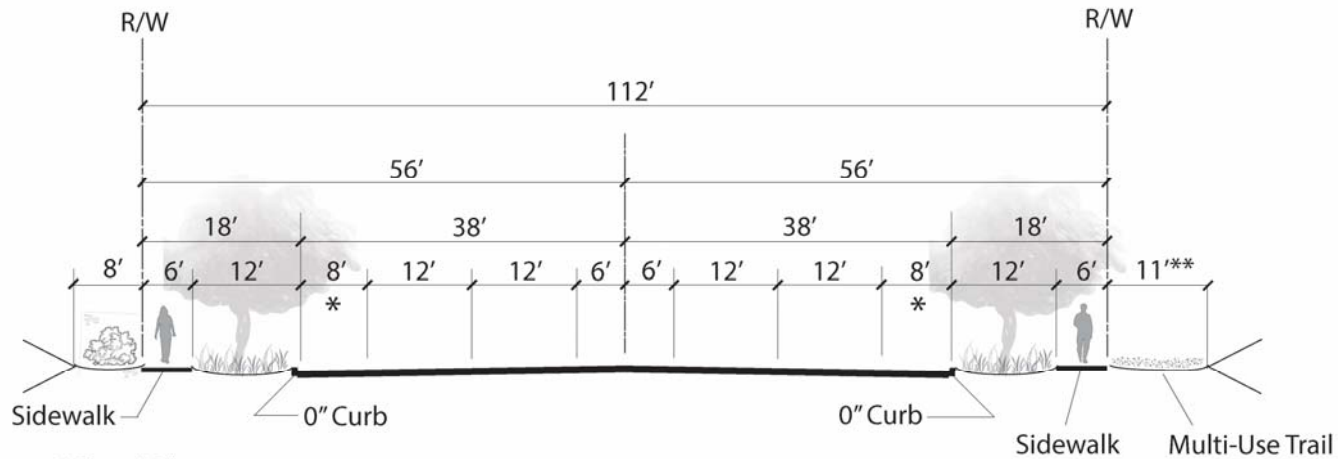


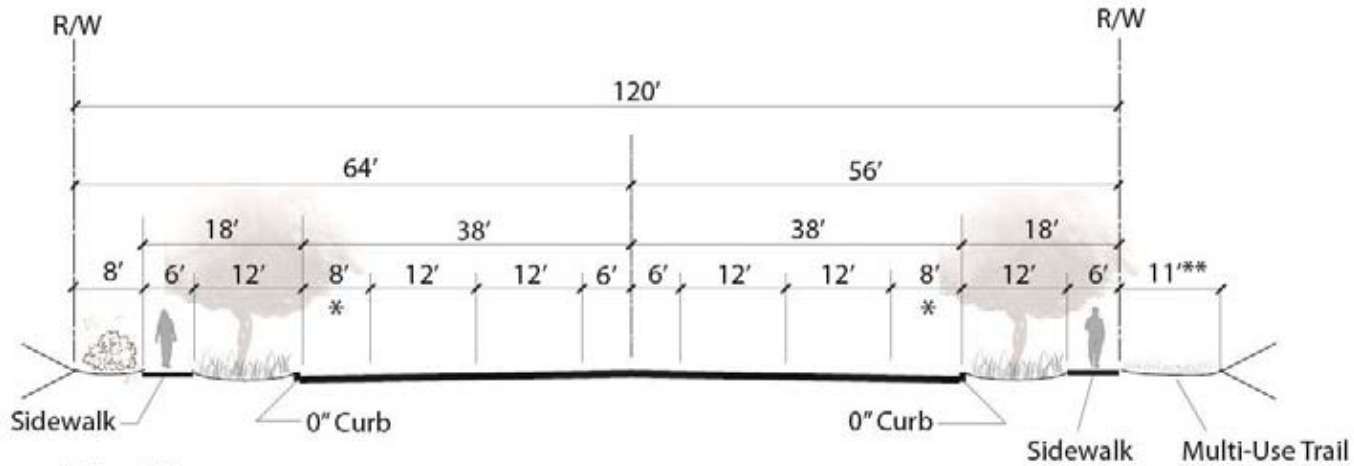
Exhibit 3-7 Street "E" (pg.3-6)



\* Class II Bikeway  
 \*\* 11' with trail section, 8' without trail

Street "E"

Exhibit 3-8 Alessandro Boulevard (pg 3-6)



\* Class II Bikeway  
 \*\* 11' with trail section, 8' without trail

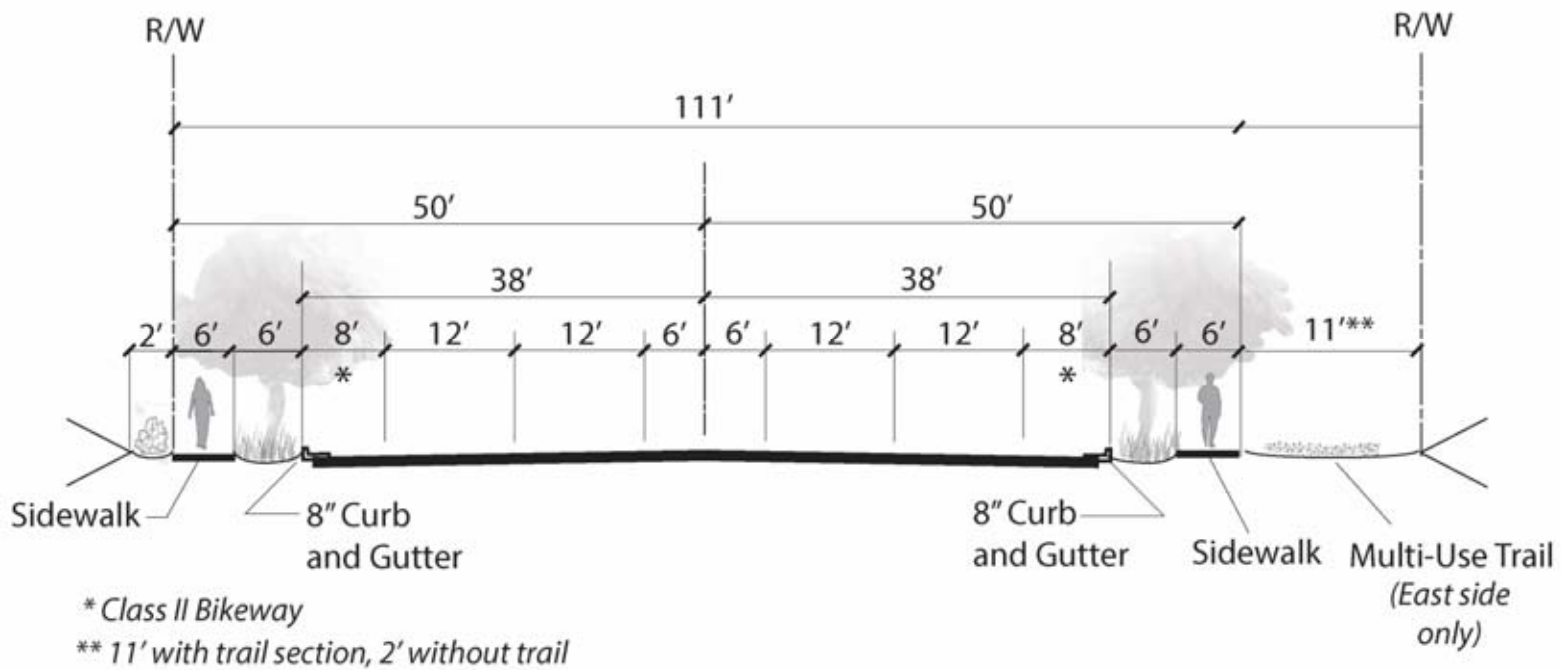
Alessandro Boulevard



EXHIBITS

E-14





Cactus Avenue (Extension)



Exhibit 3-11 Truck Routes (pg.3-8)

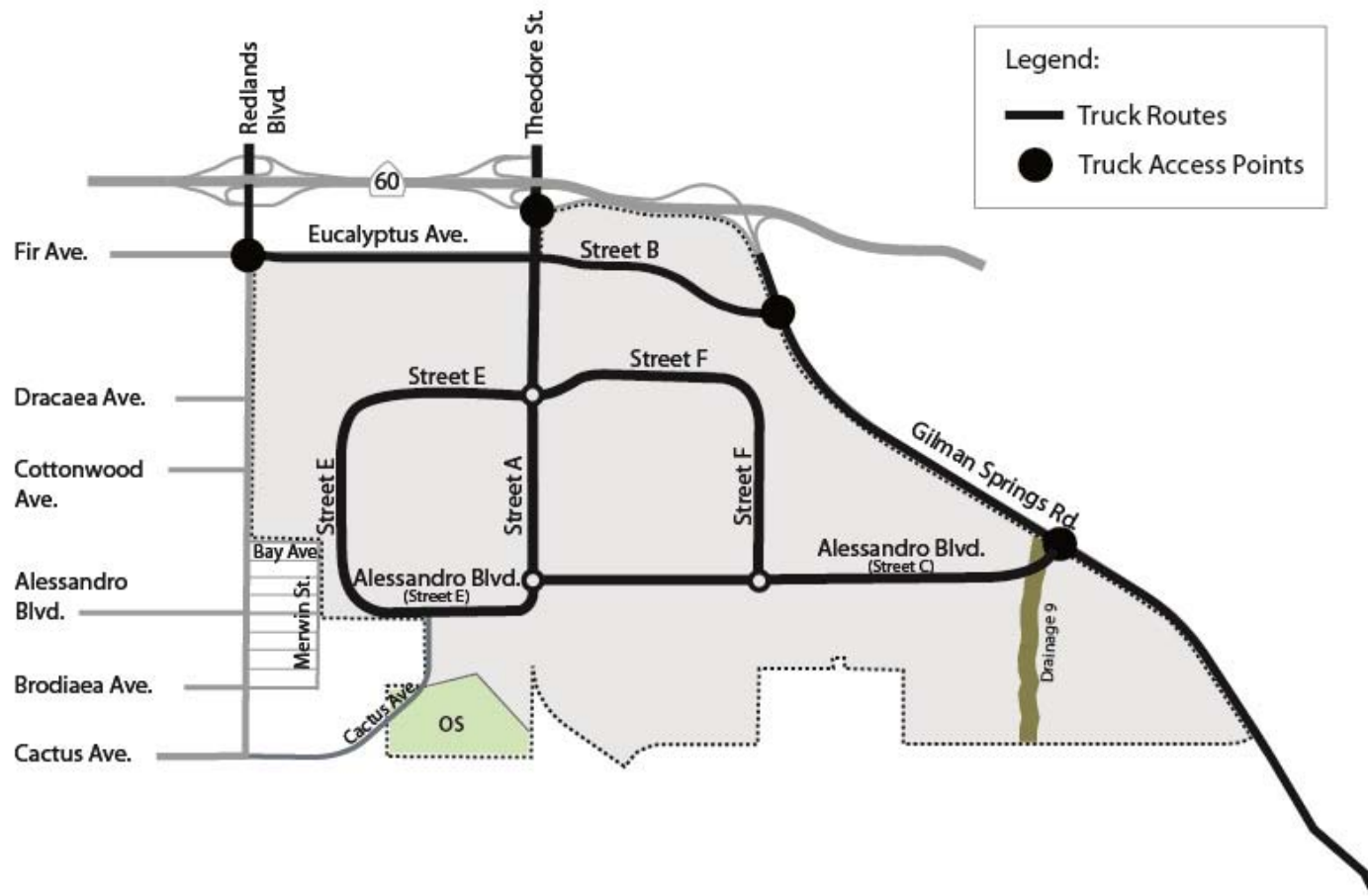


Exhibit 3-12 Roundabout Diagram (pg.3-9)

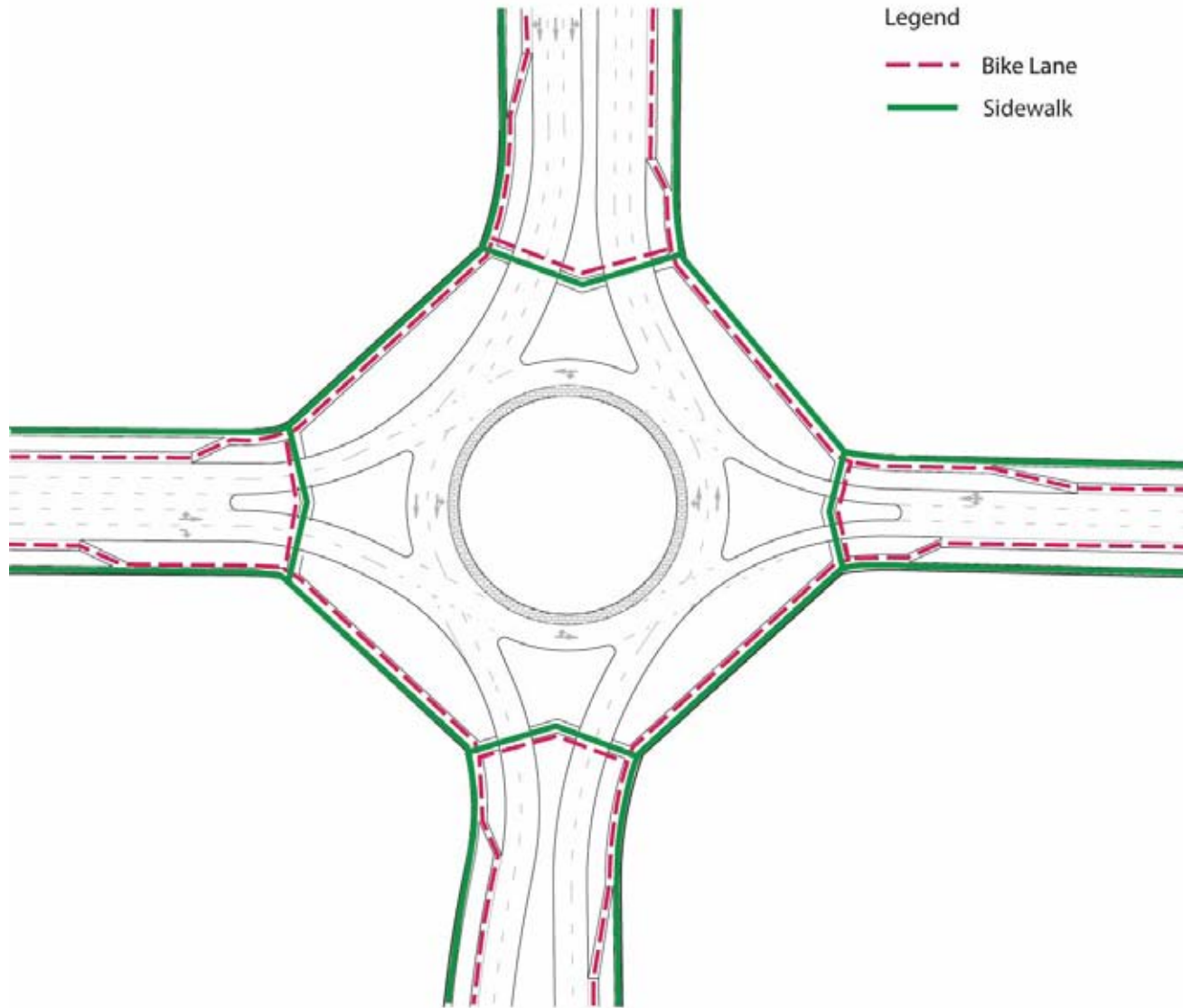




Exhibit 3-13 Truck Pullout Diagram (pg.3-10)

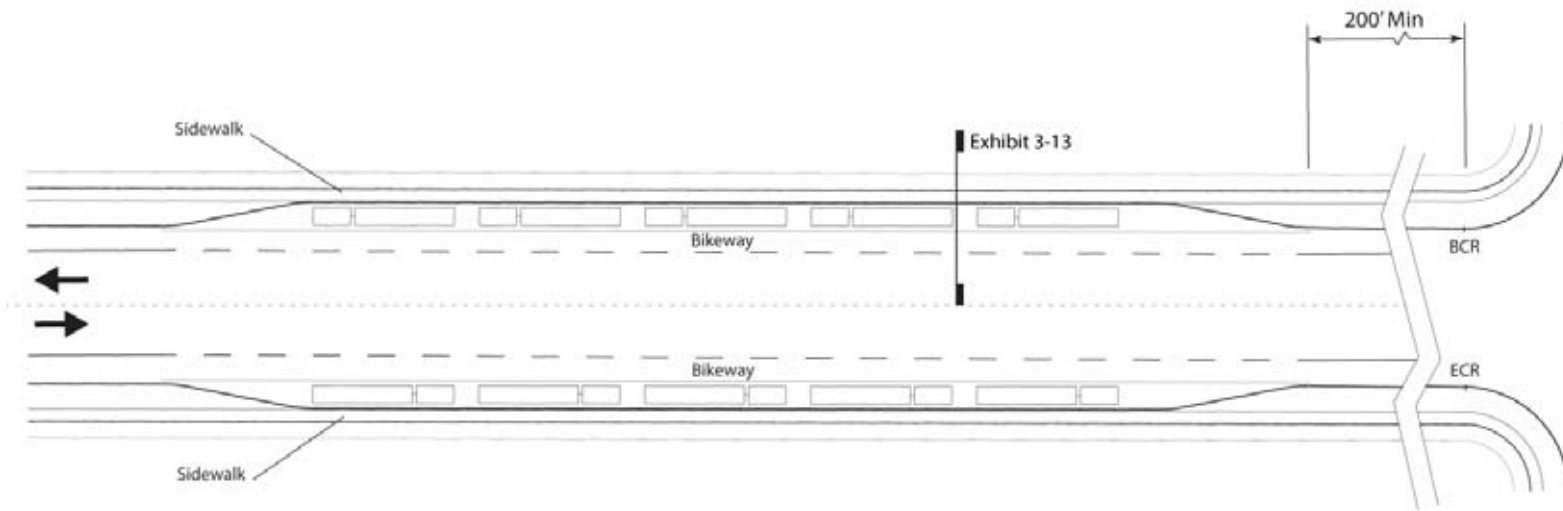


Exhibit 3-14 Truck Parking Lane Section (pg.3-10)

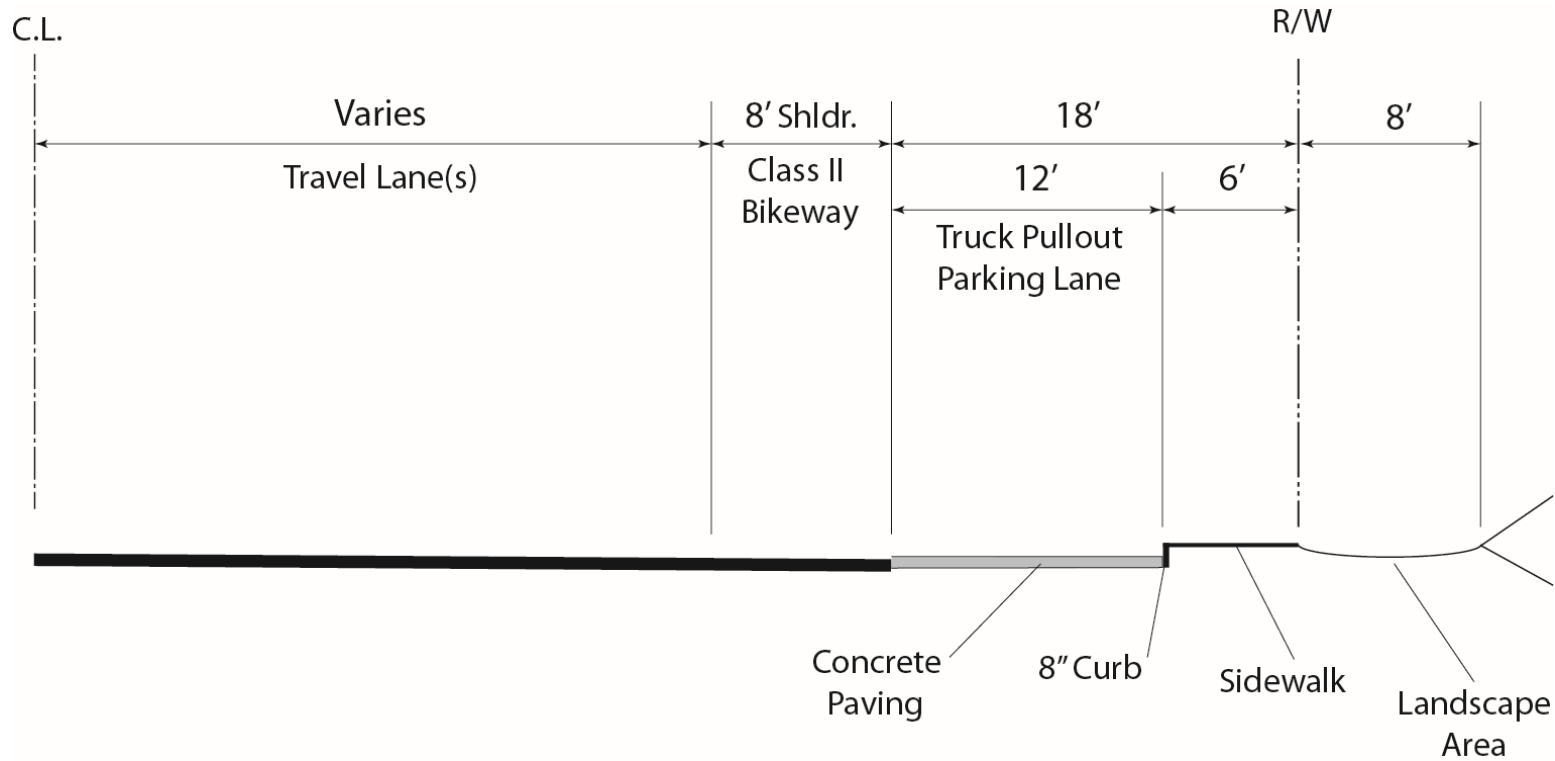


Exhibit 3-15 Potential Bus Route (pg.3-11)

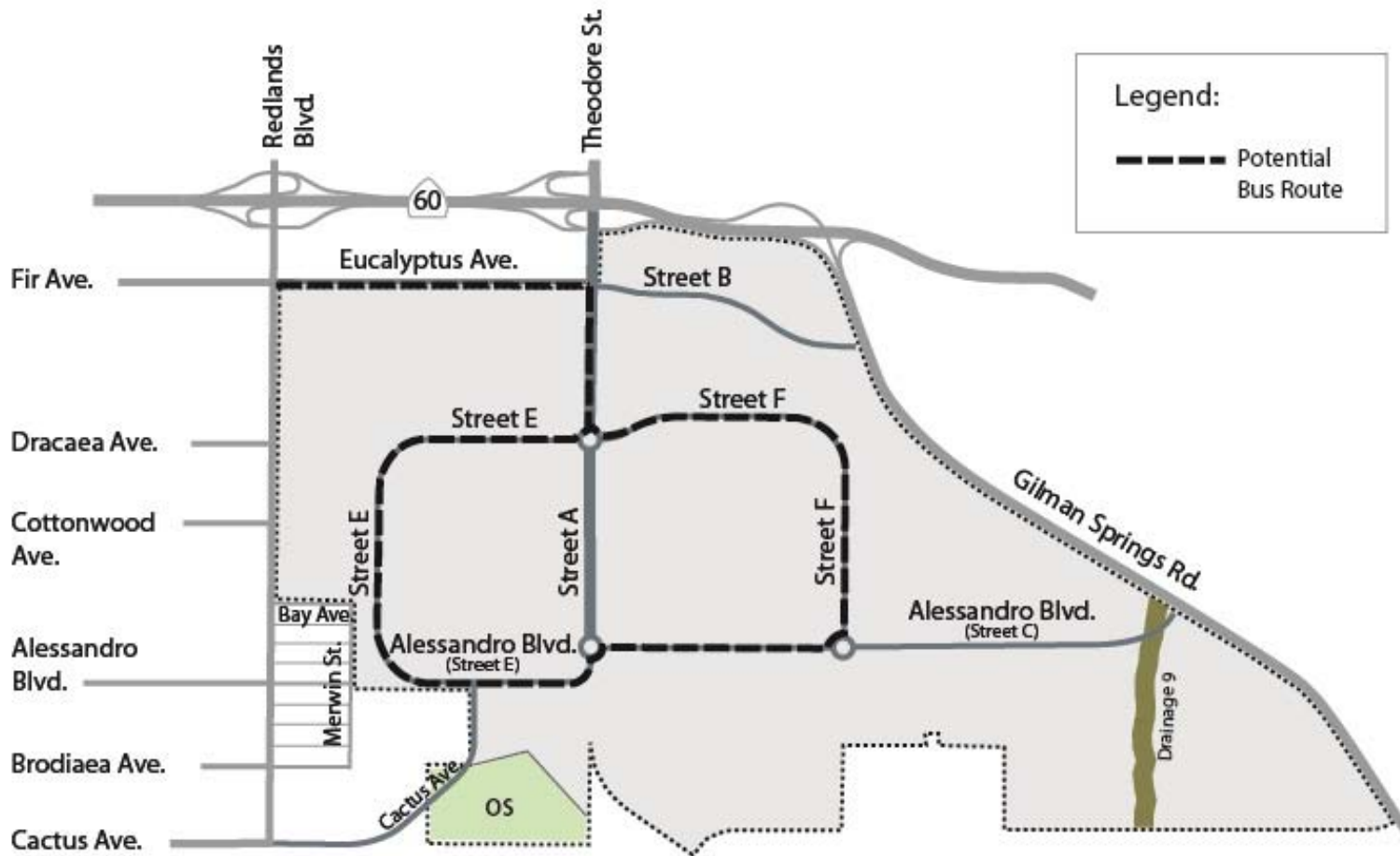


Exhibit 3-16 Emergency Access (Conceptual) (pg.3-12)

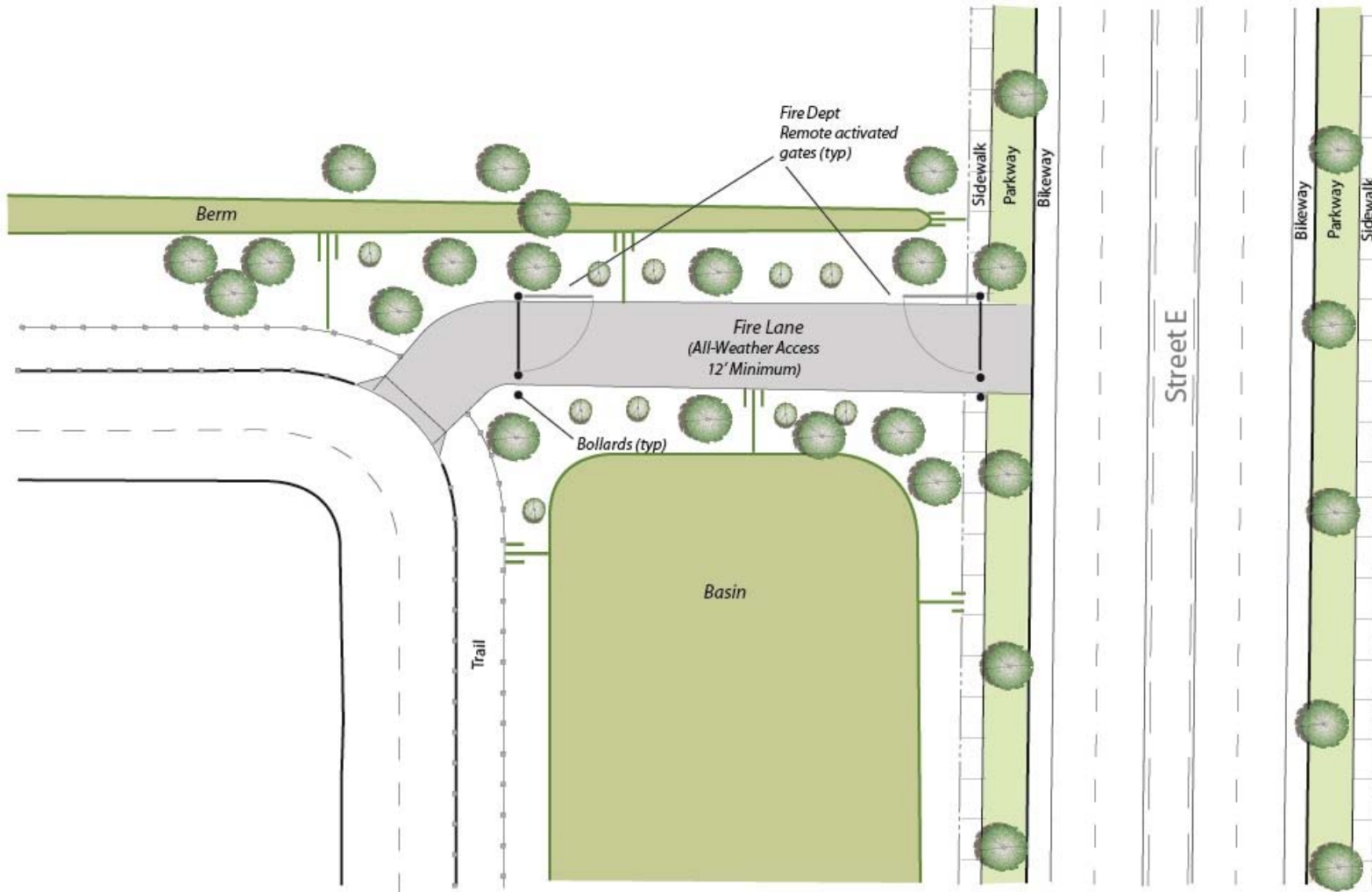


Exhibit 3-17 Multi-Use Trail Plan (pg.3-13)

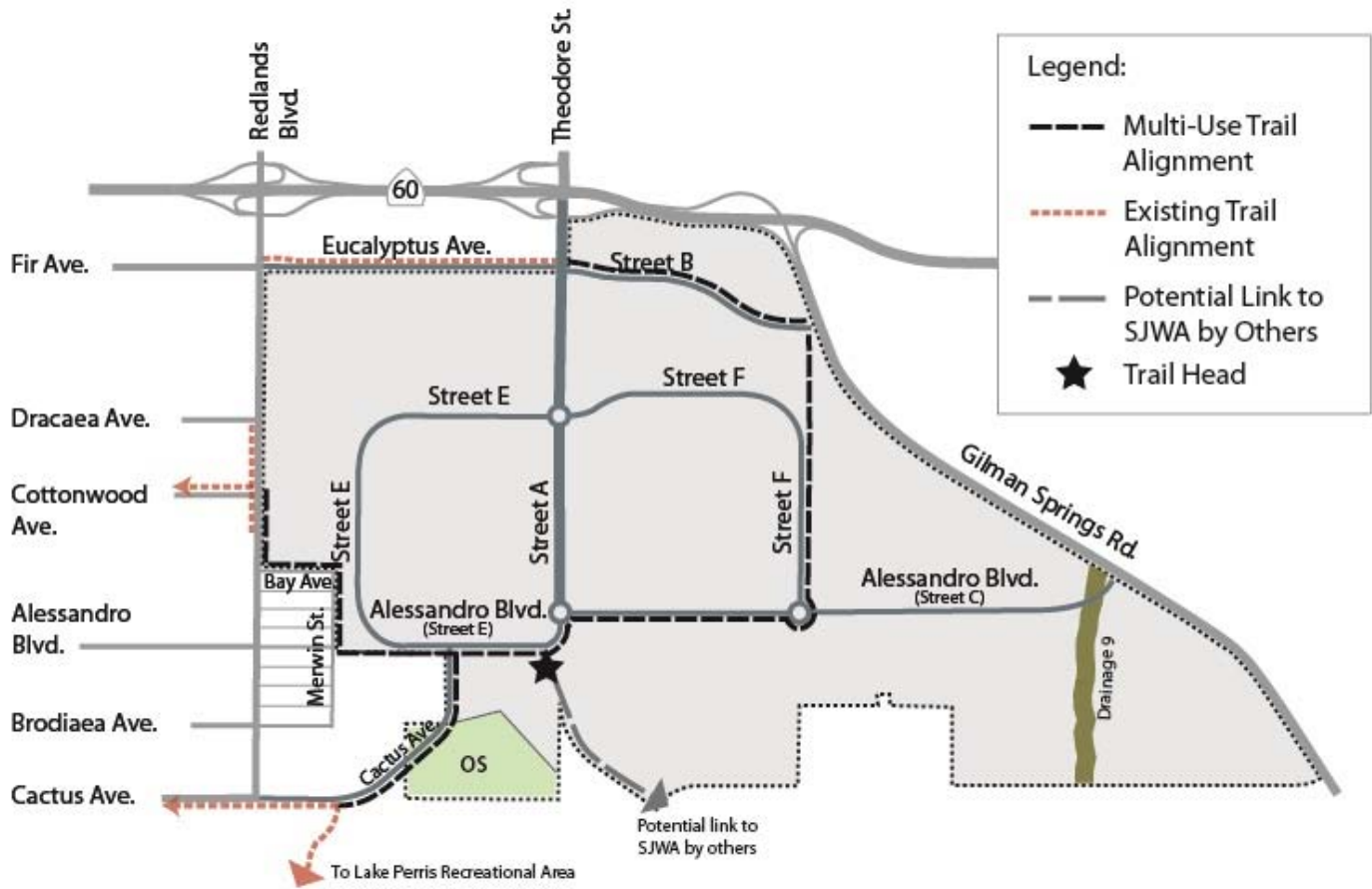


Exhibit 3-18 Bicycle Circulation Plan (pg.3-14)

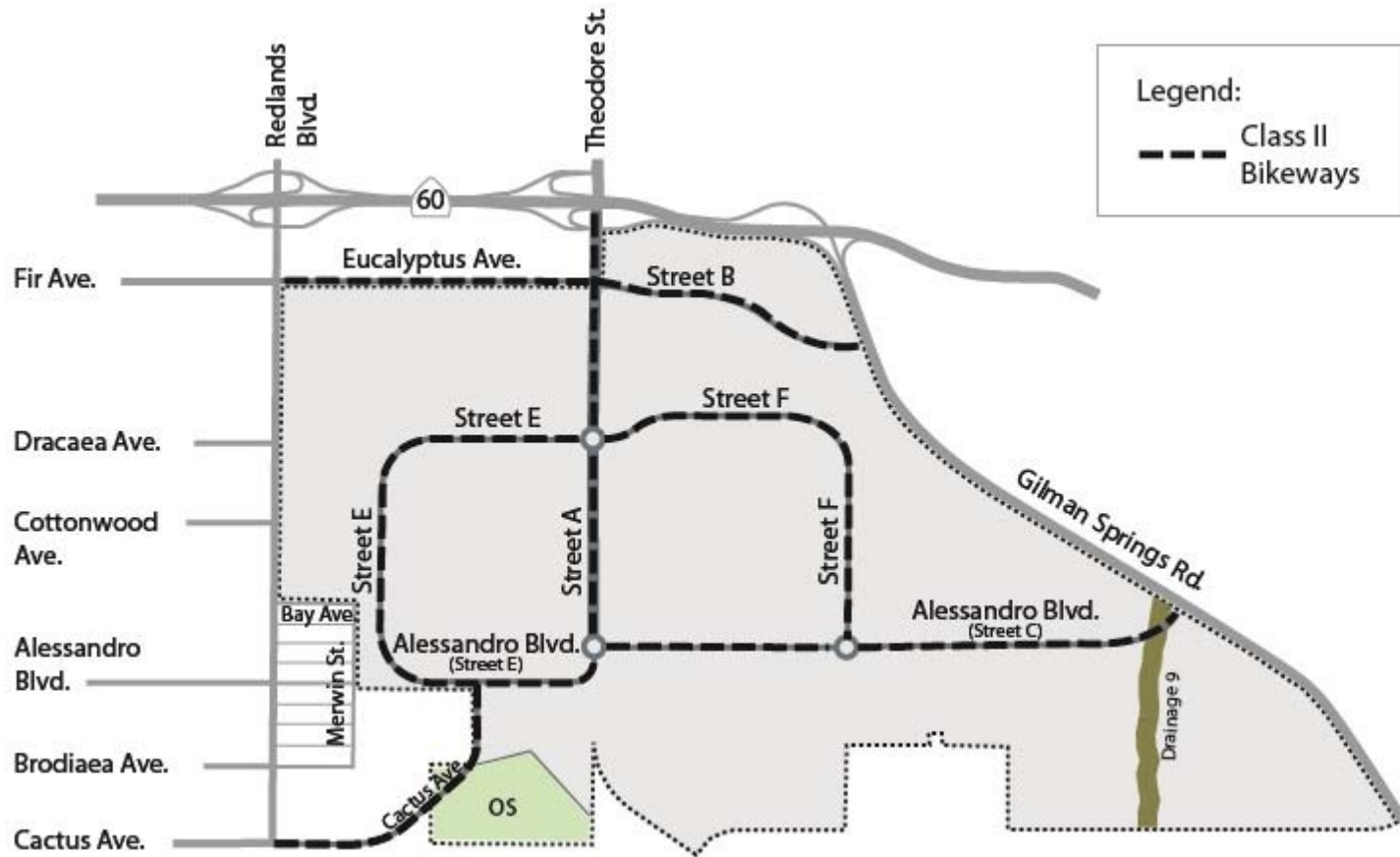




Exhibit 3-19 Water Facilities Master Plan (pg.3-15)

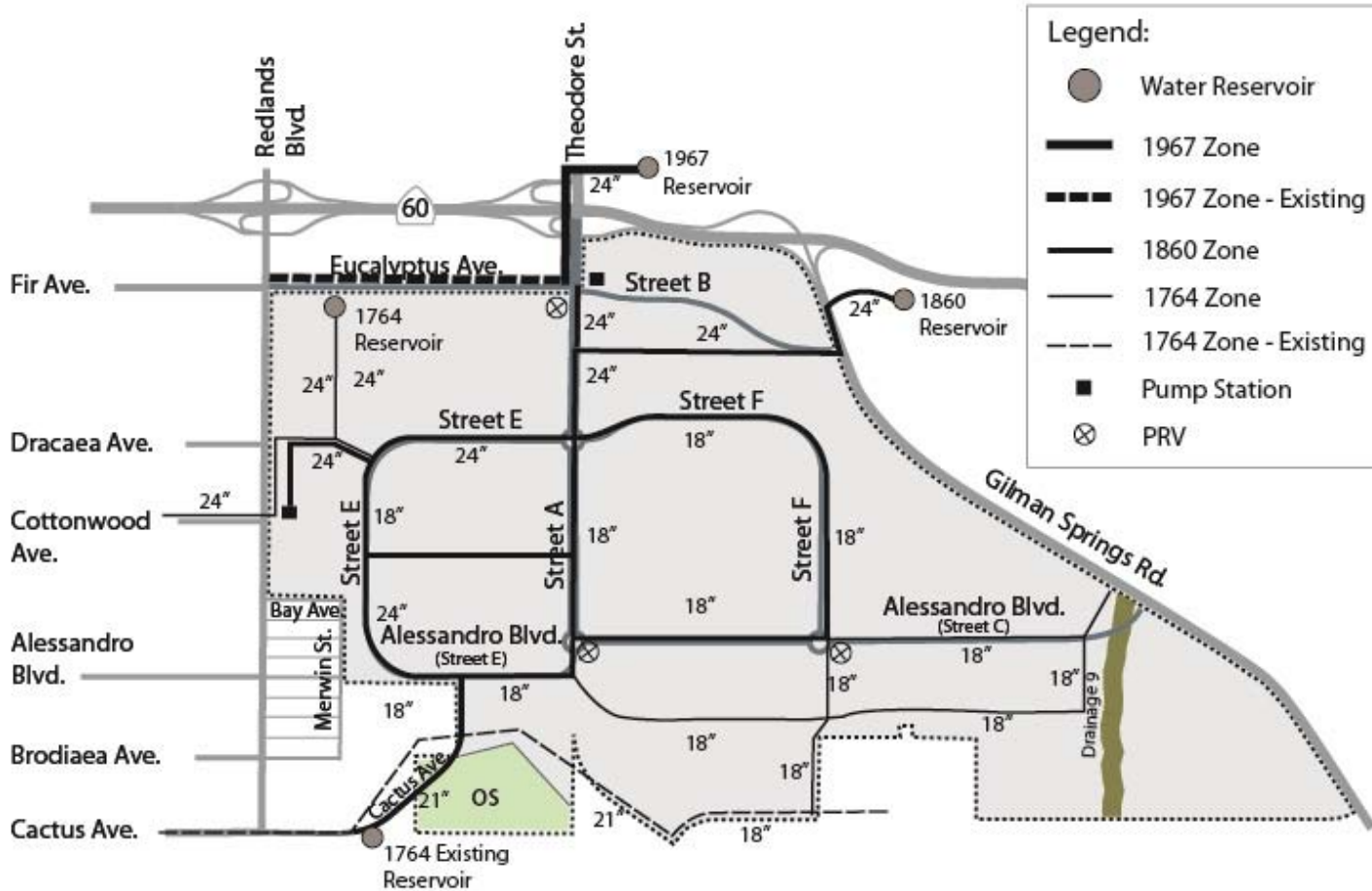


Exhibit 3-20 Wastewater Service Plan (pg.3-17)

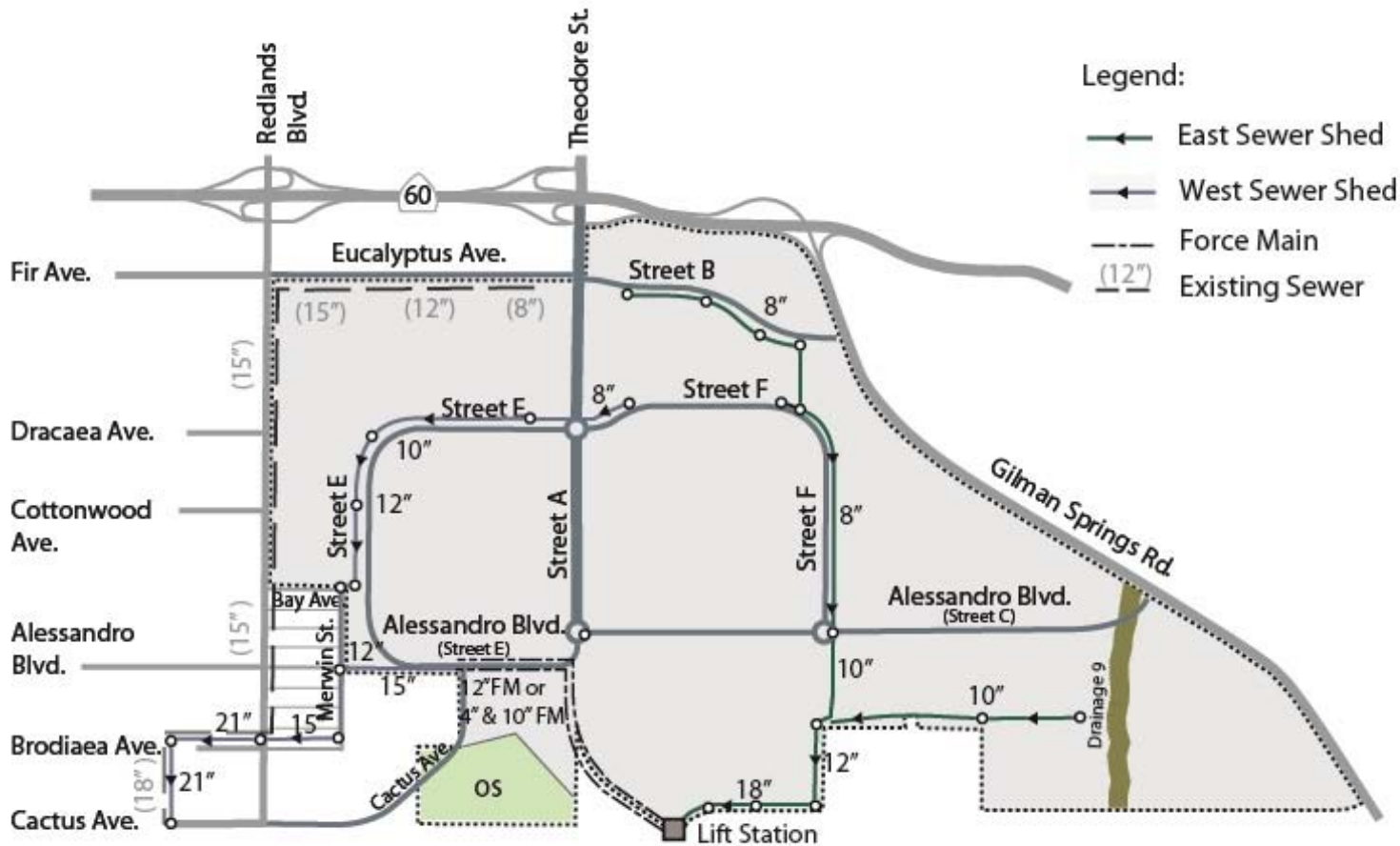


Exhibit 3-21 Recycled Water Plan (pg.3-18)

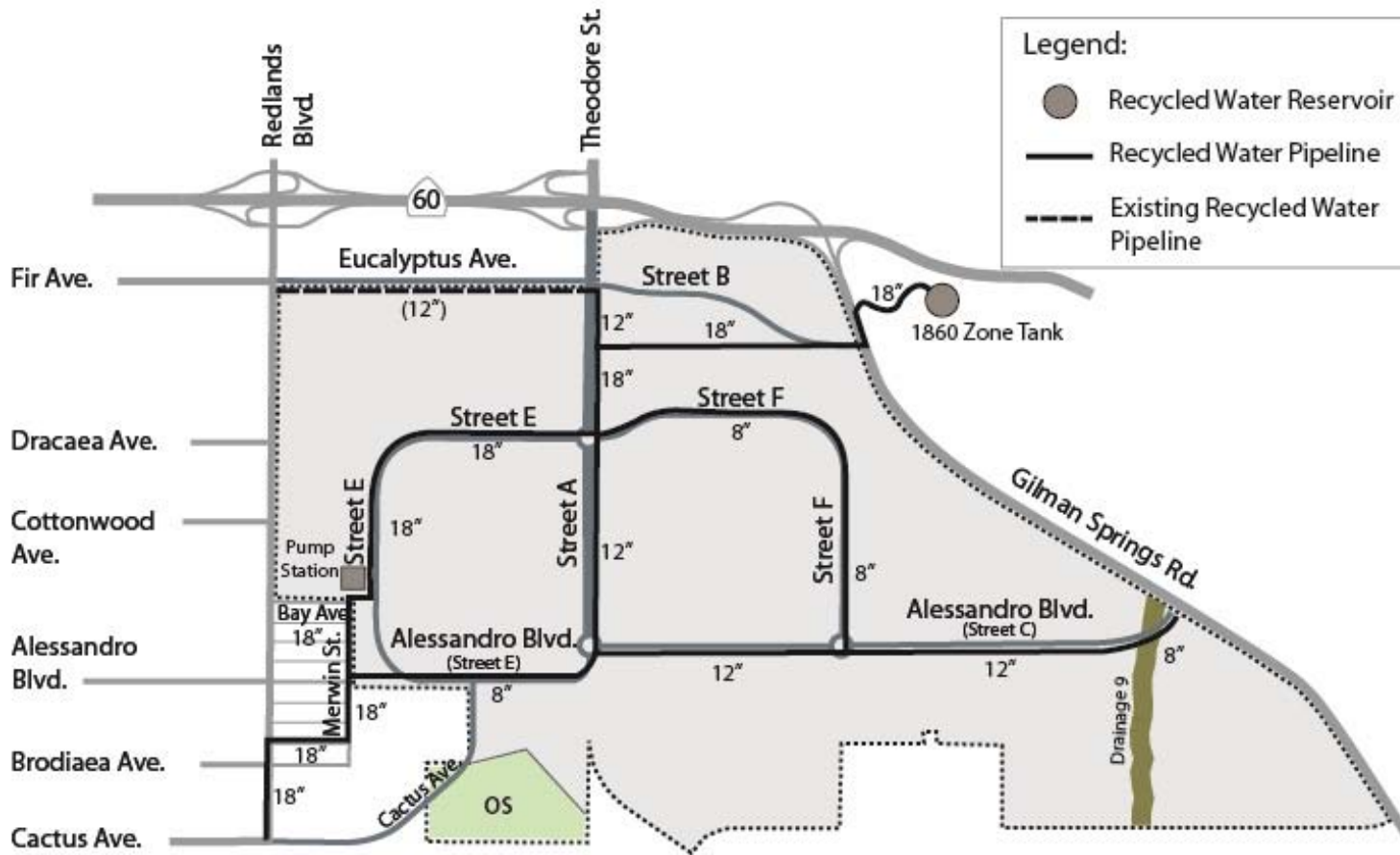


Exhibit 3-22 Storm Drain Plan (pg.3-19)

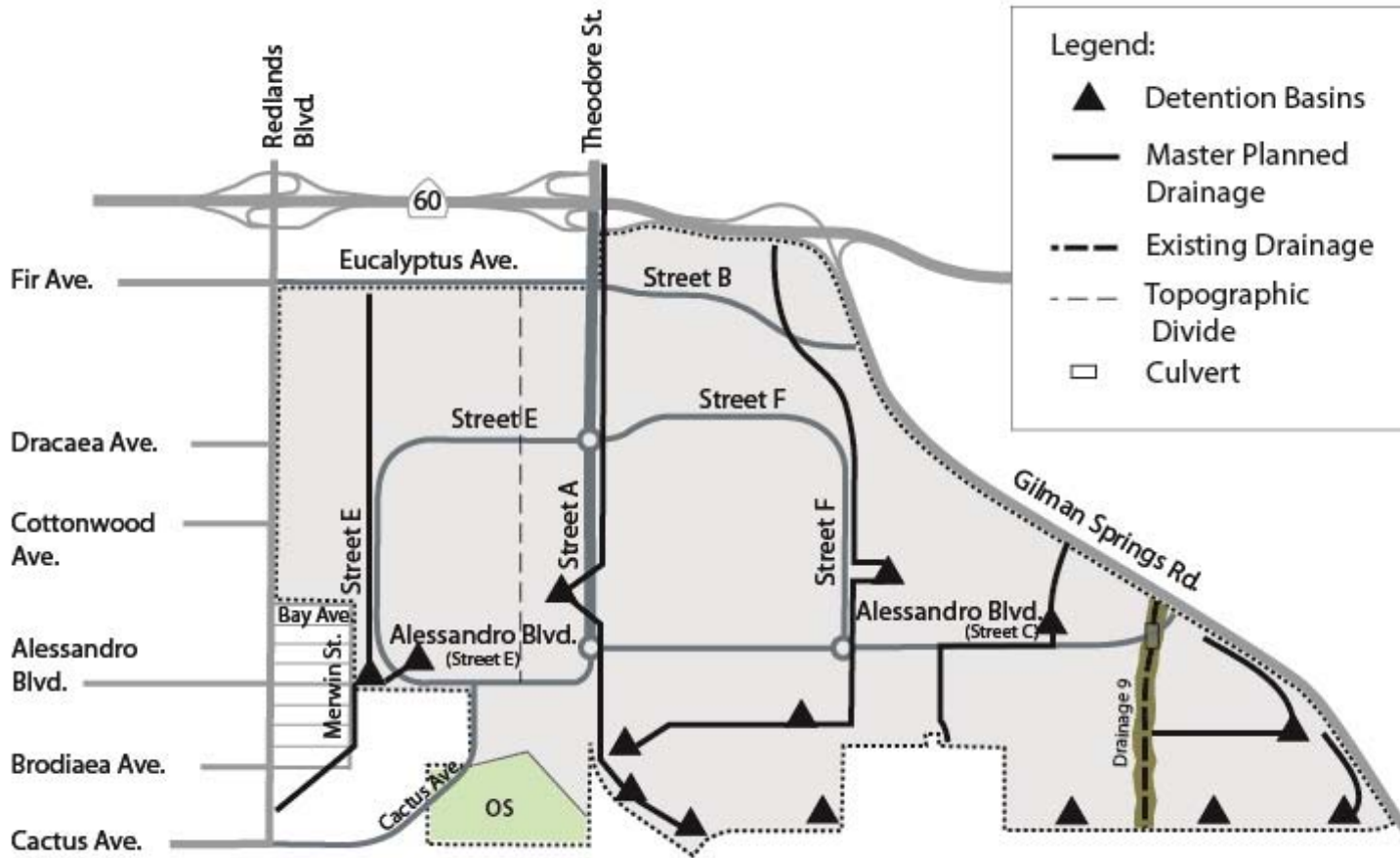


Exhibit 3-23 Electrical Utility Plan (pg.3-21)

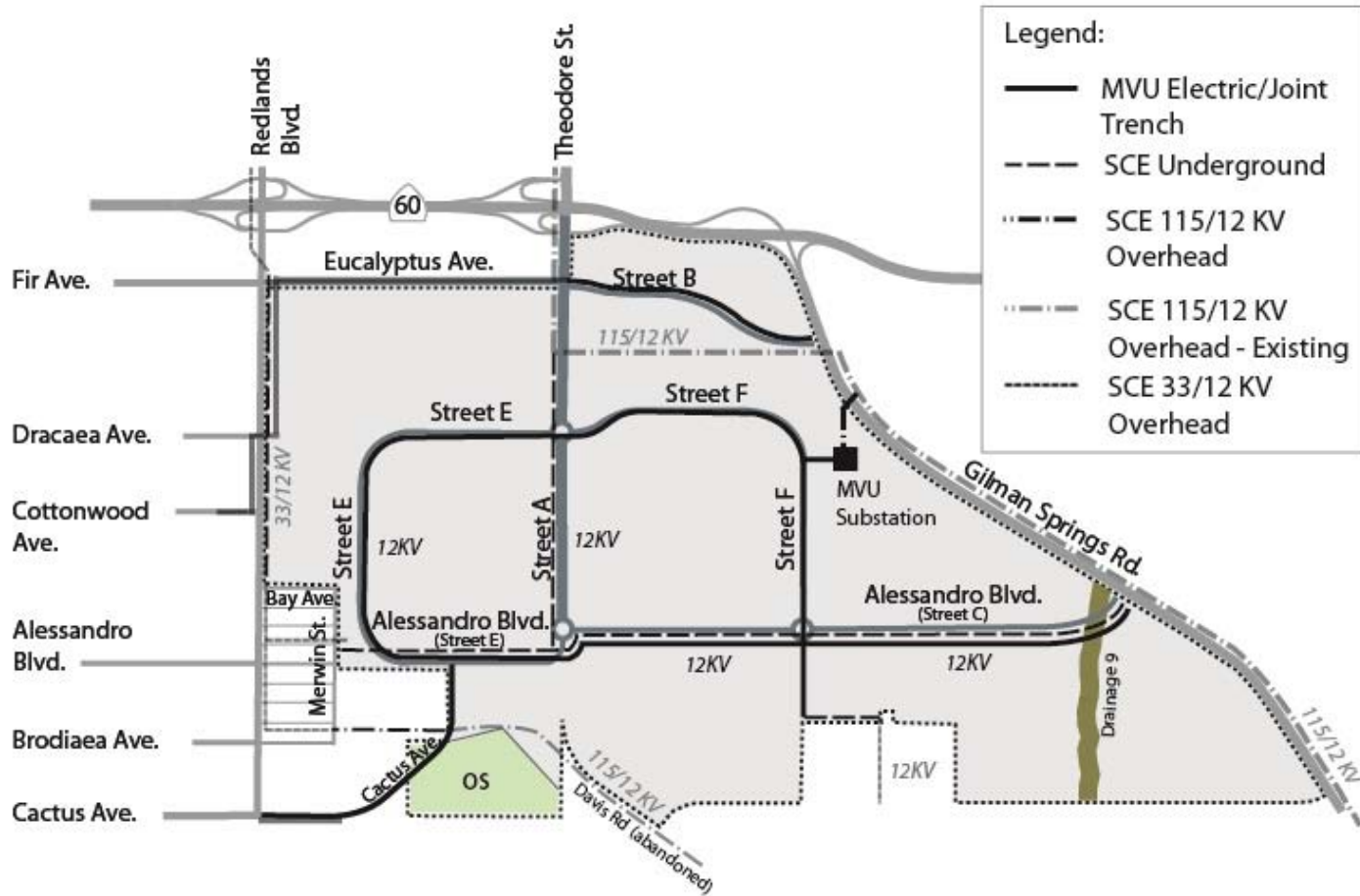




Exhibit 3-24 Gas Utility Plan (pg.3-23)

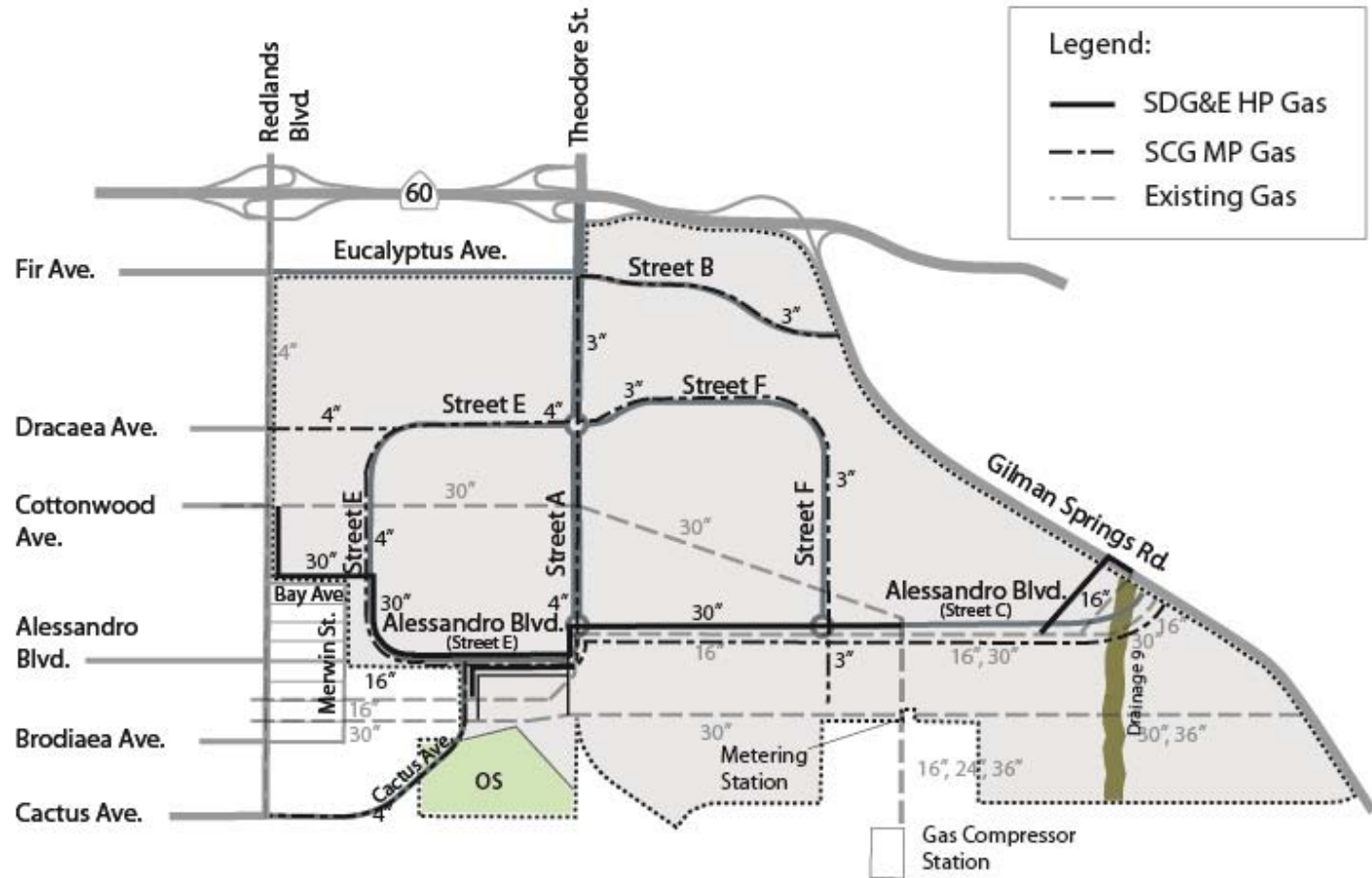




Exhibit 4-1 Special Edge Treatment Areas Design Criteria (pg.4-6)

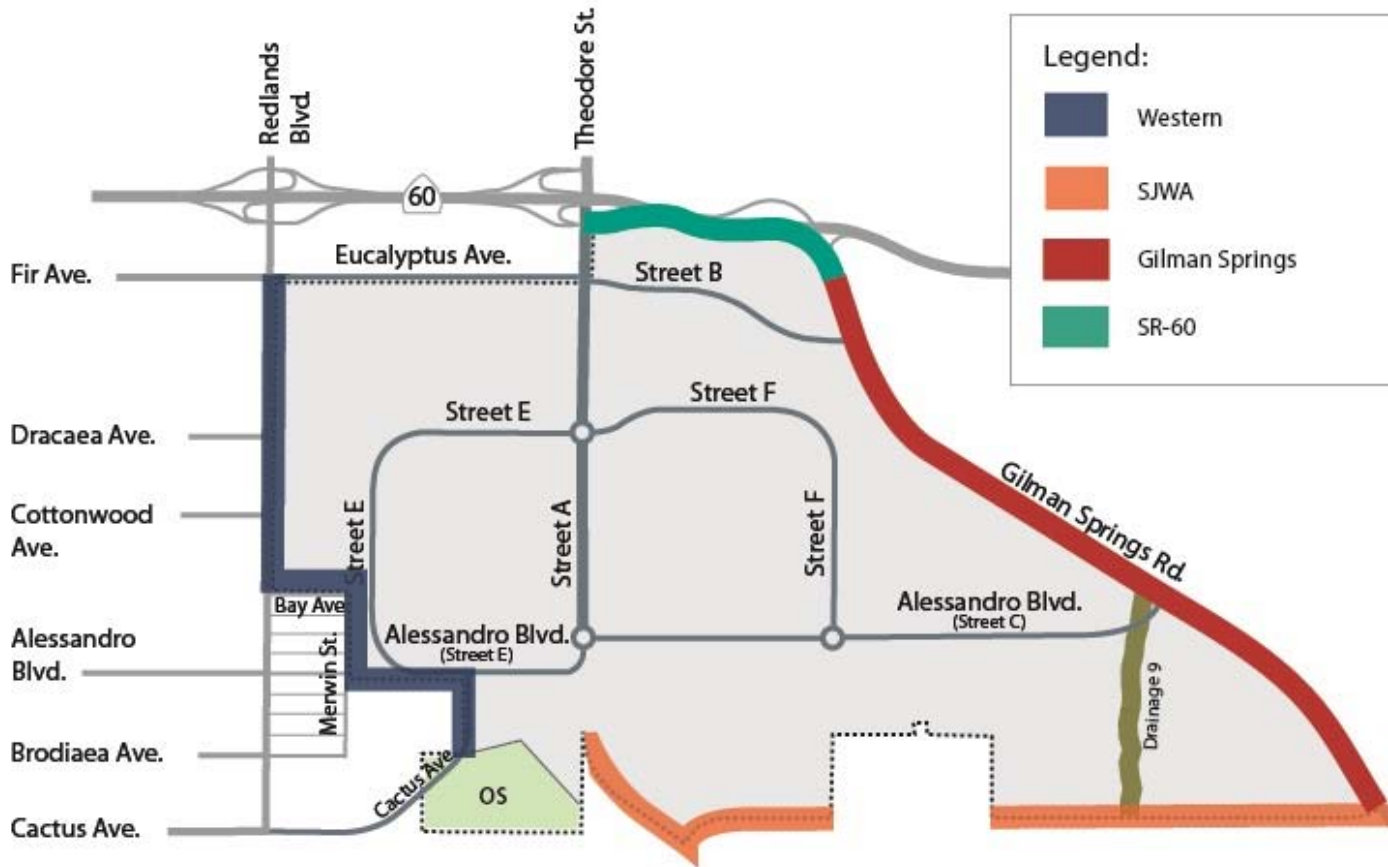
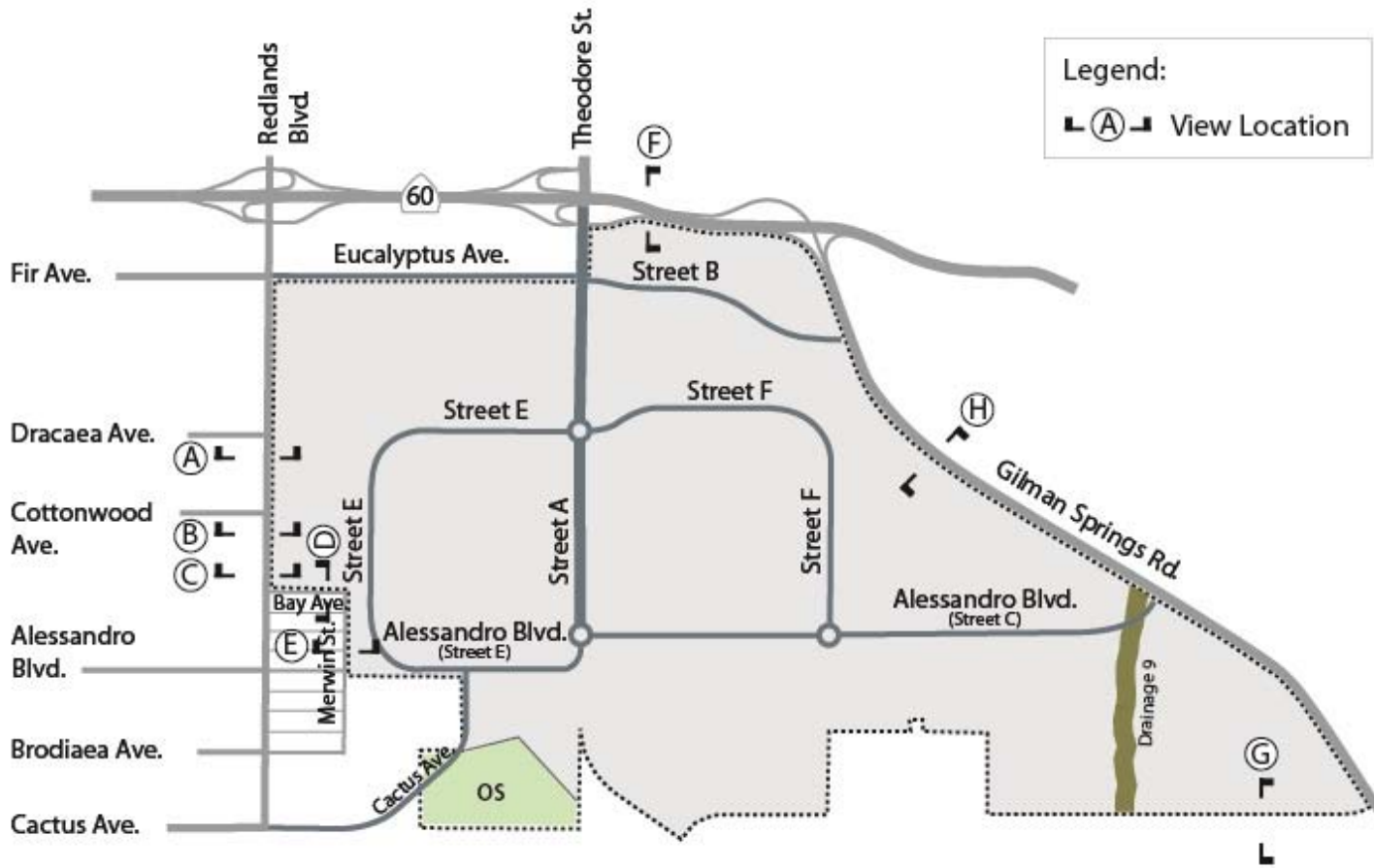


Exhibit 4-2 Edge Exhibit Map (pg.4-6)



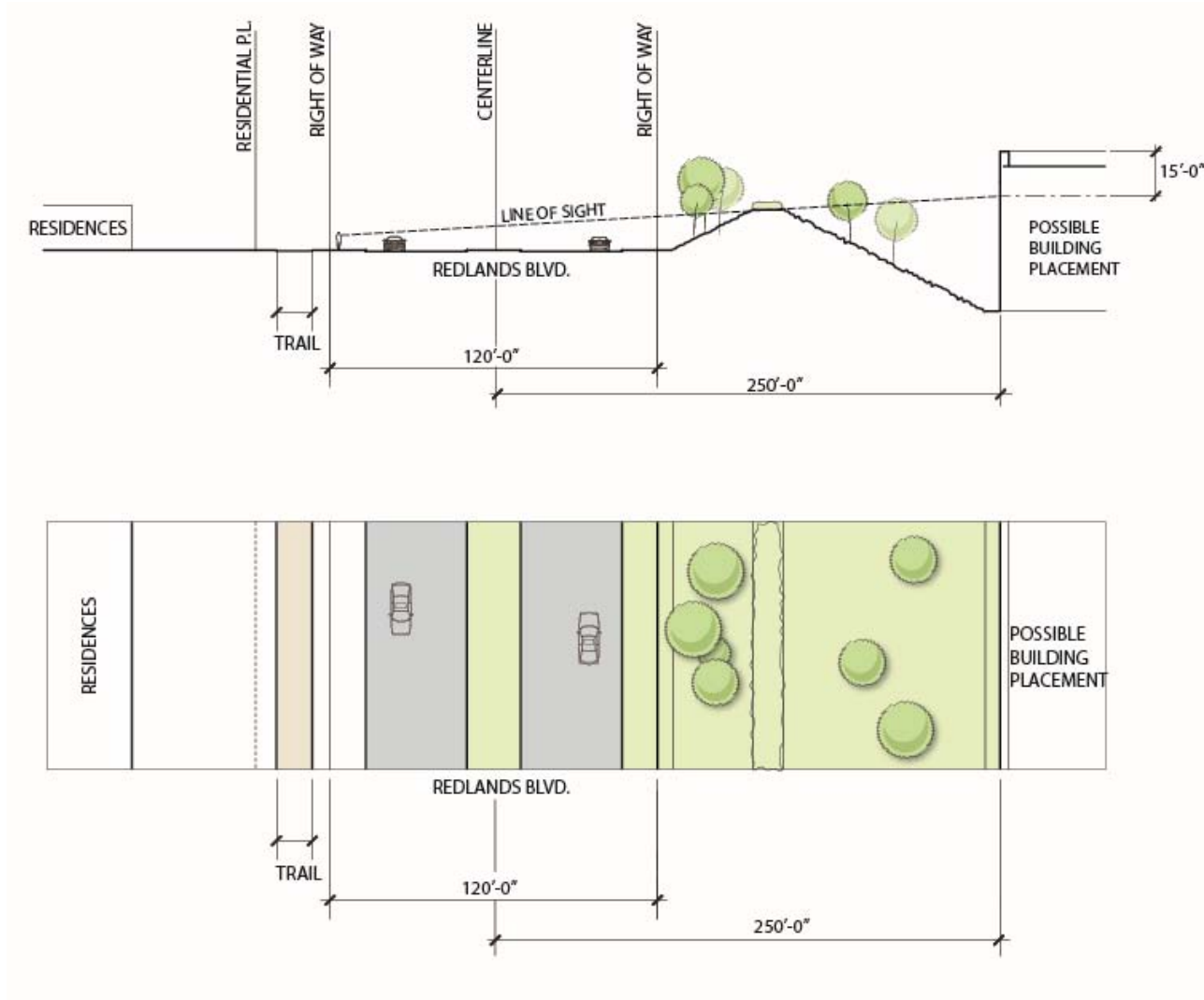
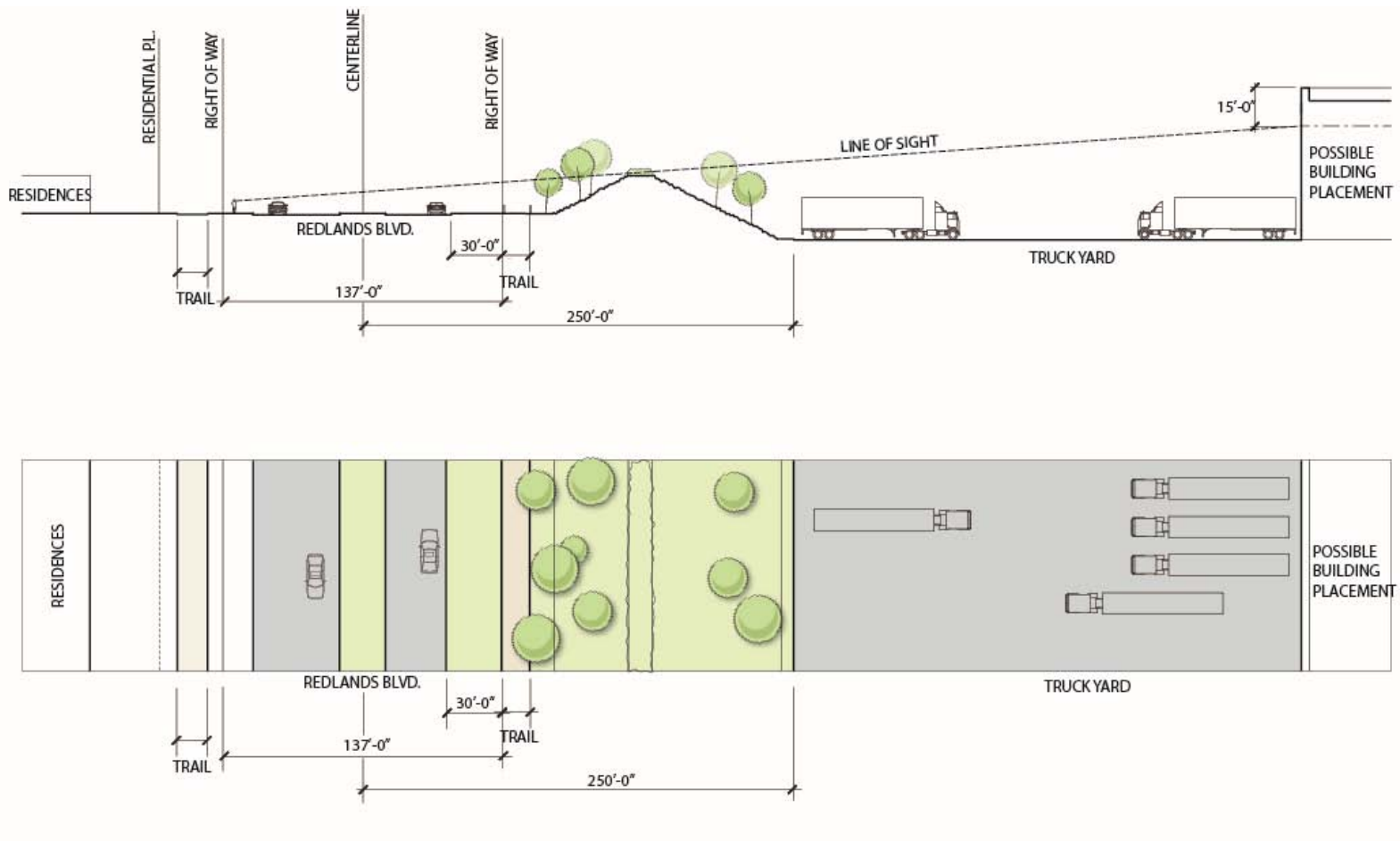


Exhibit 4-5, 4-6

Redlands Blvd. Section B and Plan View B (pg.4-7)



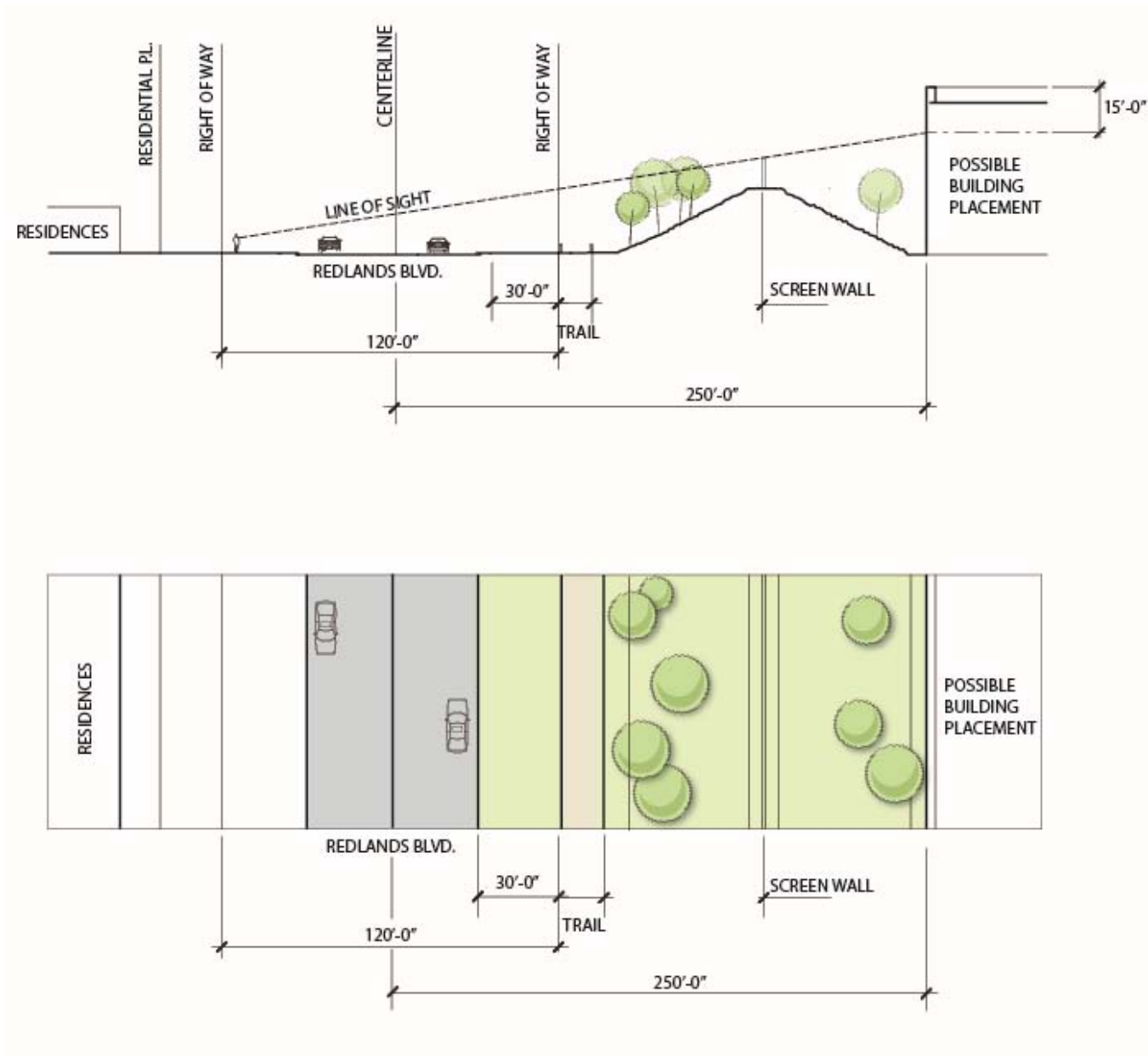
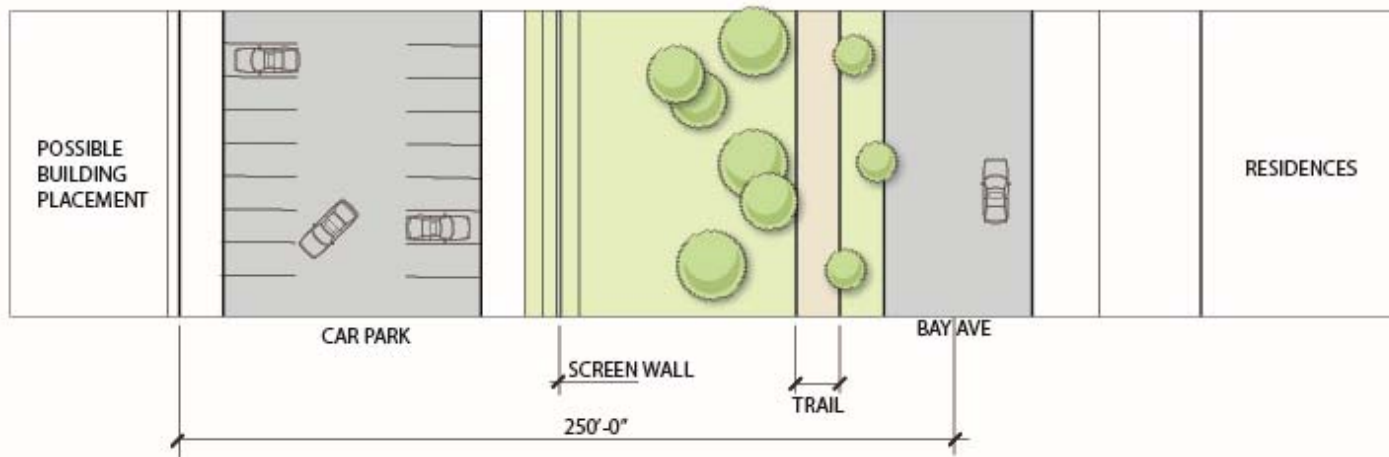
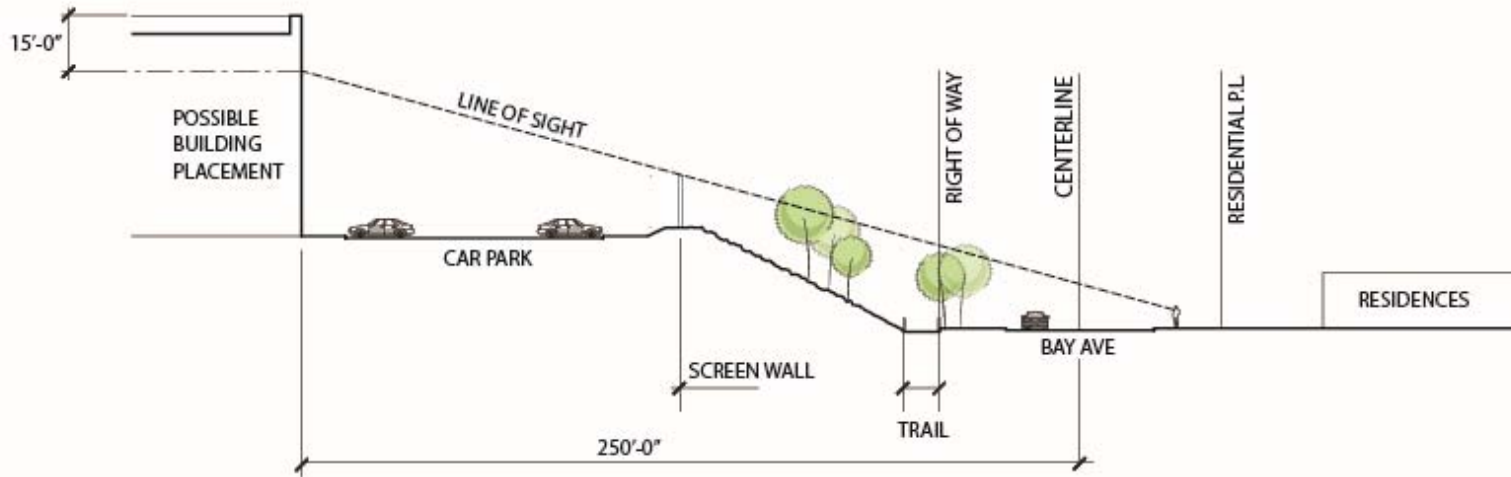


Exhibit 4-9, 4-10 Bay Avenue Section D and Plan View D (pg.4-8)

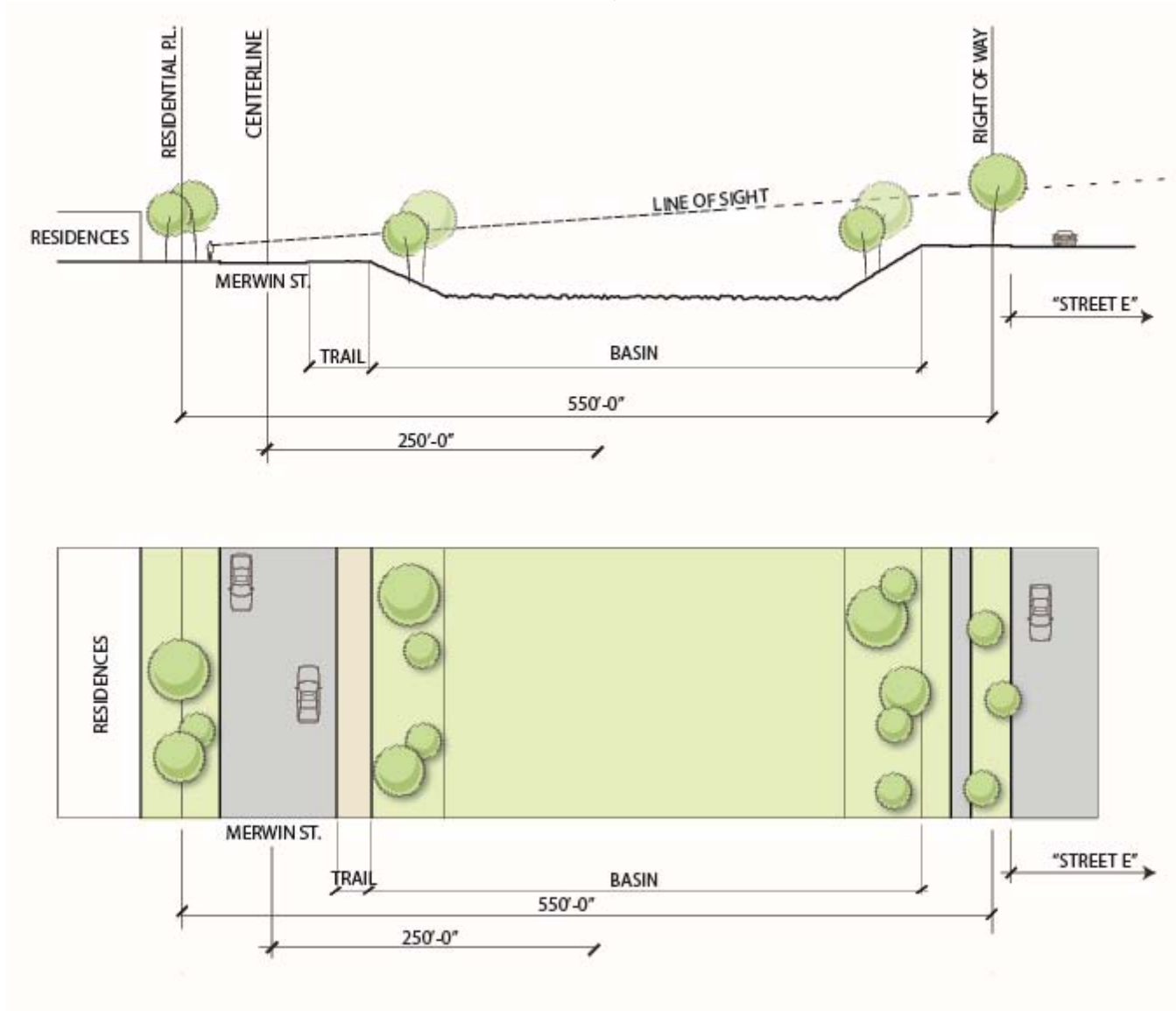


EXHIBITS

E-36



Exhibit 4-11, 4-12 Merwin Street Section E and Plan View E (pg.4-9)



EXHIBITS

E-37

Exhibit 4-13 SR-60 between Theodore and Gilman Springs Rd. Section F (pg.4-9)

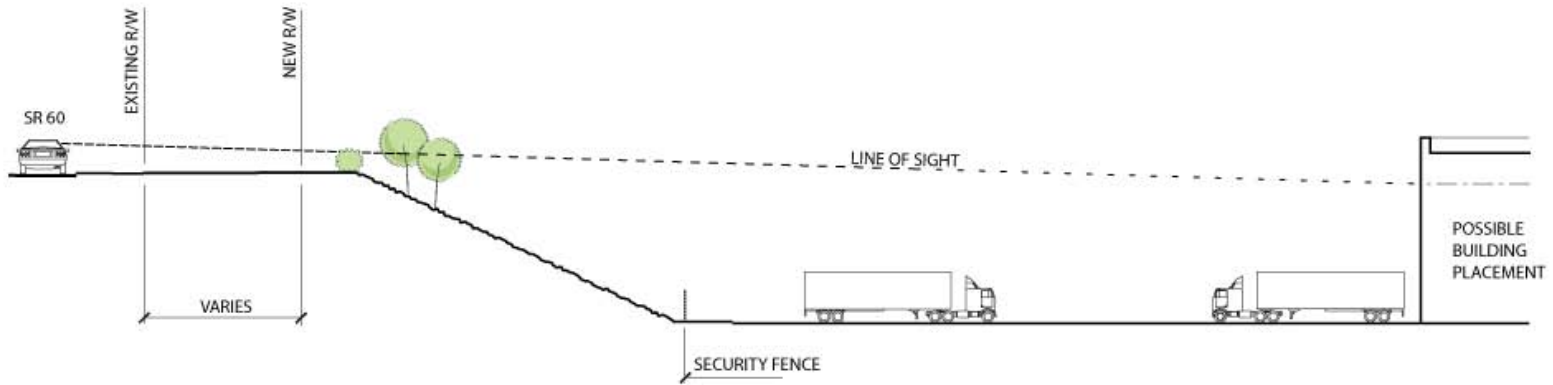
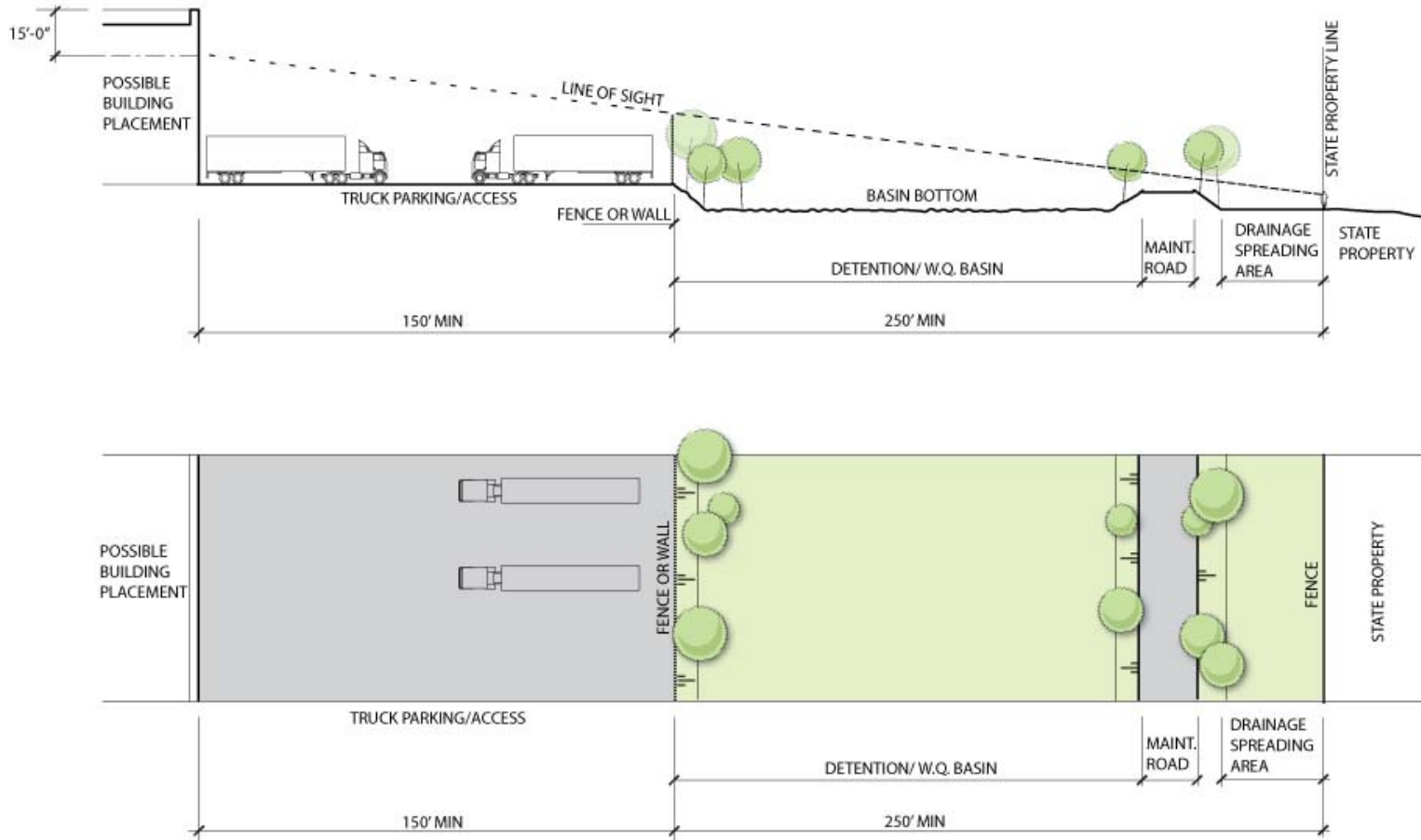
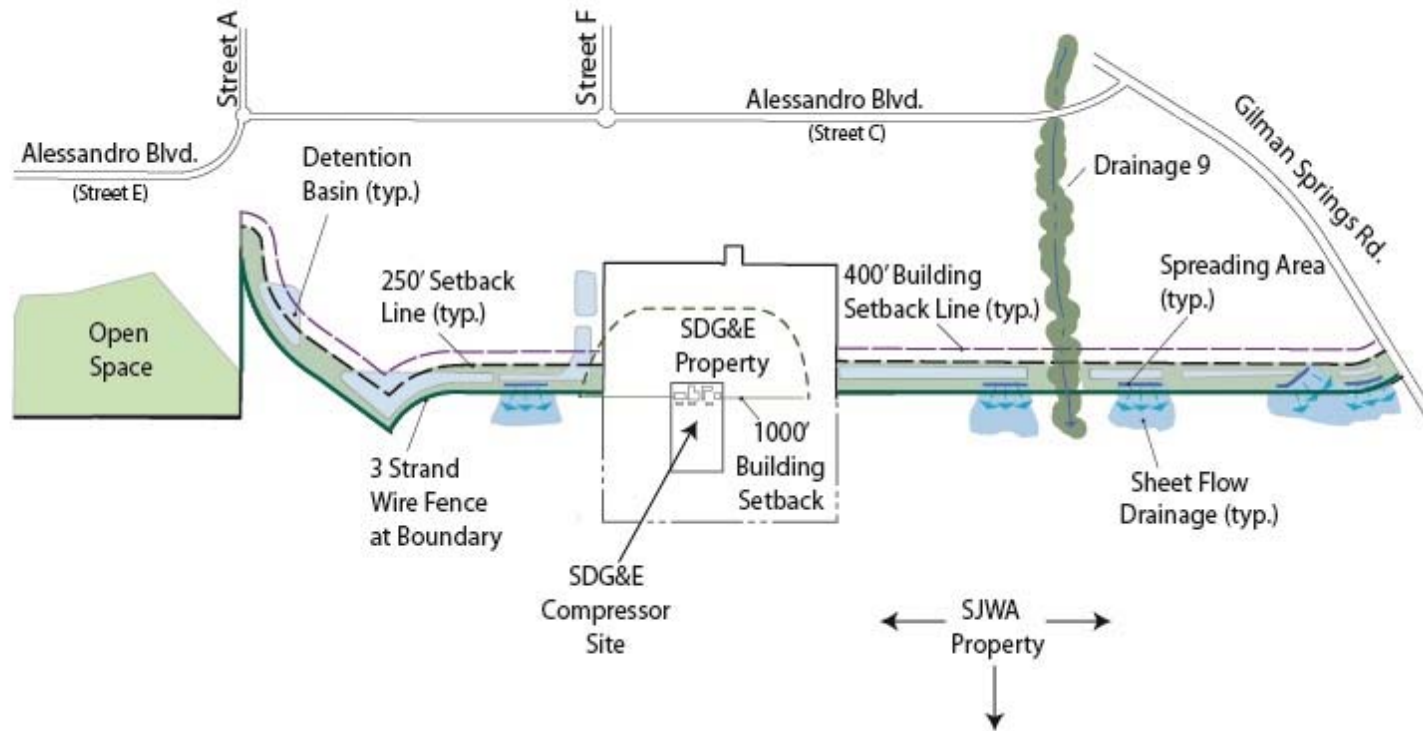


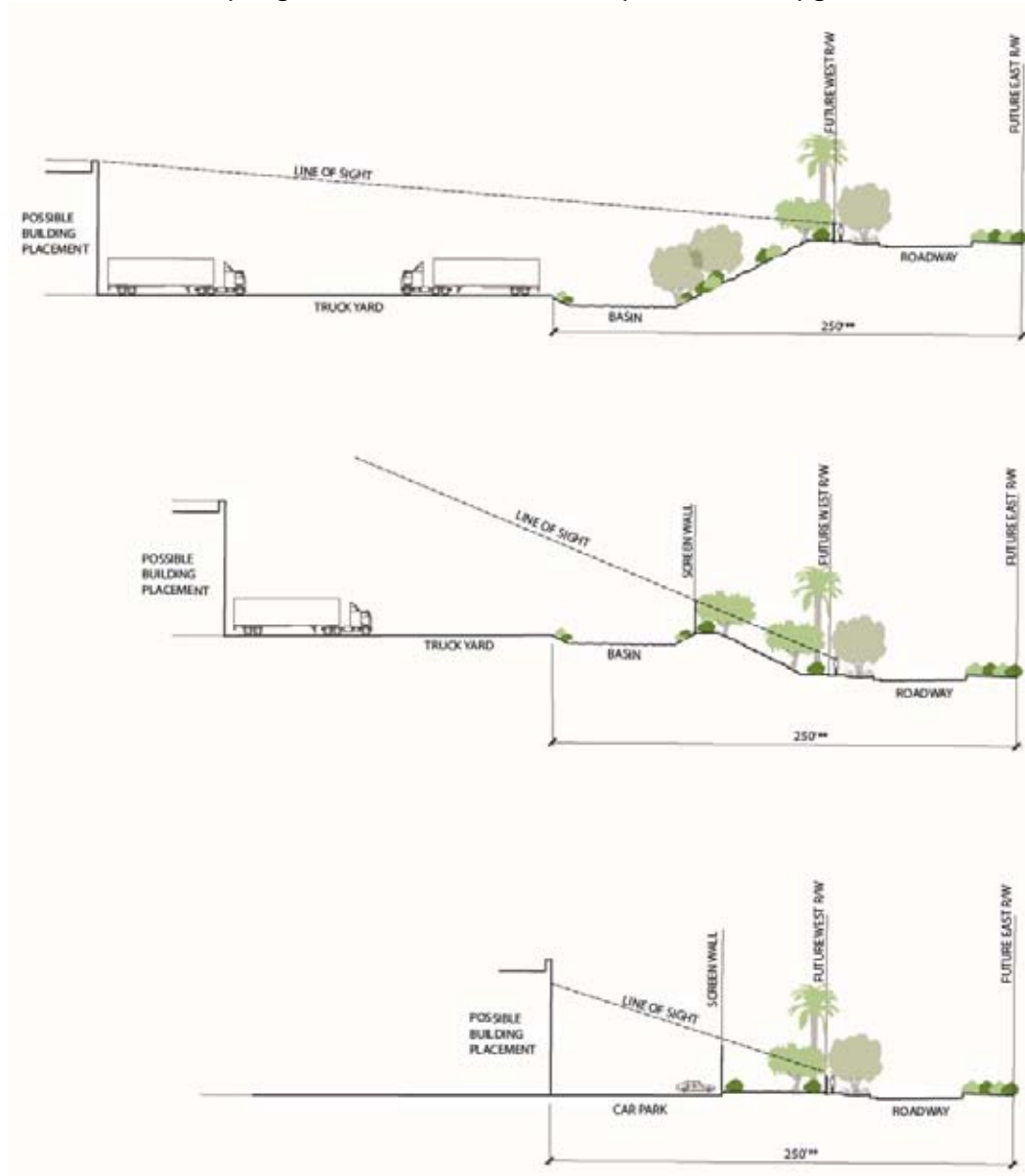
Exhibit 4-14, 4-15 SJWA Section G and Plan View G (pg.4-10)



EXHIBITS

E-39





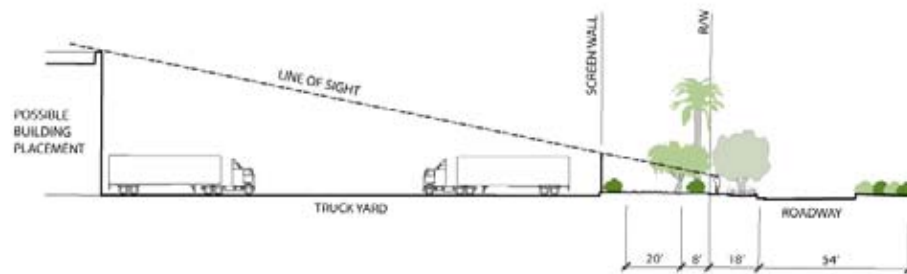
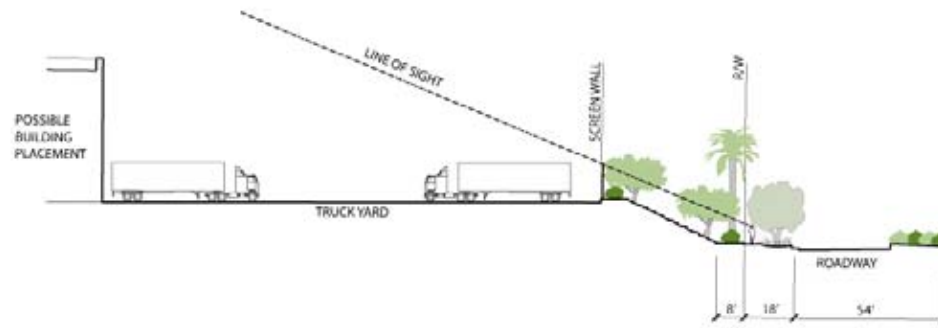




Exhibit 4-23 Perimeter Planting Map (pg.4-14)  
 (See simulations on pages 4-15 to 4-29)

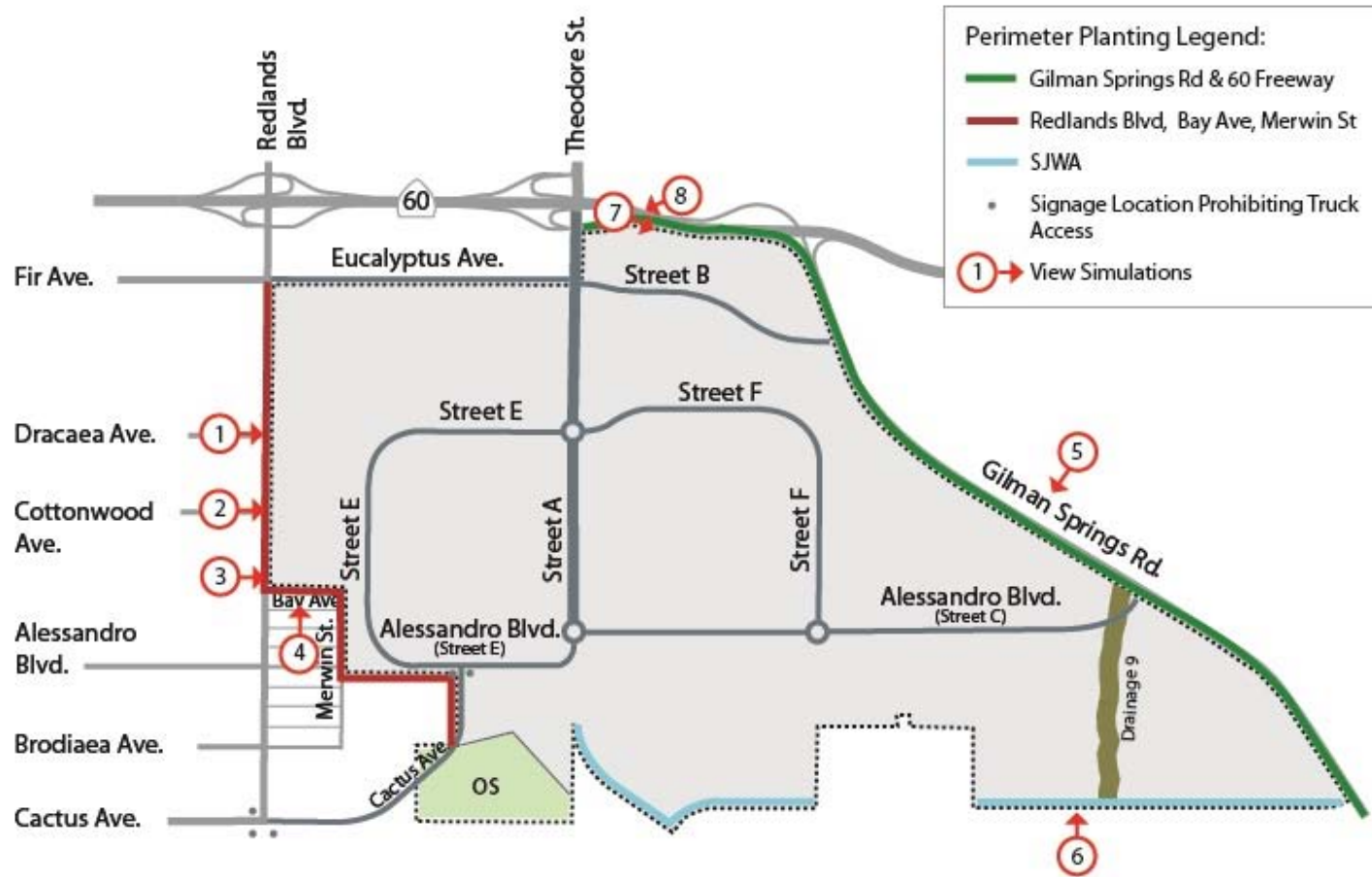


Exhibit 4-24 Roundabout & Entry Map (pg.4-30)  
 (See simulations on pages 4-31 to 4-36)

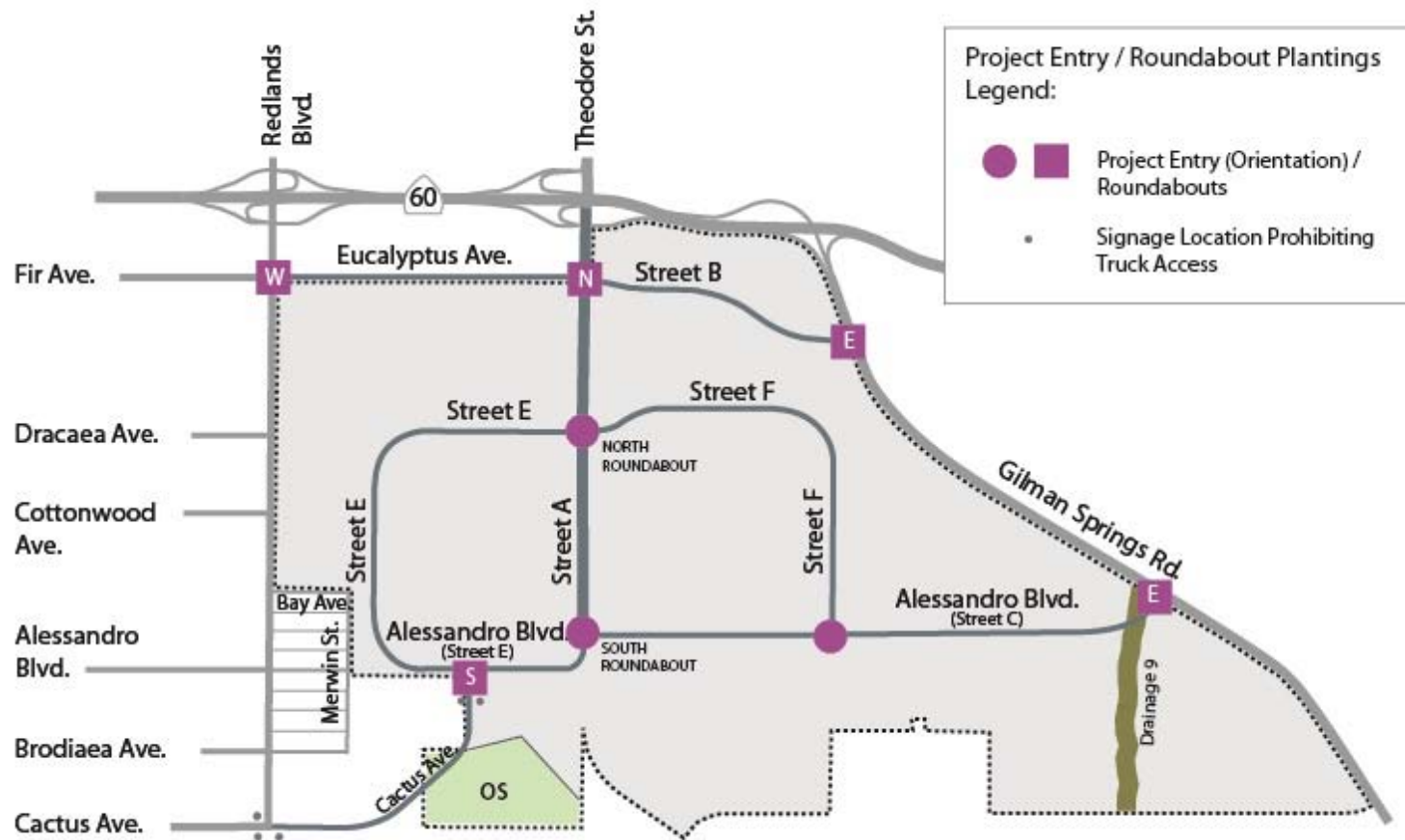
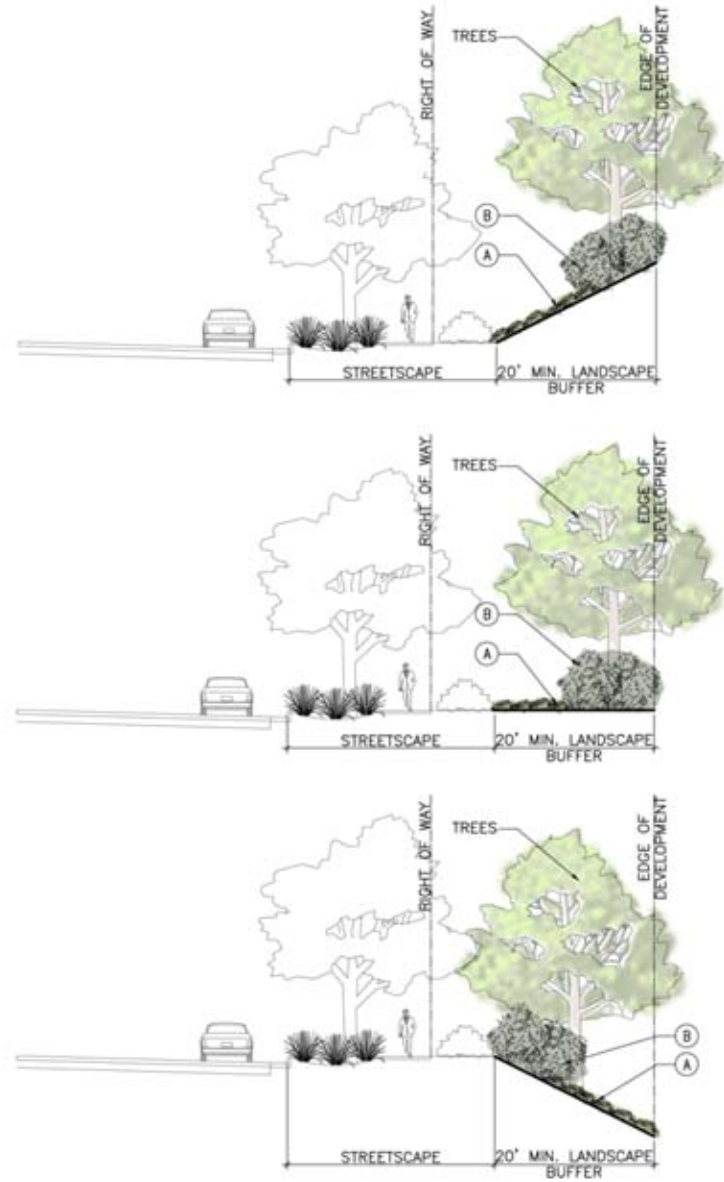


Exhibit 4-25 Streetscape Planting Map (pg.4-37)  
 (See simulations on pages 4-38 to 4-42)



Exhibit 4-26 Slope Planting Guideline (pg.4-43)



EXHIBITS

E-46

Exhibit 5-1 Water Quality Management Diagram (pg.5-4)

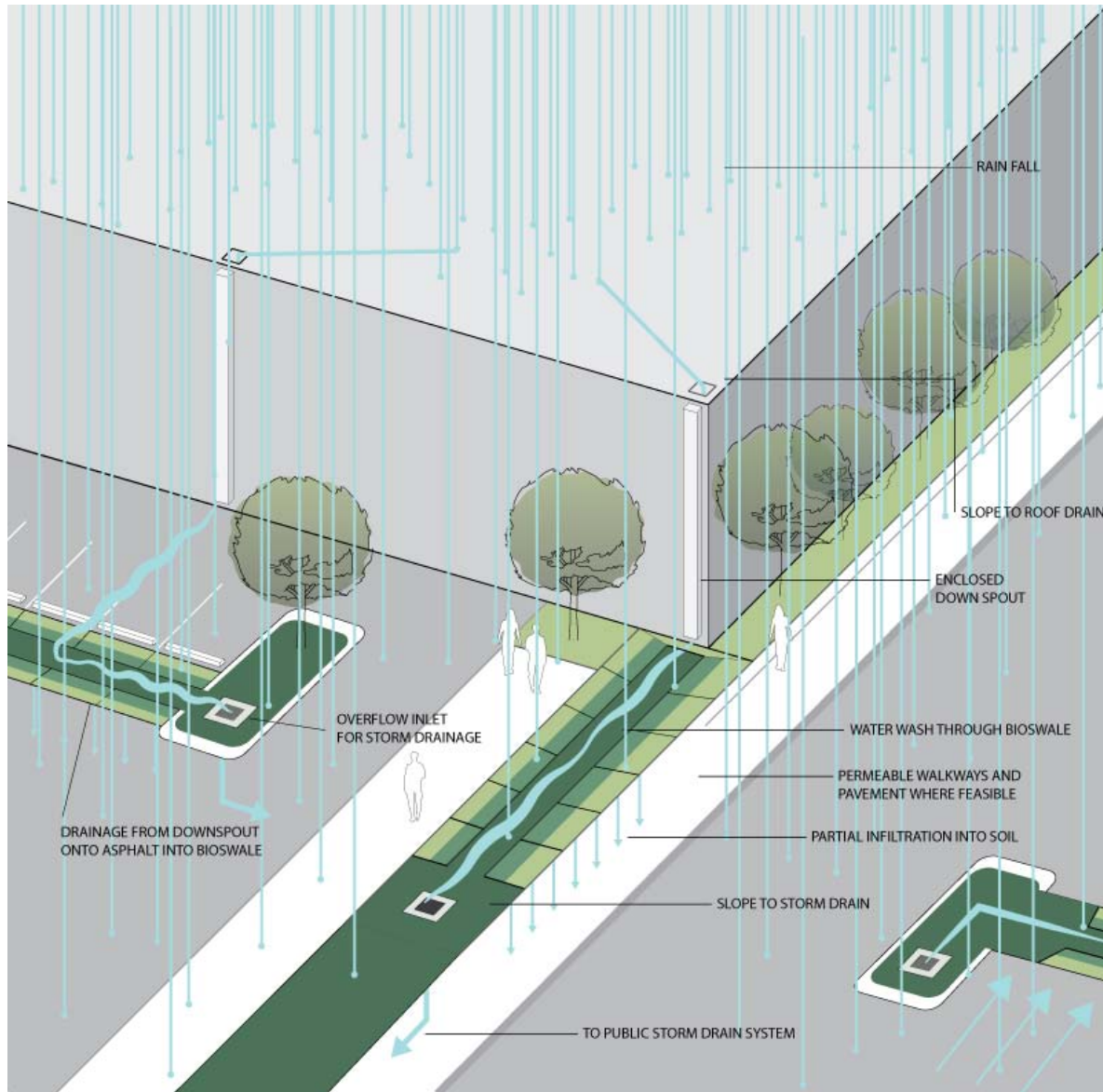


Exhibit 5-2 Visitor Parking Plan (pg.5-14)

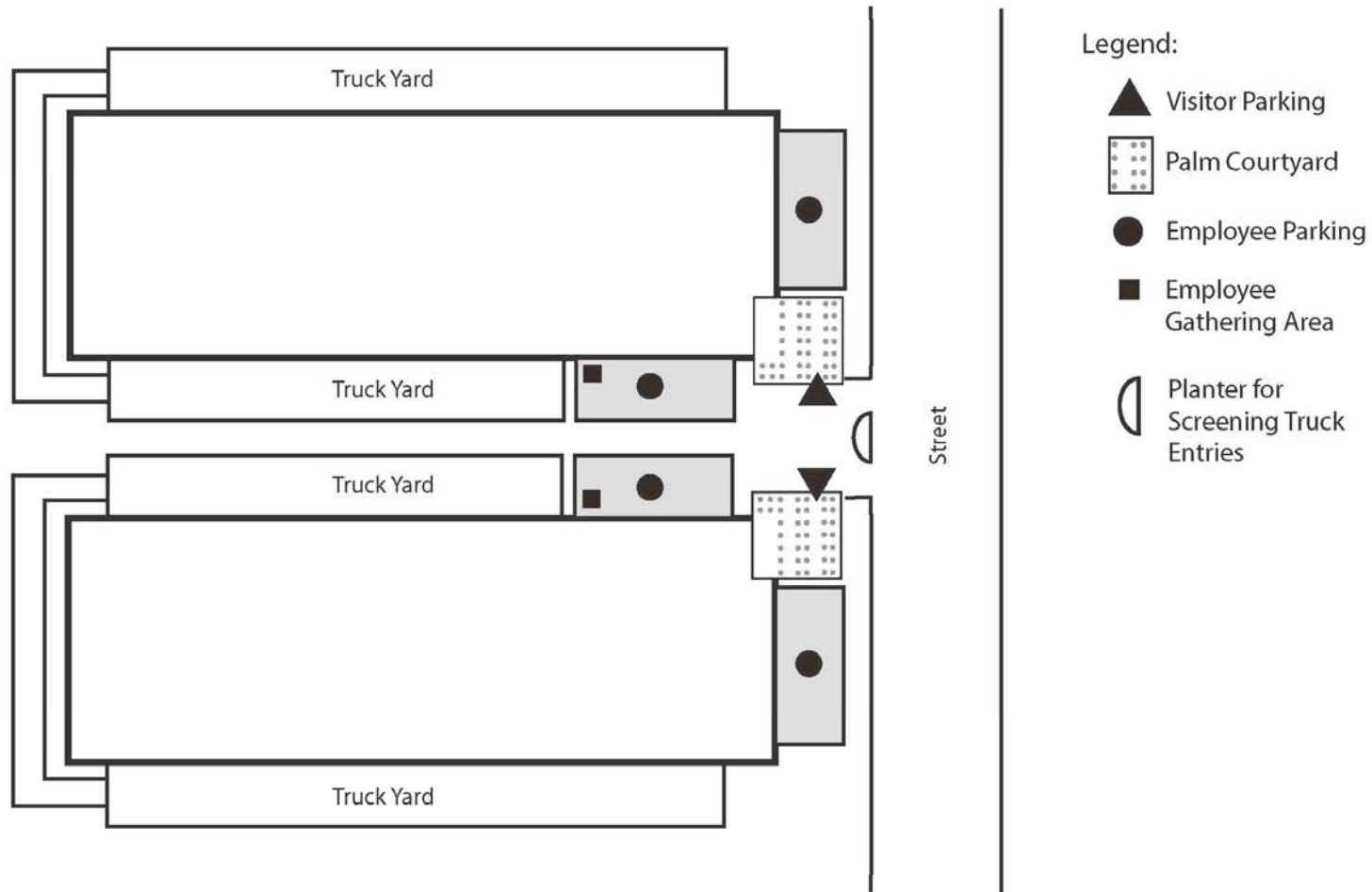




Exhibit 5-3 Building Height Plan (pg.5-21)

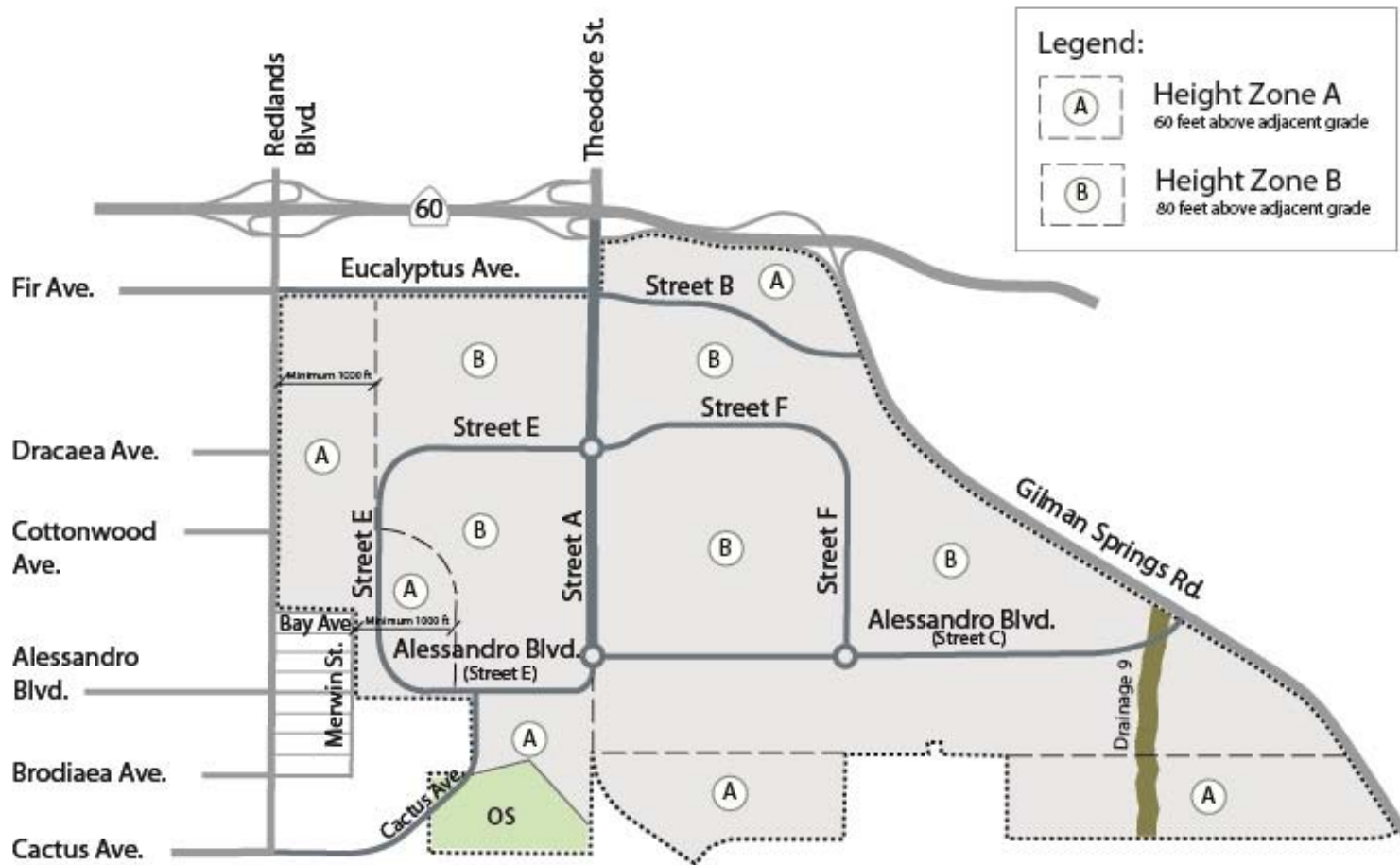


Exhibit 6-1 Off-site Water Management Plan (pg.6-1)

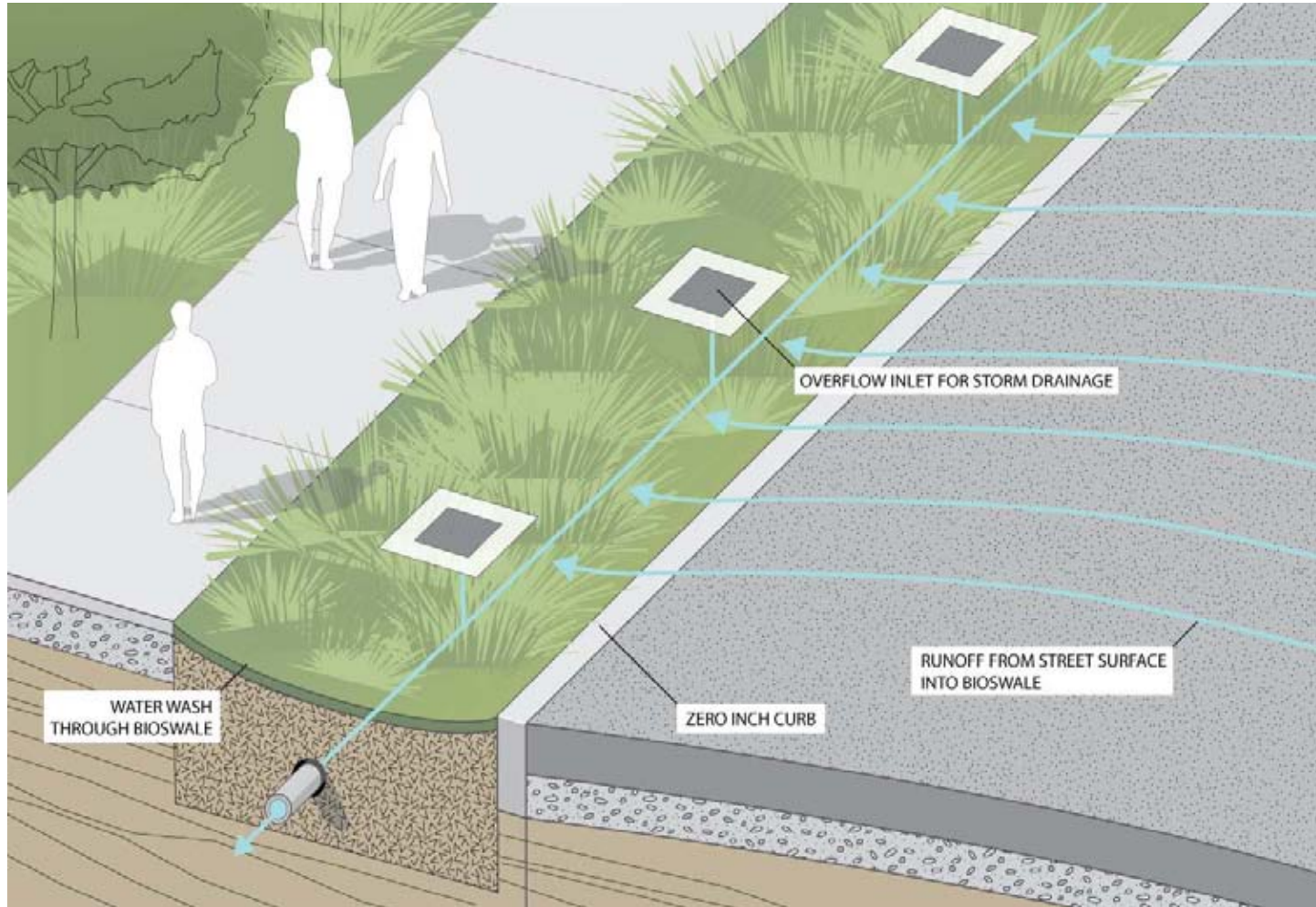


Exhibit 8-1 Phasing Plan (pg.8-1)



PLANNING COMMISSION RESOLUTION NO. 2015-15

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA12-0015 (TENTATIVE PARCEL MAP NO. 36457) FOR THE PURPOSES OF ESTABLISHING TWENTY-SIX (26) PARCELS FOR FINANCING AND CONVEYANCE PURPOSES, INCLUDING AN 85 ACRE PARCEL OF LAND CURRENTLY LOCATED IN THE COUNTY OF RIVERSIDE AND ADJACENT TO GILMAN SPRINGS ROAD AND ALESSANDRO BOULEVARD INTO THE CITY OF MORENO VALLEY AND INCLUDED IN THE WORLD LOGISTICS CENTER SPECIFIC PLAN LOCATED IN EASTERN MORENO VALLEY GENERALLY EAST OF REDLANDS BOULEVARD, SOUTH OF STATE ROUTE 60, WEST OF GILMAN SPRINGS ROAD AND NORTH OF THE SAN JACINTO WILDLIFE AREA.**

**WHEREAS**, the applicant, Highland Fairview, has filed an application for Tentative Parcel Map No. 36457, including twenty six (26) parcels for financing and conveyance purposes, and which map, in part, may be used for subsequent annexation of an 85 acre parcel of land, created with the map, located adjacent to Gilman Springs Road and Alessandro Boulevard into the City of Moreno Valley; and

**WHEREAS**, The project also includes applications for an Environmental Impact Report (EIR) under P12-016, General Plan Amendment (PA12-0010), Change of Zone (PA12-0012), Specific Plan (PA12-0013), Pre-Zoning/Annexation (PA12-0014) and a Development Agreement (PA12-0011) All of the discretionary applications are related, but approved under separate resolutions or ordinances with individual findings; and

**WHEREAS**, on June 11, 2015 the Planning Commission of the City of Moreno Valley held a public hearing to consider and provide a recommendation on the application for a tentative parcel map; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and

**WHEREAS**, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced hearing, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  - 1. The proposed project is consistent with applicable General and Specific Plans and the Zoning ordinance.

**FACT:** The proposed financing map is associated with the World Logistics Center Specific Plan project and is for financing and conveyance purposes only and does not convey any development approvals for the property. Subsequent subdivision maps will be required for development of the property to occur in accordance with the proposed Specific Plan, General Plan Amendment, and Change of Zone that will designate 2,610 acres for primarily logistics development and 1,104 acres for permanent open space outside of the Specific Plan area.

- 2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

**FACT:** The tentative map is for finance and conveyance purposes, and which map, in part, may be used for subsequent annexation of an 85 acre parcel of land, created with the map, located adjacent to Gilman Springs Road and Alessandro Boulevard in the County of Riverside into the City of Moreno Valley. Approval of this tentative map does not provide any development rights and therefore does not involve the design or improvements to any subdivided property.

- 3 The site of the proposed land division is physically suitable for the type of development

**FACT:** The proposed tentative map has been designed in accordance the City Zoning Ordinance and the State Subdivision Map Act. The tentative map is for financing and conveyance purposes only and therefore does not constitute any development rights that would allow physical improvements to the property.



4. The site of the proposed land division is physically suitable for the proposed density of development.

**FACT:** The proposed tentative map is consistent with the development envisioned with the proposed General Plan Amendment (PA12-0010), Specific Plan (PA12-0013) and Change of Zone (PA12-0012) for the overall World Logistics Project . Said map is only for financing and conveyance purposes and does not constitute any development rights.

5. The design of the subdivision or the type of improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

**FACT:** An Environmental Impact report (EIR) has been prepared for the overall project, including the proposed Tentative Parcel Map. Analysis presented in the EIR indicates that the proposed project will have certain significant unavoidable adverse impacts to Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation, as described in detail within the draft document. All other environmental effects evaluated in the Draft EIR are considered to be less than significant, or can be feasibly reduced with mitigation measures to less than significant levels. A Statement of Overriding Findings and Considerations has been prepared for said project that is weighed with impacts that cannot be reduced to less than significant levels. Said EIR is required to be certified and approved as a part of the proposed project and is also accompanied by a Mitigation Monitoring Program, which will ensure the completion of required mitigation measures for the project. The proposed tentative map does not constitute any development rights that would allow physical improvements to the property.

6. The design of the subdivision or the type of improvements is not likely to cause serious health problems.

**FACT:** The proposed tentative map does not constitute any development rights that would allow physical improvements to the property. The overall WLC Specific Plan includes design standards that are considerate, minimize and/or avoid environmental impacts to surrounding sensitive land uses.

7. The design of the proposed land division or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.



**FACT:** The proposed tentative map does not constitute any development rights that would allow physical improvements to the property. There are no known conflicts with easements on the subject site. The City Engineer has appropriately placed conditions of approval on Tentative Parcel Map No. 36457. Individual subsequent subdivision maps will be required to develop the property. Additional conditions of approval may be warranted when future development applications and plot plans are submitted.

8. That the Requirements of the California Environmental Quality Act have been satisfied.

**FACT:** All requirements of the California Environmental Quality Act have been satisfied. Based on scope of the project, a Program Environmental Impact Report (EIR) was prepared. Due to the large project size, proposed phasing of the project and limited information known about future development of industrial buildings, a programmatic EIR rather than a project EIR has been prepared. Although the environmental document is considered a programmatic document, allowances within the CEQA Guidelines will be provided through the “tiered approach” to allow compliance through individual parts of the project to tier off of the main document when development proposals are submitted.

Per California Environmental Quality Act (CEQA) Guidelines, the Draft Environmental Impact Report (DEIR) document was required to be circulated for a 45-day public review period. Notice of completion and availability of the document was provided on February 5, 2013, with over a 60-day review period imposed with the public review and comment period ending on April 8, 2013. The final EIR was provided to the public approximately 41 days prior to the Planning Commission public hearing.

While the proposed tentative map does not constitute any development rights that would allow physical improvements to the property, the EIR prepared for the overall WLC project indicates that the project will have certain significant environmental impacts to, Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation as described in detail in both the Draft EIR and Final EIR that cannot be reduced to less than significant levels even with proposed mitigation in place. As identified in the document, cumulative impacts for the noted impacts above are considered to be significant and unavoidable for these five items. The EIR presented mitigation measures, which, to the extent feasible, will reduce

project-specific and cumulative impacts for each of these items; however in some instances this did not reduce impacts below significant thresholds. All other environmental effects evaluated in the Draft EIR have been determined to be less-than-significant, or can be successfully mitigated below significant thresholds. All mitigation measures are included in the Mitigation Monitoring and Reporting Program established by the Environmental Impact Report.

Although impacts to aesthetics, air quality, land use, noise, and traffic/circulation cannot be reduced to less than significant levels, CEQA allows for a Statement of Overriding Considerations and findings to be prepared and considered. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. This would include project benefits of the WLC Project such as the creation of jobs, reducing the jobs housing imbalance or other benefiting project aspects that can be weighed against project impacts that cannot be mitigated to less than significant levels. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable” as allowed for under CEQA.

## C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

### 1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

## 2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA12-0015 incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-15, **RECOMMENDING APPROVAL TO CITY COUNCIL** of PA12-0015 (Tentative Tract Map No. 36457) for the purpose of establishing twenty six (26) parcels for future development within 2,610 acres included in the proposed World Logistics Specific plan for a logistics high cube warehouse complex and open space, to include the annexation of approximately 85 acres to be annexed from the County of Riverside into the City of Moreno Valley subject to the attached map and conditions of approval hereto as Exhibits A and B and based on the Adoption and Certification of the Environmental Impact Report, Mitigation Monitoring Program and Statement of Overriding Considerations,

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Brian Lowell  
Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
Richard J. Sandzimier, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

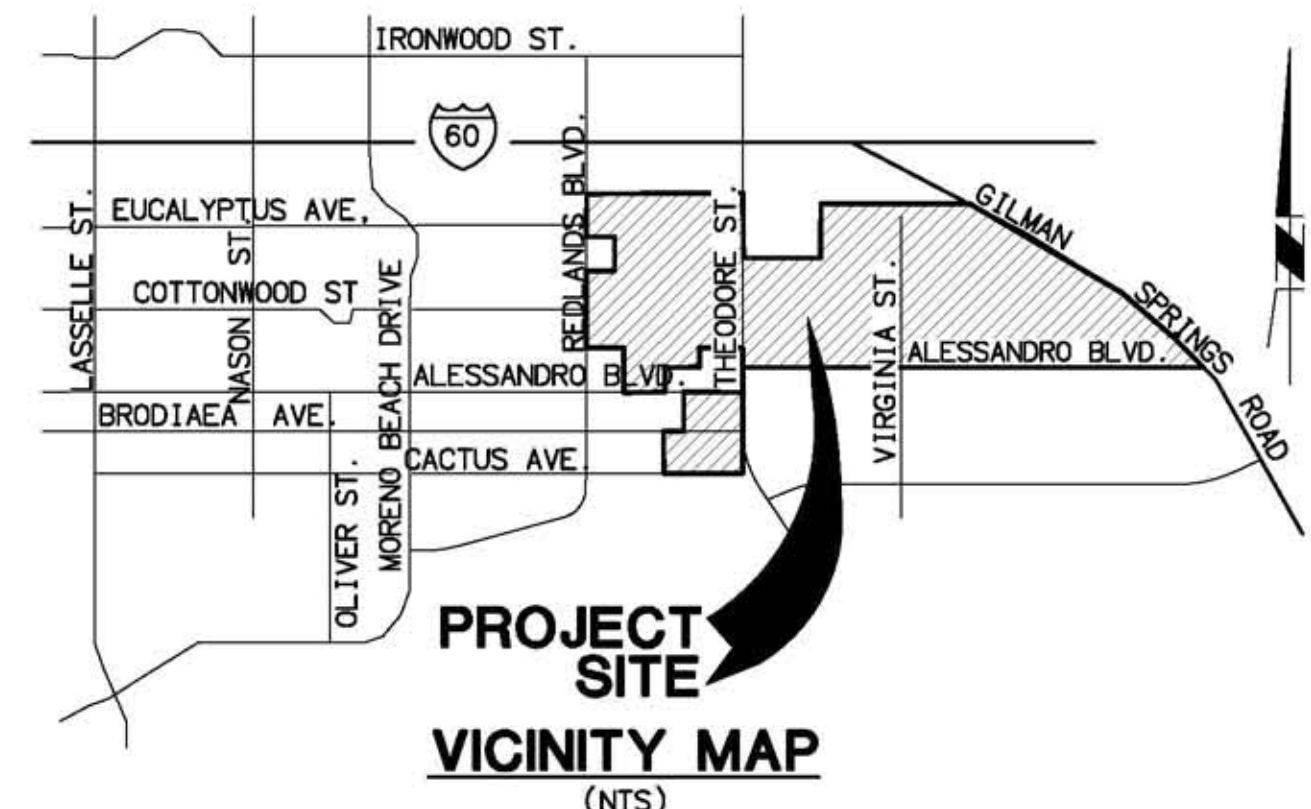
Attached: Tentative Parcel Map No. 36457 and Conditions of Approval

Attachment: PC Resolution 2015-15 with Map and COAs (combined) (1462 : World Logistics Center project includes a General Plan



PARCEL SUMMARY

Table with 3 columns: PARCEL #, GROSS AC., NET AC. Rows 1-26 and TOTAL.



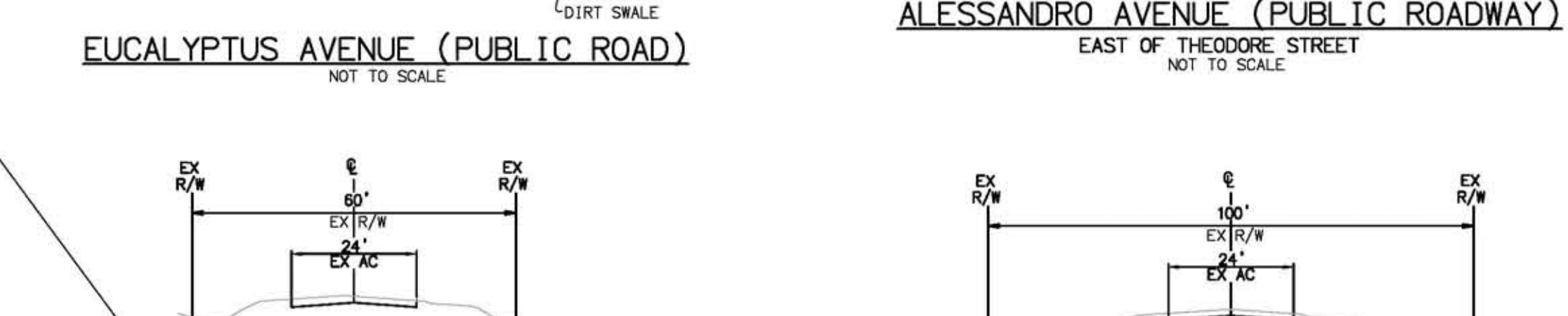
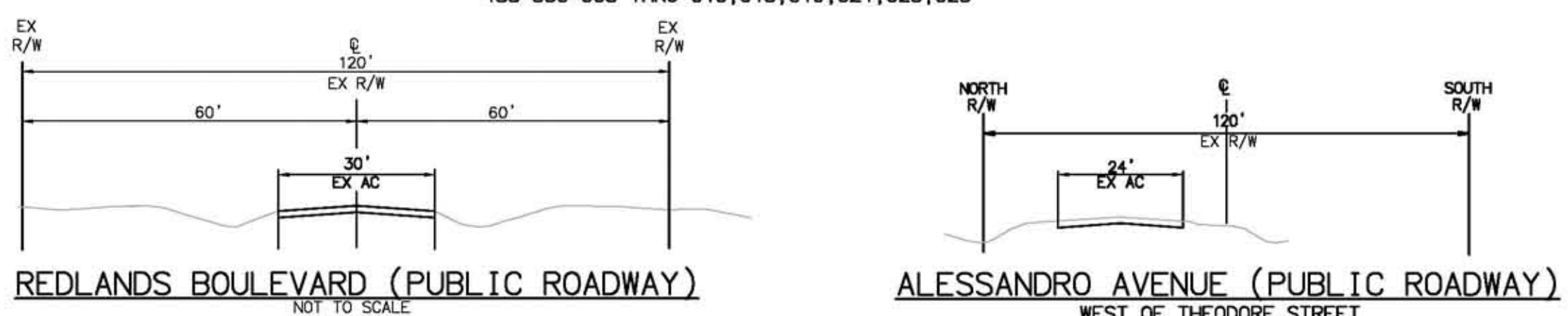
LEGEND

- Parcel map project boundary
Proposed lot line
Existing R/W
Existing lot lines, R/W lines to be eliminated/vacated
Existing centerlines
Existing easements
Existing easements
City limits
Section lines

DATA TABLE with columns: BEARING/Delta, RADIUS, LENGTH. Rows 1-30.

TENTATIVE PARCEL MAP NO. 36457
TOTAL ACRES: 1,539.2
PREPARED: APRIL 2015
FOR FINANCE AND CONVEYANCE PURPOSES ONLY

ASSESSOR PARCEL NUMBERS: 422-070-006, 010, 017, 018, 019, 020, 021, 022...



EASEMENT NOTES:

- 13. AN EASEMENT SHOWN OR DEDICATED ON THE MAP FILED OR RECORDED IN BOOK 11, PAGE 10 OF MAPS FOR PIPELINES, DITCHES, FLUMES, AND RIBBONS AND INCIDENTAL PURPOSES...
14. AN EASEMENT SHOWN OR DEDICATED ON THE MAP FILED OR RECORDED BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO. IN BOOK 11, PAGE 10 OF MAPS FOR RIGHT OF WAY IN FAVOR OF THE PUBLIC OVER THE PORTION OF SAID LAND...

EASEMENT NOTES:

- 52. AN EASEMENT SHOWN OR DEDICATED ON THE MAP FILED OR RECORDED IN BOOK 11, PAGE 10 OF MAPS FOR PIPELINES, DITCHES, FLUMES, AND RIBBONS AND INCIDENTAL PURPOSES...
53. AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 25, 1958 IN BOOK 2205, PAGE 147 OF OFFICIAL RECORDS IN FAVOR OF FOUR CORNERS PIPE LINE COMPANY...

LEGAL DESCRIPTION

ALL OF BLOCKS 55, 56, 57, 81, 82, 83, 84, 85, 86, 87, 88, 109, 111, 112 AND 136 AS SHOWN BY MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY...

GENERAL NOTES:

- 1. THE BASIS OF THIS MAP IS A PRELIMINARY TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY UNDER ORDER NO. NS-022870, DATED FEBRUARY 10, 2012 (INCLUDES THIS AND OTHER PROPERTIES)...
2. GEOSPATIALLY LOCATABLE ITEMS FROM SCHEDULE B OF SAID REPORT (SUCH AS EASEMENTS) ARE SHOWN ON THIS MAP AND ARE NUMERICALLY KEYS TO THE REPORT BY THE SYMBOL (C).

THIS MAP DOES NOT CREATE LEGAL BUILDING SITES. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY.

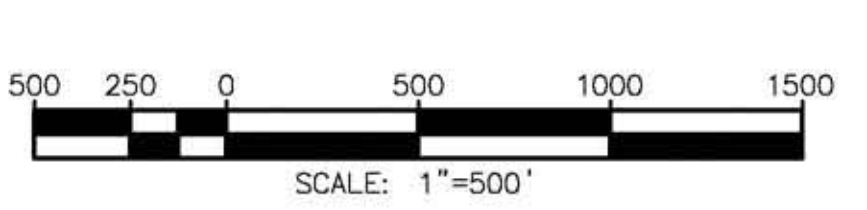
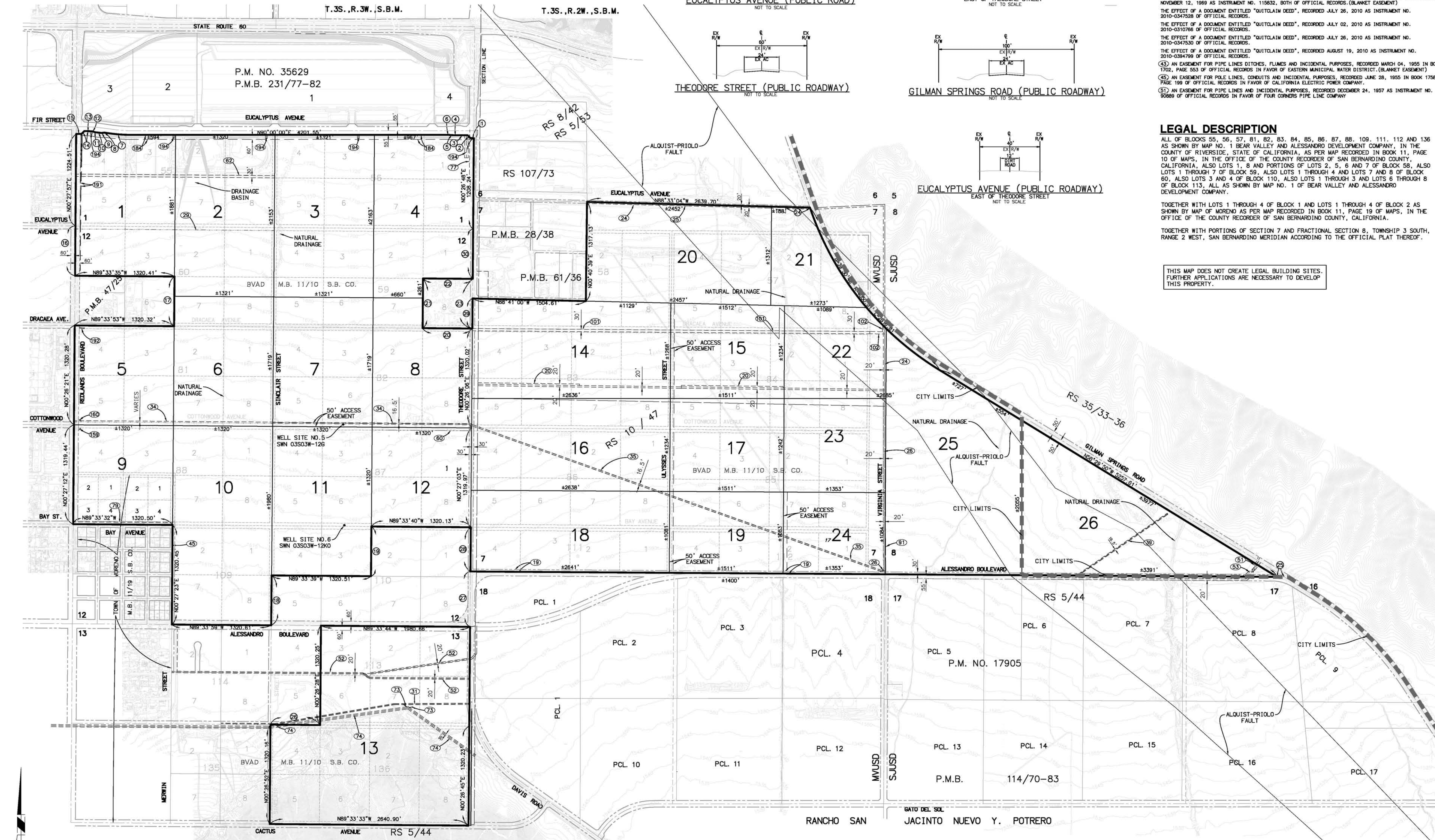


Table with columns: JOB NO., SCALE, DATE, DESIGNED BY, DATE, REVISIONS, APP'D, DATE.

RBF CONSULTING logo and address: 14725 ALTON PARKWAY, IRVINE, CALIFORNIA 92618-2027.

WORLD LOGISTICS CENTER TENTATIVE PARCEL MAP NO. 36457 FOR FINANCE PURPOSES CITY OF MORENO VALLEY



CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
FOR  
TENTATIVE PARCEL MAP  
Case No: PA12-0015  
A.P.N.: Various Properties on File

Approval Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

The following conditions are attached for the following departments:

- Planning (P), including School District (S), Post Office (PO), Building (B)
- Fire Prevention Bureau (F)
- Public Works, Land Development (LD)
- Public Works, Special Districts (SD)
- Public Works – Transportation (TE)
- Parks & Community Services (PCS)
- Police (PD)
- Moreno Valley Utilities
- Other (Specify or Delete)

**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT**

**Planning Division**

**GENERAL CONDITIONS**

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

**Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):**

- |                              |                             |                     |
|------------------------------|-----------------------------|---------------------|
| R - Map Recordation          | GP - Grading Permits        | CO - Certificate of |
|                              | Occupancy or building final |                     |
| WP - Water Improvement Plans | BP - Building Permits       | P - Any permit      |

**Governing Document (see abbreviation at the end of the affected condition):**

- |                   |                                  |                   |
|-------------------|----------------------------------|-------------------|
| GP - General Plan | MC - Municipal Code              | CEQA - California |
|                   | Environmental Quality Act        |                   |
| Ord - Ordinance   | DG - Design Guidelines           | Ldscp - Landscape |
|                   | Development Guidelines and Specs |                   |
| Res - Resolution  | UFC - Uniform Fire Code          | UBC - Uniform     |
|                   | Building Code                    |                   |

SBM - Subdivision Map Act

Attachment: PC Resolution 2015-15 with Map and COAs (combined) (1462 : World Logistics Center project includes a General Plan



**PLANNING DIVISION  
CONDITIONS OF APPROVAL**

**Page 2**

- P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
- P3. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, World Logistics Center Specific Plan and the conditions contained herein. Prior to recordation of the final map, all Conditions of approval shall be completed to the satisfaction of the City Planning Official or designee. (MC 9.14.020)
- P4. The developer or the developer's successor of interest shall be responsible for maintaining any undeveloped portions of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P5. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)
- P6. Tentative Parcel Map No. 36457 would grant the approval to subdivide 1,539.2-gross acres into 26 lots for finance and land conveyance purposes only and does not provide any rights for development. No applications for building or grading permits shall be accepted for the parcel or parcels created by this map until a future application for development under the Specific Plan has been approved by the City, or as prescribed by conditions of approval already in place with underlying entitlement approval that govern continued or subsequent development of the property as described on the face of the map per MC 9.14.065 (3d).
- P7. Any submittal requirements which were waived in connection with the financing map in accordance with 9.14.065(3a.) shall be submitted concurrently with the first discretionary application for development of the property covered by the map (i.e. with an application for a future map or plot plan).

**PLANNING DIVISION  
CONDITIONS OF APPROVAL  
Page 3**

**PRIOR TO FINAL MAP**

- P8. Tentative Tract Map No. 36457 may be acted upon in the manner provided in Government Code Section 66452, except that if the final map is approved, such approval shall be conditioned upon annexation of the property to the City of Moreno Valley.

**CITY OF MORENO VALLEY  
COMMUNITY & ECONOMIC DEVELOPMENT - LAND DEVELOPMENT DIVISION  
CONDITIONS OF APPROVAL  
PA12-0015 / TPM 36457 – 26 Parcel Financing Map**

**COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION**

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

- LD1.** The developer shall comply with all applicable City ordinances and resolutions including the City’s Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)
- LD2.** If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5)
- LD3.** It is understood that the [Tentative Parcel Map](#) correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4.** Each parcels of land shall have access from a public road, or public access is both feasible and required for approval of the proposed map (MC 9.14.065)
- LD5.** Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.
- LD6.** The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL**

**PA12-0015 (Tentative Parcel Map 36457 for a 26 Parcel Financing Map for the  
WLC Project)**

**APNs: 422-070-006, -010, -017, -018, -019, -020-,022, 422-080-001 thru 422-080-004,  
422-110-001, 422-130-001 thru 422-130-003, 478-210-054 & -055, 478-230-001 thru -  
007, -009 thru -011, -014,-019, -020, 478-240-005 thru -008, -011, -017, -019, -024  
thru -030, 488-350-003 thru -010, -015, -019, -021, -023, and -025  
05.18.15**

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

**Special Districts Division**

**Acknowledgement of Conditions**

The following items are the Special Districts Division's Conditions of Approval for project **PA12-0015**; this project shall be completed at no cost to any Government Agency. All questions regarding the following including but not limited to intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Financial & Management Services Department 951.413.3480 or by emailing [specialdistricts@moval.org](mailto:specialdistricts@moval.org).

**General Conditions**

- SD-1 The Special Districts Division will condition the parcels associated with Tentative Parcel Map 36457 for all special financing districts applicable to the project when an application for development is submitted to the City for review.

**CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Case No: PA12-0010, 0011, 0012, 0013, 0014, 0015 & 0016  
TTM: 36457  
Date: 05-07-2015**

**PUBLIC WORKS DEPARTMENT**

**Moreno Valley Utility**

**Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering.** All other conditions are standard to all or most development projects.

**Acknowledgement of Conditions**

The following items are Moreno Valley Utility's Conditions of Approval for project PA12-0010, 0011, 0012, 0013, 0014, 0015 & 0016; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

**PRIOR TO ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY**

- MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
- MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution:** Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision

improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

- MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. Payment shall be required prior to issuance of building permits.
- MVU-4 For all new projects, existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.



## RESOLUTION NO. 2015-16

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA12-0011 (DEVELOPMENT AGREEMENT) FOR THE WORLD LOGISTICS CENTER PROJECT COVERING REAL ESTATE HIGHLAND FAIRVIEW HAS LEGAL OR EQUITABLE INTEREST IN, ON APPROXIMATELY 2,263 ACRES, WITHIN THE WORLD LOGISTICS SPECIFIC PLAN AREA (2,610 ACRES), INTENDED TO BE DEVELOPED AS HIGH CUBE LOGISTICS WAREHOUSE AND RELATED ANCILLARY USES GENERALLY LOCATED EAST OF REDLANDS BOULEVARD, SOUTH OF STATE ROUTE 60, WEST OF GILMAN SPRINGS ROAD AND NORTH OF THE SAN JACINTO WILDLIFE AREA.**

**WHEREAS**, the applicant, Highland Fairview has requested and filed an application for the approval of PA12-0011 (Development Agreement) for the World Logistics Center logistics project, including all real estate properties held by legal or equitable interest by the applicant, Highland Fairview, located in the eastern portion of Moreno Valley; and

**WHEREAS**, Article 2.5 of the California Government Code, codified by reference in Section 9.02.110 of the City of Moreno Valley Municipal Code, permits local agencies and property owner to enter into development agreements as to matters such as the density, intensity, timing and conditions of development of real properties to provide enhanced degree of certainty in the development process for both the property owner and the public agency; and

**WHEREAS**, the project also includes applications for an Environmental Impact Report (EIR) under P12-016, General Plan Amendment (PA12-0010), Change of Zone (PA12-0012), Specific Plan (PA12-0013), Pre-zoning/Annexation (PA12-0014), and Tentative Tract Map No. 36457(PA12-0015). All discretionary applications are related, but approved under separate resolutions or ordinances with individual findings; and

**WHEREAS**, on June 11, 2015 the Planning Commission of the City of Moreno Valley convened a public hearing to consider and provide a recommendation on the application for a Development Agreement; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and

**WHEREAS**, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions other exactions pursuant to state law and City ordinances as provided herein.

**NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  - 1. **Conformance with General Plan Policies** – The development agreement is consistent with the General Plan, and its goals, objectives, policies and programs.

**FACT:** The development agreement is tied to the development project known as the World Logistic Center Specific Plan located in eastern Moreno Valley, and is covered by the proposed General Plan Amendment that will designate 2,610 acres for primarily logistics development and 1,104 acres for permanent open space outside of the Specific Plan area. Approximately 104 acres within the project area will be used for off-site improvements to serve the World Logistics Center project. Within this area, 2,610 acres are included in the proposed World Logistics Center Specific Plan which will contain approximately 2,420 acres (including Logistics and Light Logistics zoned areas) for proposed logistics or industrial warehouse land uses, 74.3 acres of the Open Space and 115.8 acres designated for roadway rights of way. Within the Specific Plan area, up to 40.4 million square feet of future high-cube logistics uses are proposed in the LD “Logistics Development” designation, as well as 200,000 square feet of warehouse and related uses to be included in the “Light Logistics” designation.

- 2. **Conformance with Zoning Regulations/Land Use Districts** – The development agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located.

**FACT:** The Development Agreement is compatible with all applicable zoning regulations and conforms with modifications proposed for land use and zoning within the General Plan Amendments, Change of Zone and Specific Plan for the project known as the World Logistics Center Specific Plan. The proposed Specific Plan, General Plan Amendment and Change of Zone will change existing land uses in the project area to Logistics Development (LD), Light Logistics (LL), and Open Space (OS).

3. **Public Convenience, General Welfare and Good Land Use Practice** – The development agreement is in conformity with public convenience, general welfare and good land use practice.

**FACT:** The World Logistics Center project and this associated development agreement are in conformance with public convenience, general welfare and overall good land use practice. The Development Agreement includes negotiated public benefits more specifically summarized as Exhibit A-3 of the Development Agreement (Exhibit A).

4. **Health, Safety and Welfare** – The development agreement will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

**FACT:** An Environmental Impact report (EIR) has been prepared for the overall project and includes the Development Agreement. The EIR is a program document and subsequent project level environmental analysis will be performed, as required. A Statement of Overriding Considerations has been prepared and adopted by the City Council for the World Logistics Center project to address those impacts identified that cannot be reduced to less than significant levels. Said EIR has been certified. Said EIR includes a Mitigation Monitoring Program, which will ensure the completion of required mitigation measures for the project.

Provisions have been included in the Development Agreement to ensure development of the requisite fire station, with equipment, in the project area. In addition, provisions have been included in the Development Agreement to provide air filtration equipment above and beyond the mitigation requirements of the project.

5. **Orderly Development and Preservation of Property Values** – The development agreement will not adversely affect the orderly development or the preservation of property values for the subject property or any other properties.

**FACT:** The Development Agreement for the project would not adversely affect development or preservation of property values for the subject project site. The proposed development and specific plan will allow future industrial development in phases and provide orderly development. The proposed land use of Business Park is consistent with a large portion of land included in the current Moreno Highlands Specific Plan, which provided for 361 acres of Business Park land use. The project, consistent with the City's

current Economic Development Action Plan will assist with the jobs housing balance in the region, reduce residential zoned property and have the potential to provide for future jobs. Provisions in the Development agreement have been include to ensure enhanced public benefits in promoting local hiring, training, and workforce development.

The WLC Specific Plan includes design standards such as a circulation system that limits truck traffic access in the Plan area to primarily Theodore Street (from Highway 60) and Gilman Springs Road and away from existing residential neighborhoods to the west of the project site. Additional passenger car access would be allowed from Cactus Avenue with trucks prohibited from that route. All motor vehicle access along Alessandro Boulevard from the west would be prohibited, with allowance for pedestrian and bicycle access only. The Specific Plan also provides special edge treatment areas surrounding the perimeter of the proposed World Logistics Center Specific Plan boundary that provides a 250 foot setbacks or greater between the Specific Plan development area and adjacent areas along Gilman Springs Road, Redlands Boulevard, and the San Jacinto Wildlife Area

### **C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

1. Unless specified to the contrary because of required construction of public infrastructure or as specified in the development agreement, impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution or as specified in the development agreement, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

**2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

The Development Agreement (PA12-0011) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. As specified in the development agreement, the City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-16, **RECOMMENDING APPROVAL TO CITY COUNCIL** of PA12-0011 (Development Agreement) for a 40.6 million plus square foot high cube logistics center, with additional warehouse ancillary uses and open space within the WLC Center Specific Plan included in the eastern portion of Moreno Valley as attached hereto as Exhibit A and on the affirmative recommendation of the Adoption and Certification of the Environmental Impact Report Mitigation Monitoring Program and Statement of Overriding Considerations

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Brian Lowell  
Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
Richard J. Sandzimier, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attached: Development Agreement

Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan

Recording Requested by And  
When Recorded Return to:

## **CONFIDENTIAL DRAFT**

City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92552  
Attn: City Clerk

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[Exempt From Recording Fee Per Gov. Code § 27383]

### DEVELOPMENT AGREEMENT

(World Logistics Center)

This DEVELOPMENT AGREEMENT (“Agreement”) is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the CITY OF MORENO VALLEY, a California general law municipal corporation (“City”), and HF PROPERTIES, a California general partnership, SUNNYMEAD PROPERTIES, a Delaware general partnership, THEODORE PROPERTIES PARTNERS, a Delaware general partnership, 13451 THEODORE, LLC, a California limited liability company, and HL PROPERTY PARTNERS, a Delaware general partnership (collectively “HF”). The City and HF hereafter are referred to collectively as the “Parties” and individually as a “Party.”

### RECITALS

A. Consistent with the City’s economic development and general plan, the City and HF have agreed to enter into this Agreement because the World Logistics Center will be a master planned business park specifically designed to support large global companies and their business and logistics operations which will be a significant revenue generating, job creating and training/education project as further detailed in Exhibit A-3.

B. The City is authorized to enter into development agreements with persons having legal or equitable interests in real property for the development of such property pursuant to California State general laws: Article 2.5 of Chapter 4 of Division I of Title 7 of the California Government Code commencing with section 65864 (the “Development Agreement Law”), and Article XI, Section 7, of the California Constitution, together with City ordinances.

C. The City has enacted an ordinance, codified and set forth in the Moreno Valley Municipal Code as Title 9, Section 9.02.110 (the “Development Agreement Ordinance”) that establishes the procedures and requirements for its consideration of such development agreements upon application by, or on behalf of, persons having legal or equitable interests in real property pursuant to the Development Agreement Law.

D. HF represents and hereby warrants that it has a legal and equitable interests in approximately two thousand, two hundred sixty three (2263) acres of real property located in the region commonly referenced as the Rancho Belago area of the City, as described in the legal



description set forth in Exhibit “A-1” and as illustrated in the depiction set forth in Exhibit “A-2” (the “Subject Property”). The City has been provided proof of the records HF relies upon for the representation and warranty by HF. City is relying upon this evidence and considers it to be an element of HF’s consideration for this Agreement.

E. In clarification of the foregoing the Subject Property includes approximately 85 acres, as described on Exhibit “A-1” and depicted in Exhibit “A-2” that is currently located in an unincorporated area of Riverside County but is proposed by HF to be annexed to the City within five years, subject to the process and approval of the Riverside County Local Area Formation Commission (the “Annexation”).

F. The World Logistics Center Specific Plan (“WLCSP”) allows the development of approximately forty million, six hundred thousand (40,600,000) square feet of industrial, logistics, warehouse and support use on the land subject to the WLCSP. The Development, as hereinafter defined, includes both HF improvements to the subject property and City entitlements, including but not limited to, a General Plan Amendment, adoption of the WLCSP, a Zone Change, Tentative Parcel Map 36457 and annexation of an 85-acre parcel along Gilman Springs Road. The Development, including the Project, as defined herein, will also include subdivision maps and other approvals needed to construct the facilities proposed for the Subject Property. The permitted uses of the Subject Property, including a plan of development, the density and intensity of use, the maximum height and size of proposed buildings are set forth in the WLCSP, as it may be amended from time to time, and are hereby incorporated by reference. The City’s certification of the Environmental Impact Report, approval of the General Plan Amendment, adoption of the WLCSP, adoption of the Zone Change, approval of the Tentative Parcel map are conditions precedent to this Agreement.

G. The development of the Subject Property will generate a variety of public benefits to the City, its residents, property owners, taxpayers and surrounding communities. The Project is believed to substantially advance the goals of the City’s adopted Economic Development Action Plan, expand and improve the City’s property and sales tax base, invest significant private capital into the local economy, generate extensive construction employment and new permanent employment opportunities for Moreno Valley and the region, and help to reduce the severe jobs to housing imbalance that currently exists in the City. Among the public benefits, the development of this Project pursuant to the WLCSP will implement goals, objectives and policies of the City’s General Plan, and the WLCSP, which will provide logistics development, public utility and open space uses for the Subject Property and for the City. In exchange for the duties and obligations imposed by this Agreement, HF will receive the vested right to develop the Subject Property for the Term in accordance with the terms of this Agreement.

H. The City has previously adopted the Economic Development Action Plan (“EDAP”). The WLCSP responds to a portion of the EDAP. The eastern portion of Moreno Valley is deficient in the infrastructure necessary to support and implement the City’s EDAP. To allow for the development of the World Logistics Center and the WLCSP, HF is willing to provide and assist the City in the development of infrastructure in support of the City’s economic plan which may be in excess of HF’s fair share and therefore may provide broader benefits. The City and HF desire to ensure that all beneficiaries of the Infrastructure Improvements will pay their fair share per the Municipal Code. Therefore this Agreement includes reference to the

City's usual method for reimbursement to an owner for the amount of the costs of such Infrastructure Improvements which exceeds the fair share of those costs and accrues to the benefit of other owners.

I. On \_\_\_\_\_, 2015, the Planning Commission of the City, at a duly noticed public hearing, recommended, in Resolution \_\_\_\_\_, that the City Council certify the Environmental Impact Report (SCH # 2012021045) (the "EIR"). The Planning Commission also recommended that the City Council approve General Plan Amendment \_\_\_\_\_, the WLCSP, the Annexation, Zone Change No. \_\_\_\_\_ and Tentative Parcel Map 36457.

J. On \_\_\_\_\_, 2015, the City Council of the City, at a duly noticed public hearing held pursuant to all legal preconditions, adopted Resolution No. \_\_\_\_\_ certifying the EIR for the Project and the related Mitigation Monitoring and Reporting Program and also (i) adopted Resolution \_\_\_\_\_ approving General Plan Amendment No. \_\_\_\_\_, (ii) adopted Resolution \_\_\_\_\_ approving Tentative Parcel Map 36457, (iii) adopted Resolution \_\_\_\_\_ approving the Annexation, (iv) introduced for first reading Ordinance No. \_\_\_\_\_ approving the WLCSP, and (v) introduced, for first reading Ordinance No. \_\_\_\_\_ approving Zone Change No. \_\_\_\_\_. The WLCSP and Zone Change No. \_\_\_\_\_ were subsequently adopted on \_\_\_\_\_, 2015 and effective on \_\_\_\_\_.

K. The Planning Commission of the City, at a duly noticed public hearing held pursuant to the Development Agreement Law and the Development Agreement Ordinance, recommended that the City Council find and determine, among other things, that this Agreement is consistent with the goals, objectives, policies, general land uses and programs specified in the City General Plan, as amended by the Project Approvals; is compatible with the uses authorized in and the land use regulations prescribed by the City in its Zoning Code; and will promote and encourage the development of the Subject Property by providing a greater degree of certainty with respect thereto, while also providing specified public benefits to the City.

L. On \_\_\_\_\_, 2015, after a duly noticed public hearing held pursuant to the Development Agreement Law and the Development Agreement Ordinance, the City Council of the City approved the introduction of Ordinance No. \_\_\_\_\_ (the "Enacting Ordinance") that would approve and adopt this Agreement and authorize its execution on behalf of the City. On \_\_\_\_\_, 2015, the City Council of the City adopted the Enacting Ordinance.

M. The Parties intend that HF will proceed with the Development upon the Subject Property pursuant to this Agreement within the Term.

#### AGREEMENT

NOW, THEREFORE, in consideration of the above recitals which are incorporated herein and intended to assist with the interpretation of this Agreement, and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and HF agree as follows:

## ARTICLE 1 DEFINITIONS.

The following terms when used in this Agreement shall, unless defined elsewhere in this Agreement, have the meanings set forth below:

1.1 “Agreement” shall mean this Development Agreement by and between the City and HF and any subsequent amendments.

1.2 “City” shall mean the City of Moreno Valley, a municipal corporation, organized and existing under the general laws of the State of California.

1.3 “City Council” shall mean the governing body of the City.

1.4 “Development” shall mean the improvement of the Subject Property for the purposes of completing the structures, improvements and facilities composing the Project, including but not limited to: grading; the construction of infrastructure related to the Project whether located within or outside the Subject Property; the construction of buildings and structures; construction of post-development storm drain related improvements and the installation of landscaping and public facilities and improvements. “Development” also includes the maintenance, repair, reconstruction, modification, or redevelopment of any building, structure, improvement, landscaping, or facility after the construction and completion thereof on the Subject Property. The Development shall at all times conform to the Agreement.

1.5 “Development Impact Fee,” “Development Impact Fees” or “DIF” means for purposes of this Agreement only those fees imposed pursuant to Moreno Valley Municipal Code Sections 3.42.070 (police facilities), 3.42.080 (City hall facilities), 3.42.090 (corporate yard facilities) and 3.42.100 (maintenance equipment). The term “Development Impact Fees” (or “DIF”) does not include those fees imposed by Moreno Valley Municipal Code Sections 3.42.030 (arterial streets), 3.42.040 (traffic signals), 3.42.050 (interchange improvements) and 3.42.060 (fire facilities).

1.6 “Development Plan” shall mean the plan for Development of the Subject Property pursuant to the Existing Regulations and including the Infrastructure Improvements.

1.7 “Development Requirement(s)” shall mean any fees or requirement(s) of the City imposed in connection with or pursuant to the Project Approvals such as the construction or improvement of public facilities or the payment of fees or assessments in order to lessen, offset, mitigate or compensate for the impacts of the Development.

1.8 “Effective Date” shall mean the date that is ninety (90) days after the date the City Council adopts the Enacting Ordinance unless litigation is commenced in which case the Effective Date shall mean the date on which the litigation is finally terminated, whether by dismissal which leaves all of the Project Approvals in place or by the entry of a final judgment, free from further appellate review, which upholds the Project Approvals. Notwithstanding the forgoing, Article 7 shall be immediately effective thirty one (31) days after the date the City Council adopts the enacting ordinance.

1.9 “Enacting Ordinance” shall mean the City Council adopted ordinance described in Recital K of this Agreement.

1.10 “Existing Regulations” shall mean the Project Approvals, Development Requirements, and all ordinances, resolutions, codes, rules, regulations and official policies of City, adopted and effective on the date of the adoption of the Enacting Ordinance governing Development and use of the Subject Property, including but not limited to the permitted use of land, the density or intensity of use, the maximum height and size of proposed building, and the architectural design, improvement and construction standards and specifications applicable to the Development of the Subject Property. The City shall compile two sets of the Existing Regulations. Once that compilation has been completed by the City, one set will be stored with the Agreement by the City Clerk for future use and certainty of requirements and the other set will be given to HF.

1.11 “HF” shall mean HF PROPERTIES, SUNNYMEAD PROPERTIES, THEODORE PROPERTIES PARTNERS, 13451 THEODORE, LLC and HL PROPERTY PARTNERS, and/or its successors or assigns to all or any portion of the Subject Property

1.12 “Infrastructure Improvements” shall mean all public infrastructure improvements on and off the Subject Property.

1.13 “Judgment(s)” shall mean one or more final or interim judgment(s) of a court of competent jurisdiction affecting the rights of the Parties hereunder.

1.14 “Moreno Valley Municipal Code” shall mean the City’s Municipal Code in effect on the date of the adoption of the Enacting Ordinance.

1.15 “Mortgagee” shall mean a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security device, a lender, or each of their respective successors and assigns.

1.16 “Parcel” shall mean any lot created by a recorded subdivision or parcel map.

1.17 “Project” shall mean the Development and operation of the Subject Property pursuant to and consistent with the Development Plan and the provisions of this Agreement.

1.18 “Project Approvals” shall mean, collectively, General Plan Amendment No. \_\_\_\_\_, the WLCSP, Zone Change No. \_\_\_\_\_, the Annexation and Tentative Parcel Map 36457.

1.19 “Subject Property” shall mean that certain real property consisting of the property more particularly described in Exhibit “A-1” attached hereto and depicted on Exhibit “A-2” attached hereto, any real property subject to the WLCSP acquired by HF after the date on which the Enacting Ordinance is adopted and all real property intended to be included by the Annexation. Until the Annexation is finally accomplished by HF at its sole cost and expense, nothing in this Agreement shall apply to the property to be annexed.

1.20 “Subsequent Development Approvals” shall mean any and all ministerial and/or discretionary permits, licenses, consents, rights and privileges, and other ministerial and/or discretionary actions approved or issued by City in connection with Development of the Subject

Property after the date of the adoption of the Enacting Ordinance, including all associated environmental documentation and mitigation measures pursuant to the California Environmental Quality Act.

1.21 “Subsequent Regulations” shall mean any ordinances, resolutions, codes, rules, regulations and official policies of the City adopted and effective after the date of the adoption of the Enacting Ordinance.

1.22 “Term” shall mean the period of time during which this Agreement shall be in effect, enforceable and bind the Parties, as set forth below in Section 3.5 of this Agreement.

## **ARTICLE 2 EXHIBITS.**

The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A-1”	Legal Description of the Subject Property
Exhibit “A-2”	Depiction of the Subject Property
Exhibit “A-3”	Public Benefits

## **ARTICLE 3 GENERAL PROVISIONS.**

3.1 Binding Effect of Agreement. From and following the Effective Date of this Agreement and throughout the Term, Development of the Subject Property and the City’s actions on applications for Subsequent Development Approvals affecting the Subject Property and the Development of the Subject Property shall be governed by the terms and conditions of this Agreement, all Project Approvals and all Subsequent Development Approvals. Any matter not addressed in the foregoing documents shall be regulated pursuant to then applied routine City practices and ordinances.

3.2 Ownership of Subject Property. HF represents and warrants that it is the holder of legal and equitable interests to all of the property described and shown in Exhibits “A-1” and “A-2” and thus is qualified to enter into and to be a party to this Agreement in accordance with Government Code section 65865(b), as set forth in documentation HF provided to City and upon which City relies as part of the consideration for this Agreement.

3.3 Addition of Parcels to This Agreement. The terms of this Agreement shall apply to the 85 acre Parcel described in Recital E upon its annexation into the City which process is intended to be completed within five years by HF at HF’s sole cost and to any real property subject to the WLCSP acquired by HF after the date on which the Enacting Ordinance is adopted.

3.4 Assignment Rights. From time to time HF may sell or otherwise transfer title to buildings or property in the WLC. HF shall have the right subject to City’s prior written approval to sell, transfer, or assign the Subject Property, in whole or in part (provided that no such parcel transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.) to any



person, partnership, joint venture, firm or corporation at any time during the Term of this Agreement; provided, however, that any such sale, transfer or assignment (collectively, "Assignment") shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement be made in strict compliance with the following conditions:

(a) No assignment of any right or interest under this Agreement shall be made unless made together with the assignment of all or the concomitant part of the Subject Property.

(b) Prior to any such Assignment, HF shall provide City with an executed agreement, in a form reasonably acceptable to City, by the purchaser, transferee or assignee (collectively, "Assignee") and providing therein that the Assignee expressly and unconditionally assumes all the duties and obligations of HF under this Agreement with respect to the portion of the Subject Property being transferred. City shall have the sole power to allocate, prorate, or otherwise apportion any term, provision, fee, contribution, or similar duty or obligation of HF, so that City, HF, and assignee have a specific agreement as to the duties and obligations, of all Parties after the Transfer.

(c) Any Assignment of this Agreement will require the prior written consent of the City, which will not be unreasonably withheld or delayed. The City's approval will be based upon the City's reasonable determination, in accordance with the standard set forth in Section 3.4.1(d) as to whether or not such Assignee has the requisite ability to complete the portion of the Subject Property being transferred. Within thirty (30) days following receipt by the City of written notice regarding Assignment (such notice must include development experience information regarding the Assignee sufficient to allow the City to make the above determination) the City will notify HF regarding its approval or disapproval of such Assignment. Failure of the City to respond in writing within thirty (30) days of receipt of the notice of the Assignment shall constitute approval of the assignment.

Any Assignment not made in compliance with the foregoing conditions shall result in HF continuing to be responsible for all obligations under this Agreement. Notwithstanding the failure of any Assignee to receive City approval and/or execute the Agreement required by subparagraph (c) above, the burdens of this Agreement shall be binding upon such Assignee, but the benefits of this Agreement including but not limited to DIF, shall not inure to such Assignee until and unless such Assignment is approved by the City and executed.

3.4.1 Release of HF. Notwithstanding any Assignment, HF shall continue to be obligated under this Agreement unless HF is given a release in writing by City, which release shall be provided by City upon the full satisfaction by HF of the following conditions:

(d) HF no longer has a legal or equitable interest in the portion of the Subject Property being transferred other than a lien on the portion of the Subject Property being transferred to secure the payment of the purchase price to HF. HF shall provide the City written notice to the City of the party to which the lien is to be transferred, upon transfer of the lien, pursuant to this Article 3.



(e) HF is not then in default under this Agreement in City's sole reasonable determination, subject to procedure set forth in Section 5.2 of this Agreement.

(f) HF has provided City with the notice and executed agreement and other information required under subparagraphs (b) and (c) of Subsection 3.4 above.

(g) The City has reviewed and approved the Assignee and the Assignment, such approval to include a determination by the City that the Assignee has the requisite ability to complete the portion of the Subject Property being transferred.

(h) The Assignee provides City with security equivalent to any security previously provided by HF to secure performance of its obligations hereunder with respect to the portion of the Subject Property being transferred. The City shall cooperate with HF to effectuate the substitution of security provided by HF to that to be provided by the Assignee with respect to the portion of the Subject Property being transferred.

(i) HF has paid City all monies then due and owing to City under this Agreement.

3.4.2. Subsequent Assignment. Any subsequent Assignment after an initial Assignment shall be made only in accordance with and subject to the terms and conditions of this Article. All subsequent Assignors must deliver written acknowledgement of this Agreement, and the Assignees duties under the Agreement or the City may, in its sole discretion, terminate this Agreement as to that owner's parcel(s).

3.4.3. Termination of Agreement With Respect to Individual Parcels upon Sale and Completion of Construction. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any Parcel and such Parcel shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of the following conditions:

(a) The Parcel has been finally subdivided and sold or leased for a period longer than one year to a member of the public or other ultimate user; and,

(b) A Certificate of Occupancy has been issued for each structure on the Parcel shown on the plot plan required by Section 11.3.2 of the WLCSP, and the fees set forth under this Agreement have been paid.

(c) The Parcel has no duty to contribute monies or render performance under this Agreement.

3.5 Term. Unless earlier terminated as provided in this Agreement, this Agreement shall continue in full force and effect until the earlier of (i) the date of completion of the last portion of the Development, or (ii) the date that is fifteen (15) years from and after the Effective Date of this Agreement unless Certificates of Occupancy have been granted by the City for buildings on the Subject Property consistent with the Development Plan for not less than twelve-million (12,000,000) square feet (gross floor area as defined by Moreno Valley Municipal Code 9.15.030) in which event the Term shall be extended for an additional ten (10) years, subject to

extension pursuant to Section 11.9 below (the “Term”). Alternatively, if HF is, for any reason, unable to obtain Certificates of Occupancy for not less than eight (8) million square feet, and up to twelve million (12,000,000) square feet within the original fifteen (15) year Term, it shall be entitled to have this Agreement extended for an additional ten (10) years, subject to extension pursuant to Section 11.9 below, upon the payment to the City of one million dollars (\$1,000,000) prior to the expiration of the original fifteen (15) year term.

### 3.6 City Cooperation.

(a) In anticipation of the effort necessary to facilitate the timely processing and permitting of project improvements, HF may request the City to designate a mutually agreeable individual (the “City’s WLC Coordinator”) who shall have the authority to facilitate and coordinate development services within the City and with HF for all actions to be taken by the City which are needed for the development of the Project, including, but not limited to, discretionary approvals, entitlements, site plans, grading, building and occupancy permit applications and inspections through the City’s review and approval processes, all at the full cost of HF, which HF shall pay in advance and replenish upon City’s request, from time to time. If any payments are not received by City when requested, the WLC coordinator shall cease acting until the funds are received and normal City protocols shall govern. All applications submitted to the City shall be evaluated for completeness within twelve (12) working days of receipt by the City. If not complete, the City shall immediately ensure that HF is notified of what additional information is required.

(b) Upon receipt of an application deemed complete pursuant to subsection 3.6(a) above for a site, grading, building, occupancy, or similar permit, the City shall process, review and approve or disapprove the application within ten (10) working days for the first submittal and within ten (10) working days of any subsequent submittals.

(c) It shall be the City’s WLC Coordinator’s responsibility to ensure that all of the time limits set forth above are met.

(d) The Project shall, pursuant to ordinary procedures, participate in the City’s “Time and Materials Fee Program” which is designed to ensure that the City is reimbursed by HF for its actual costs of providing discretionary approvals, entitlements, planning, grading, and building permits and inspections and fire prevention services. For convenience this shall include the payments due under sub sections 3.6(a) and 3.6(e).

(e) The City shall, pursuant to City’s standard contracting procedures, maintain on-call contracts with at least three qualified entities or persons, mutually acceptable to both the City and HF, who can be called upon to immediately provide the services set forth above when the City’s WLC Coordinator determines that the City, utilizing typical city staff resources, is unlikely to be able to meet the time limits set forth above. HF shall be solely responsible for the cost of using the qualified private entities or persons. HF shall deposit with City a sum City then determines necessary for such consultants, immediately upon written request from City. HF shall replenish such funds, from time to time, upon written request from City. If any funds are not received per City’s request, the consultants shall, without liability, cease work until such money is received.

(f) The City's WLC Coordinator shall cooperate with HF in obtaining any permits or approvals needed from any other agency at full cost to HF.

(g) The City, at HF's request, shall meet with HF to consider in good faith, economic incentives sought by HF similar to those approved for logistics projects in other areas of the City after the Effective Date.

3.7 Time of the Essence. The Parties expressly acknowledge and agree that time is of the essence in the performance of the provisions of this Agreement.

3.8 Mutual Waiver of Estoppel Defenses by Parties. Notwithstanding any legal authorities to the contrary concerning the doctrines of waiver and estoppel as applied to public entities and the actions or inactions of public agencies or public agency officers and officials, the Parties acknowledge and agree that each party and its successors and assigns to all or any interest in the Subject Property are relying upon the contents of this Agreement and the Parties' execution of this Agreement and the recordation hereof, and that in consideration of such material reliance, each party shall now be estopped from denying the underlying validity of this Agreement and each party knowingly and expressly waives any such claim or defense.

#### **ARTICLE 4 DEVELOPMENT OF THE PROPERTY.**

4.1 Vested Right to Develop. During the Term, HF or its Assignee, shall have a vested right to develop the Subject Property in accordance with the Existing Regulations, and as subject to the provisions of this Agreement.

4.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement, the rules, regulations and official policies governing permitted uses of the Subject Property, the density and intensity of use of the Subject Property, the maximum height and size of proposed buildings, and the design, improvement, and construction standards and specifications applicable to Development of the Subject Property, shall be only the Existing Regulations and those contained in the Development Plan.

4.3 Subsequent Development Approvals. When required by the Moreno Valley Municipal Code, the City shall accept for processing, review and take action upon all properly filed applications for Subsequent Development Approvals. The City further agrees that, unless otherwise requested by HF, the City shall not amend or rescind any Subsequent Development Approvals after such approvals have been granted by the City except as otherwise provided for in Title 9 of the City Municipal Code, or as directed by court order, or as related to approvals not granted by the City. Any Subsequent Development Approval, when granted, shall be deemed to be part of the Existing Regulations from the date of approval except as mandated by court order, or as specified in approvals not granted by the City.

4.4 Timing of Development. HF represents that it intends to commence and complete the physical improvements specified in the Development Plan for the Project. HF cannot specify the specific timing of development. HF will use its best efforts to commence construction at the earliest possible date consistent with market conditions. Because the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo* (1984) 37 Cal.3d 455, that the failure of the parties therein to provide for the timing of development resulted in a latter adopted initiative

restricting the timing of development to prevail over such parties' agreement, it is the Parties' intent to cure that deficiency by expressly acknowledging and providing that HF shall have the right to develop the Subject Property at its own timing. In addition, to the extent HF decides to proceed with the Development of the Subject Property, City shall cooperate with HF with respect to the improvement of the Development of the Subject Property. If HF determines, in its sole and absolute discretion, to develop portions or phases of the Project, the City shall allow the phasing of public improvements unless the City determines that generally applied City of Moreno Valley Municipal engineering or planning requirements demand that additional or complete public improvements be made. The public improvements to be provided would be only those needed to serve the portion or phase being developed consistent with the environmental analysis which shall demonstrate to the City that the public improvements to be provided would be only those needed to serve the portion or phase being developed.

4.5 Terms of Maps and Other Project Approvals. Pursuant to California Government Code Sections 66452.6(1) and 65863.9, the term of any subdivision or parcel map that may be processed on all or any portion of the Subject Property and the term of each of the development approvals, including Tentative Parcel Map 36457, and any Subsequent Development Approvals, shall be extended until the expiration of the Term.

4.6 Changes and Amendments. The Parties acknowledge that although Development of the Project may require Subsequent Development Approvals, such Development shall be in compliance with this Agreement including the Development Plan. The above notwithstanding, HF may determine that changes are appropriate and desirable in the existing Project Approvals or Development Plan. In the event HF finds that such a change is appropriate or desirable, HF may apply in writing for an amendment to the existing Project Approvals or the Development Plan to effectuate such change. The City shall review and process any request for an amendment in the same manner that it would review and process a similar request for an amendment from any other owner of commercial or industrial land in similar circumstances. Any amendment to the Project Approvals or the Development Plan, when granted, shall be deemed to be part of the Existing Regulations from the date of the grant. Such amendments shall not be unreasonably withheld.

4.7 Reservation of Authority.

4.7.1. Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following Subsequent Regulations shall apply:

(a) Procedural regulations consistent with this Agreement relating to hearing bodies, petitions, applications, notices, findings, records, hearing, reports, recommendations, appeals and any other matter of procedure subject to the City's obligations under Section 3.6, and as may be the subject to future general law enactments by the State of California.

(b) Changes adopted by the International Code Council, or other similar body, as part of the then most current versions of the California Building Code, Uniform Fire Code, Uniform Plumbing Code, Uniform Mechanical Code, or National Electrical Code, and also adopted by the City as Subsequent Regulations.

(c) Subsequent Regulations, not otherwise specified under this Section 4.7.1, that are not in conflict with the Existing Regulations and the Development Plan.

(d) Subsequent Regulations, not otherwise specified under this Section 4.7.1, that are in conflict with the Existing Regulations or the Development Plan provided HF has given written consent to the application of such regulations to Development of the Subject Property at HF's sole and absolute discretion.

(e) Increased DIF, as defined in Section 1.5 of this Agreement, which shall be paid in the amount of the DIF in effect at the time that they are to be paid.

(f) Judgment(s) and/or federal, state and county laws and regulations which the City is required to enforce as against the Subject Property or the Development of the Subject Property.

4.7.2. Further Future Discretion of City. This Agreement shall not prevent the City, in acting on Subsequent Development Approvals, from applying Subsequent Regulations allowed under Section 4.7.1. Further, it is also understood and acknowledged by the Parties that the Project Approvals contemplate that the City may be required, in certain circumstances, to undertake further environmental review of Subsequent Development Approvals. If the circumstances set forth in CEQA Guideline Section 15162 occur in the context of the City considering Subsequent Development Approvals, or if otherwise required by the EIR, the City is required to, and shall, without being subject to claim, assertion of breach or other challenge by HF or Assignee exercise the maximum discretion authorized by law, consistent with the terms of CEQA and this Agreement.

4.7.3. Modification or Suspension by Federal or State, County, or Multi-Jurisdictional Law. In the event that any Judgment(s) or federal, state, county, or multi-jurisdictional laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such Judgment(s) or federal, state, county, or multi-jurisdictional laws or regulations, and this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provision impractical to enforce.

4.8 Payment of, and Reimbursement for, the Cost of Improvements Paid for by HF Which Are in Excess of HF's Fair Share. HF shall satisfy the requirements imposed by Mitigation Measure 4.15.7.4.A, as set forth in the EIR, to ensure that all of the Development's impacts on the City's circulation system, including, but not limited to, improvements to arterial streets, traffic signals and interchanges, are mitigated. Because HF will be responsible for paying for or constructing all circulation-related improvements, it shall not pay the fees imposed by Moreno Valley Municipal Code Sections 3.42.030 (arterial streets), 3.42.040 (traffic signals) and 3.42.050 (interchange improvements). City will provide to HF the reimbursement agreement(s) in the form and type as specified in Chapter 9.14 of Title 9 of the Moreno Valley Municipal Code.



4.9 Provision of a “turnkey” Fire Station. HF shall, at its own cost, provide a fully constructed, fully equipped fire station and fire station site, including fire trucks, as specified by the City’s Fire Chief. The fire station’s furniture and fixtures shall be reasonably comparable to those of the most recently completed fire station within the City. The fire station, equipment and trucks shall be provided as and when directed by the Fire Chief. Because HF will be responsible for the provision of the fire station, fire station site, equipment, and trucks, it shall not pay the fee imposed by Moreno Valley Municipal Code Section 3.42. 060 (fire facilities). City will provide to HF the reimbursement agreement(s) in the form and type as specified in Chapter 9.14 of Title 9 of the Moreno Valley Municipal Code.

4.10 City’s Provision of Public Infrastructure and Services. Except as otherwise prescribed in this Agreement and/or as required of the development through existing or future mitigation measures, development standards, and conditions of approval, the City shall provide the public infrastructure and services which are not HF’s responsibility as determined by the City with timing at the sole and absolute discretion of the City.

4.11 Local Hiring Program. HF will establish a WLC Local Hiring Program, at HF’s cost to identify, align, and facilitate educational interests and programs with workforce development programs that facilitate the hiring of Moreno Valley residents for job opportunities at the World Logistics Center, and associated jobs not directly at WLC, but in industries that support WLC. HF will require its contractors, suppliers and tenants to be active participants in Moreno Valley Employment Resource Center (“ERC”) programs including, but not limited to, the job opportunity announcement program. World Logistics Center employers will be requested to submit all job announcements to the ERC at least one week prior to providing such announcements to other agencies or to the general public. Potential employers will be requested to provide information regarding job opportunities to the ERC including details regarding job titles, minimum qualifications, application processes, and employer contact information. HF shall request that subsequent users to make good faith efforts to hire Moreno Valley City residents. HF shall, upon City’s request from time to time, provide to the City proof of its efforts under this section and the success of HF’s efforts. HF shall also participate with the Hire MoVal Incentive Program, which was adopted by the City Council on April 28, 2015, and as it may be amended from time to time.

#### 4.12 Education/Innovation/Training/Library Funding.

The City and HF are especially interested in ensuring that the residents of Moreno Valley are provided education resources and obtain every opportunity to secure the jobs which will be created by the operation of the World Logistics Center. Toward that end, HF is willing to contribute six million, nine hundred and ninety three thousand dollars (\$6,993,000), to be used by the City to provide and enhance educational and workforce development training in the supply chain and logistics industries, as follows:

- (a) HF shall contribute no less than five million, two hundred sixty eight thousand dollars (\$5,268,000), one million dollars (\$1,000,000) to be contributed at the issuance of the first building permit for a logistics building on the Subject Property and \$0.11/square foot to be paid at the time of the issuance of the building permit for each succeeding building, excluding the fire station;



(b) In addition to the foregoing, beginning on the Effective Date and on each anniversary of that date thereafter, HF shall contribute to the City one hundred thousand dollars (\$100,000) per year for the next six (6) years; and

(c) In addition to the foregoing, beginning in the 7th year on the anniversary date of the Effective Date and continuing throughout the Term, HF shall contribute to the City one hundred twenty five thousand dollars (\$125,000) per year, on the specified anniversary date of the Effective Date, so long as this Agreement is in effect.

4.13 State Route 60 Landscape, Signage, Bridge Design Program. City shall set up a joint City/HF committee to develop freeway related landscaping, bridge architectural concepts, engineering and freeway signage regulations for SR-60 between Redlands Boulevard and Gilman Springs Road. The guidelines, concepts and regulations shall be developed in an expeditious manner. The City shall contribute up to Fifty Thousand Dollars (\$50,000) and HF shall match the City's contributions on a ten to one basis, up to Five-Hundred Thousand dollars (\$500,000).

4.14 Air Filtration Systems for Three Properties at Theodore Street and Dracaea Avenue. Should the property owner at these locations desire to install an air filtration system on their homes, HF agrees to fund the installation of air filtration systems meeting ASHRSE Standard 52.2 MERV-13 standards in the existing houses at the locations listed below, not to exceed \$25,000 per property. Property owners shall be under no obligation to accept such offer. Prior to the issuance of the first construction permit within the WLCSP, HF shall provide documentation to the City confirming that an offer has been extended to each of the owners of said properties, and \$75,000 shall be deposited in a City account designated for this purpose and an agreement regarding the use and distribution of funds shall be executed between City and HF. The stated property owners shall have 24 months to accept or reject the offer. Upon acceptance of each offer, HF shall work with each owner to ensure the filtration system is properly installed in a timely fashion. HF shall provide the City with verification that it has installed the filtration systems and invoice City for reimbursement against the \$75,000 deposit, of payments up to \$25,000 per property. This provision applies only to the existing houses at the following three addresses:

13100 Theodore Street, Moreno Valley, CA 92555 current APN: 422-070-029

13200 Theodore Street, Moreno Valley, CA 92555 current APN: 422-070-032

13241 Theodore Street, Moreno Valley, CA 92555 current APN: 478-220-014

## **ARTICLE 5 REVIEW FOR COMPLIANCE.**

5.1 Periodic Review. The City shall review this Agreement annually, on or before the anniversary of the Effective Date, in order to ascertain the good faith compliance by HF with the terms of the Agreement. As part of that review, HF or its successor and assigns shall submit an annual monitoring review statement describing its actions in compliance with this Agreement, in a form acceptable to the Community Development Director or his/her authorized designee, within thirty (30) calendar days after written notice therefrom requesting such a statement. The statement shall be accompanied by an annual review and administration fee sufficient to defray

the estimated costs of review and administration of the Agreement during the succeeding year. The amount of the annual review and administration fee shall be set by resolution of the City Council. No failure on part of the City to conduct or complete the review as provided herein shall have any impact on the validity of this Agreement. HF shall, for the first year, deposit \$1,000.00 on the Effective Date for the first year of review.

5.2 Procedure. Each Party shall have a reasonable opportunity to assert matters which it believes have not been undertaken in accordance with the Agreement, to explain the basis for such assertion, and to receive from the other Party a justification of its position on such matters.

5.2.1. If on the basis of the Parties' review of any terms of the Agreement, either Party concludes that the other Party has not complied in good faith with the terms of the Agreement, then such Party may issue a written "Notice of Non-Compliance" specifying the grounds therefor and all facts demonstrating such non-compliance.

5.2.2. The Party receiving a Notice of Non-Compliance shall have thirty (30) calendar days to cure or remedy the non-compliance identified in the Notice of Non-Compliance, or if such cure or remedy is not reasonably capable of being cured or remedied within such thirty (30) days period, to commence to cure or remedy the non-compliance and to diligently and in good faith prosecute such cure or remedy to completion.

5.2.3. If the Party receiving the Notice of Non-Compliance does not believe it is out of compliance and contests the Notice, it shall do so by responding in writing to said Notice within thirty (30) calendar days after receipt of the Notice.

5.2.4. If a Notice of Non-Compliance is contested, the Parties shall, for a period of not less than fifteen (15) calendar days following receipt of the response, seek to arrive at a mutually acceptable resolution of the matter(s) occasioning the Notice. In the event that a cure or remedy is not timely effected or, if the Notice is contested and the Parties are not able to arrive at a mutually acceptable resolution of the matter(s) by the end of the fifteen (15) calendar day period, the party alleging the non-compliance may thereupon pursue the remedies provided in Article 6 of this Agreement.

5.2.5. Neither Party hereto shall be deemed in breach if the reason for non-compliance is due to a "force majeure" as defined in, and subject to the provisions of, Section 11.9 below or any other non performance authorized by this Agreement.

5.3 Certificate of Agreement Compliance. If, at the conclusion of an annual review, HF is found to be in compliance with this Agreement, City shall, upon request by HF, issue a Certificate of Agreement Compliance ("Certificate") to HF stating that after the most recent Periodic Review and based upon the information known or made known to the City that (1) this Agreement remains in effect and that (2) HF is in compliance. The Certificate, shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, and shall state that the Certificate expires upon the earlier of (i) one (1) year from the date thereof, or (ii) the date of recordation of a Notice of Termination of Development Agreement. HF may record the Certificate with the County Recorder.

Additionally, HF may at any time request from the City a Certificate stating, in addition to the foregoing, which obligations under this Agreement have been fully satisfied with respect to the Subject Property, or any lot or parcel within the Subject Property.

## **ARTICLE 6 DEFAULT AND REMEDIES.**

6.1 Specific Performance; Waiver of Damages. The Parties acknowledge and agree that specific performance is the preferred remedy available for the enforcement of this Agreement. Accordingly, both parties hereby waive the right to obtain monetary damages from the other Party by reason of default of this Agreement. Subject to the procedure set forth in Section 5.2 above, any material default by HF or the City of the Agreement that is not timely cured by HF or the City shall be deemed a material default by HF or the City of this Agreement.

### 6.2 Termination of the Agreement.

6.2.1. Termination of Agreement for Default of HF. The City in its reasonable discretion may terminate this Agreement for any failure of HF to perform any material duty or obligation of HF hereunder or to comply in good faith with the terms of this Agreement (hereinafter referred to as “default” or “breach”); provided, however, the City may terminate this Agreement pursuant to this Section only after following the procedure set forth in Section 5.2 and HF and/or Assignee fail to remedy any issue. Further, if a mortgage of HF comes into possession of the Subject Property by default of HF, City may without liability, and in its sole and absolute discretion, terminate this Agreement. A bankruptcy filing by HF or general Partner of HF, or HF’s successors and assigns, shall also be grounds by City for termination of this Agreement.

6.2.2. Termination of Agreement for Default of City. HF in its reasonable discretion may terminate this Agreement for any default by the City; provided, however, HF may terminate this Agreement pursuant to this Section only after following the procedure set forth in Section 5.2 and thereafter providing written notice by HF to the City of the default setting forth the nature of the default and the actions, if any, required by the City to cure such default and, where the default can be cured, the failure of the City to cure such default within thirty (30) days after the effective date of such notice or, in the event that such default cannot be cured within such thirty (30) day period, the failure of the City to commence to cure such default within such thirty (30) day period and to diligently proceed to complete such actions and to cure such default.

6.2.3. Rights and Duties Following Termination. Upon the termination of this Agreement, no Party shall have any further right or obligation hereunder and City shall treat HF and the Subject Property pursuant to all ordinances, policies, and laws as uniformly applied in the City.

6.3 Institution of Legal Action. Subject to notice of default and opportunity to cure under Section 5.2, in addition to any other rights or remedies, any Party to this Agreement may institute an equitable action to cure, correct, or remedy any default, to enforce any covenants or agreements herein, to enjoin any threatened or attempted violation hereof, or to obtain any other equitable remedies consistent with this Agreement. Any action at law or in equity arising under this Agreement or brought by any Party hereto for the purpose of enforcing, construing or

determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Riverside, State of California, or such other appropriate court in said County, and the Parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court. Service of process on the City shall be made in accordance with California law. Service of process on HF shall be made in any manner permitted by California law and shall be effective whether served inside or outside California. If an action or proceeding is brought by any Party to this Agreement because of default, or to enforce a provision hereof, the prevailing Party shall be entitled to reimbursement of all costs and expenses, including attorneys' fees, incurred in prosecuting such legal action or proceeding. This provision is separate and severable, and shall survive the merger of this Agreement into any judgment on this Agreement. In all instances, the Parties agree that §6.1 also survives and controls the actions of the Parties, and further, that the Parties shall stipulate to the limitation on remedies imposed by §6.1.

#### **ARTICLE 7 THIRD PARTY LITIGATION.**

7.1 Notice, Defense and Indemnification of Third Party Litigation. The City shall promptly notify HF of any claim, action, or proceeding filed and served against the City to challenge, set aside, alter, void, annul, limit or restrict the approval and continued implementation and enforcement of this Agreement or any Existing Regulation, including but not limited to Project Approvals and CEQA challenges, as they may be filed from time to time by one or more third parties. HF agrees to fully defend, indemnify and hold the City harmless for all costs of defense and/or judgment(s) obtained in any such action or proceeding by reimbursing City, on a monthly basis, for any and all costs. The City shall notify HF within ten (10) calendar days after the City has selected the defense counsel(s). The City and HF agree to cooperate in the defense of such action(s), which includes HF being provided the opportunity to present City its views and recommendations regarding defense counsel or defense strategy. City shall use its best efforts to reasonably manage case costs and seek reasonable attorney rates.

7.2 Effect of Third Party Litigation on Implementation of Agreement. If any third party litigation referred to in Section 7.1 is filed, the City shall continue to comply with the terms of this Agreement unless prohibited from doing so by court order.

7.3 If third party litigation is filed and if HF decides, in its sole and absolute discretion, not to defend the litigation then upon providing written notice of that decision to the City not to defend the litigation this Agreement shall terminate and no Party shall thereafter have any rights or obligations under it. Nothing in this Agreement shall prevent the City, if it decides in its sole and absolute discretion, from defending the litigation at its own sole cost.

#### **ARTICLE 8 MORTGAGEE AND LENDER PROTECTION.**

8.1 The Parties hereto agree that this Agreement shall not prevent or limit HF, in any manner, at HF's sole discretion, from encumbering the Subject Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Subject Property. The City acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with HF and representatives of such lenders to

negotiate in good faith any such request for interpretation or modification but City reserves the right to make the final decisions, pursuant to law of such requests. The City is not bound nor is there any predetermination as to matters requiring public hearing or any adjudicative proceeding. Subject to compliance with applicable laws, the City will not unreasonably withhold its consent to any such requested interpretation or modification provided the City determines such interpretation or modification is consistent with the intent and purposes of this Agreement and not harmful to City in any manner, in City's sole and absolute discretion. HF shall reimburse City for all costs incurred by City in connection with compliance with this Section 8.1 HF represents and warrants that there are presently no financing of any type or nature that encumber the Subject Property and further represents there are no covenants, financings or other burdens that impair City's rights under this Agreement, and further, no third party holds rights to the Subject Property superior to this Agreement as regards to City's rights.

8.2 Any Mortgagee of the Subject Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Subject Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Subject Property, or any part thereof, which Mortgagee has submitted a request in writing to the City in the manner specified herein for giving notices, shall be entitled to receive written notification from the City of any default by HF in the performance of HF's obligations under this Agreement.

(c) If the City timely receives a request from a Mortgagee requesting a copy of any notice of default given to HF under the terms of this Agreement, the City shall make a good faith effort to provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to HF. The Mortgagee shall have the right, but not the obligation, to cure the default during the period that is the longer of (i) the remaining cure period allowed such Party under this Agreement, or (ii) thirty (30) days.

(d) Any Mortgagee who comes into possession of the Subject Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Subject Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of HF's obligations or other affirmative covenants of HF hereunder, or to guarantee such performance; except that (i) to the extent that any covenant to be performed by HF is a condition precedent to the performance of a covenant by the City, the performance thereof shall continue to be a condition precedent to the City's performance hereunder, and (ii) in the event any Mortgagee seeks to develop or use any portion of the Subject Property acquired by such Mortgagee by foreclosure, deed of trust, or deed in lieu of foreclosure, such Mortgagee shall strictly comply with all of the terms, conditions and requirements of this Agreement and the Development Plan applicable to the Subject Property or such part thereof so acquired by the Mortgagee. The successor Mortgagee is hereby on notice that the event of taking possession of the Subject



Property allows, but does not require City to terminate this Agreement without cost or liability to City.

8.3 The City shall, at HF's cost paid to City immediately upon City's request, provide publically available information requested by potential lenders in a timely fashion. City shall not be required, but may, provide any information exempt from disclosure under the California Public Records Act. (G.C. 6250 et. seq.)

## **ARTICLE 9 INSURANCE.**

9.1 Liability Insurance. HF shall maintain an insurance policy protecting against death or injury to person or property for claims arising out of activities on the Subject Property in the amount of at least five million dollars (\$5,000,000) with the City, its officers, officials, employees, agents and representatives named as additional insured. This requirement is in addition to any liability insurance requirement which the City routinely imposes as a condition to the issuance of a building or grading permit. In addition, all such insurance:

(a) shall be primary insurance and not contributory with any other insurance the City or its officers, officials, employees, agents, and representatives may have;

(b) shall contain no special limitations on the scope of protection affordable to the City and its officers, officials, employees, agents, and representatives;

(c) shall be claims made and not dates of occurrence insurance;

(d) shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability;

(e) shall provide that the policy shall not be canceled by the insurer or Owner unless there is a minimum of thirty (30) days prior written notice to the City;

(f) shall be endorsed to include a waiver of subrogation rights against the City or its officers, officials, employees, agents, and representatives; and

(g) shall not require Owner to meet a deductible of more than One Hundred Thousand Dollars (\$100,000) unless approved in writing by the City's Community Development Director in his/her sole and absolute discretion.

9.2 Workers Compensation Insurance. HF shall ensure that any consultant or contractor hired by HF for work on or related to the Subject Property shall carry workers compensation insurance as required by the State of California. This requirement is in addition to any workers compensation insurance requirement which the City routinely imposes as a condition to the issuance of a building or grading permit.

## **ARTICLE 10 INDEMNITY FOR INJURY TO PERSON OR PROPERTY.**

HF agrees to and shall indemnify, defend, and hold harmless the City and the City's officers, officials, members, employees, agents, and representatives, from and against any and all



claims, liabilities, awards, settlements, agreements, damages, and losses, including without limitation reasonable attorneys' fees and litigation expenses, including court and expert witness fees (collectively, "Claims"), with respect to any action brought due to the death or personal injury of any person, or physical damage to any person's real or personal property, caused by the construction of improvements by, or construction-related activities of, HF or HF's employees, agents, representatives, servants, invitees, consultants, contractors, or subcontractors (collectively, "HF's Representatives") on the Subject Property, or for any construction defects in any improvements constructed by HF or HF's Representatives on the Subject Property or for any other work related to this Agreement.. The foregoing indemnification provision shall survive the termination of this Agreement.

Notwithstanding the above, HF agrees to and shall indemnify, defend, and hold harmless the City and the City's officers, officials, members, employees, agents and representatives, from and against any and all claims, liabilities, damages, and losses, including without limitation reasonable attorneys' fees and litigation expenses, including court and expert witness with respect to any action brought to challenge the Project's entitlement approvals and/or the EIR.

#### **ARTICLE 11 MISCELLANEOUS PROVISIONS.**

11.1 Recordation of Agreement. The City Clerk shall have this Agreement recorded with the County Recorder within the period required by Government Code section 65868.5. Any amendments to this Agreement approved by the Parties, and any cancellation hereof, shall be similarly recorded. A failure to record this Agreement in a timely fashion shall not affect its validity in any manner.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the Parties with respect to the subject matter set forth herein, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement except as to future and further agreements and the exercise of the Existing Regulations.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the invalid provision shall be deemed to be severable from the remaining provisions contained within the Agreement. The Parties hereby state and acknowledge they would have adopted each provision contained within this Agreement notwithstanding the presence of an invalid provision.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the Parties, and the rule of construction to the effect that ambiguities are to be resolved against both the drafting parties or in favor of the City or HF shall not be employed in interpreting this Agreement, all Parties having

been represented by counsel in the negotiation and preparation, adoption, application and execution hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Singular and Plural. As used herein, the singular of any word includes the plural.

11.7 Waiver. Failure of a Party to insist upon the strict performance of any of the provisions of this Agreement by the other Party, or the failure by a Party to exercise its rights upon the default of the other Party, shall not constitute a waiver of such Party's right to insist and demand strict compliance by the other Party with the terms of this Agreement thereafter.

11.8 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit for the Parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.9 Force Majeure. Neither Party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by earthquakes, acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the Party's control (including the Party's employment force), economic or environmental/physical conditions (such as lack of utilities) beyond HF's control which make Development uneconomic or infeasible, other causes beyond the Party's reasonable control or court actions (such as restraining orders or injunctions). If any such events shall occur, the Term of this Agreement and the time for performance shall be extended for the duration of each such event, provided that the Term shall not be extended under any circumstances for more than three (3) years regardless of the number or length of individual extensions and further, in no instance, shall be for a duration longer than the circumstance serving to cause the delay. Notwithstanding the foregoing, if construction ceases after commencement, but prior to the issuance of Certificates of Occupancy, HF, at its sole cost, shall secure, preserve and prevent any nuisance conditions from occurring on the Subject Property.

11.10 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the Party benefited thereby of the covenants to be performed hereunder by such benefited Party.

11.11 Counterparts. This Agreement may be executed by the Parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the Parties had executed the same instrument.

11.12 Covenant Not To Sue Each Other Regarding the Construction of the Agreement. The Parties to this Agreement, and each of them, agree that this Agreement and each term hereof are legal, valid, binding, and enforceable. The Parties to this Agreement, and each of them, hereby covenant and agree that each of them will not commence, maintain, or prosecute any claim, demand, cause of action, suit, or other proceeding against any other Party to this Agreement, in law or in equity, or based on an allegation, or assert in any such action, that this Agreement or any term hereof is void, invalid, or unenforceable.

11.13 Project as a Private Undertaking. It is specifically understood and agreed by and between the Parties that the Development of the Subject Project is a private development, that neither Party is acting as the agent of the other in any respect hereunder, and that each Party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between the City and HF is that of a government entity regulating the Development of private property, on the one hand, and the holder of legal or equitable title to such property, on the other hand.

11.14 Further Actions and Instruments. Each of the Parties shall cooperate in good faith with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either Party at any time, the other Party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

11.15 Amendments in Writing/Cooperation. This Agreement may be amended only by written consent of both Parties specifically approving the amendment and in accordance with the Government Code section 65868. The Parties shall cooperate in good faith with respect to any amendment proposed in order to clarify the intent and application of this Agreement, and shall treat any such proposal on its own merits, and not as a basis for the introduction of unrelated matters. Subject to the provisions of Moreno Valley Municipal Code Section 9.02.110E, minor, non-material modifications which are clerical or strictly technical corrections which do not affect the substantive terms and conditions of the Agreement may be approved by the Community Development Director in consultation with the City Attorney as an operating Memorandum. City, upon its request, may be compensated for its costs reasonably incurred in reviewing and processing any request under this section, including costs arising from third parties engaged by the City in furtherance of any request.

11.16 Operating Memoranda. The Parties acknowledge and agree that the provisions of this Agreement require a close degree of cooperation between the City and HF, and Development of the Subject Property hereunder may demonstrate that refinements or clarifications are appropriate with respect to the details of performance of the City and HF. If and when, from time to time, during the Term of this Agreement, the City and HF agree that such refinements or clarifications are necessary or appropriate, they will effectuate such refinements or clarifications through operating memoranda approved by the City and HF, which, after execution, will be attached to this Agreement as addenda and become a part hereof, and may be further refined or clarified from time to time as necessary with future approval by the City and HF. The Community Development Director, in consultation with the City Attorney, will be authorized to make the determination whether a requested refinement or clarification and corresponding operating memoranda may require a public hearing and approval by the City Council. Notwithstanding the foregoing, the City staff or contract staff may decline to execute any operating Memoranda and may instead submit the matter to the City Council for its consideration and action.

11.17 Corporate Authority. The person(s) executing this Agreement on behalf of each of the Parties hereto represent and warrant that (i) such Party are duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said Party, (iii) without representing and warranting whether or not the Agreement is lawful by so executing this Agreement, such Party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other agreement to which such Party is bound.

11.18 Notices. All notices under this Agreement shall be effective upon any of the following: personal delivery, via e-mail, via facsimile so long as the sender receives confirmation of successful transmission from the sending machine, or three (3) business days after deposit in the United States mail, registered, certified, postage fully prepaid and addressed to the respective Parties as set forth below or as to such other address as the Parties may from time to time designate in writing:

To City: City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, California 92552  
Attn: City Manager  
Telephone: (\_\_\_\_) \_\_\_\_\_  
Facsimile: (\_\_\_\_) \_\_\_\_\_  
E-mail address: \_\_\_\_\_

Copies to: City Attorney  
\_\_\_\_\_  
\_\_\_\_\_, California  
Telephone: (\_\_\_\_) \_\_\_\_\_  
Facsimile: (\_\_\_\_) \_\_\_\_\_  
E-mail address: \_\_\_\_\_

To HF: Iddo Benzeevi  
President and Chief Executive Officer  
Highland Fairview Operating Co.  
14225 Corporate Way  
Moreno Valley, CA 92553  
Telephone: (951) 867-5327  
Facsimile: (\_\_\_\_) \_\_\_\_\_  
E-mail Address: [ibenzeevi@highlandfairview.com](mailto:ibenzeevi@highlandfairview.com)

Copy to: Kenneth B. Bley, Esq.  
Cox, Castle & Nicholson LLP  
2029 Century Park East, Suite 2100  
Los Angeles, CA 90067  
Telephone: (310) 284-2231  
Facsimile: (310) 284-2100  
E-mail address: [kbley@coxcastle.com](mailto:kbley@coxcastle.com)

Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan

11.19 Nonliability of City Officials. No officer, official, member, employee, contractor, attorney, agent, or representatives of the City shall be liable for any amounts due hereunder, and no judgment or execution thereon entered in any action hereon shall be personally enforced against any such officer, official, member, employee, agent, or representative.

11.20 No Brokers. The City and HF represent and warrant to the other that neither has employed any broker and/or finder to represent its interest in this transaction. Each Party agrees to indemnify and hold the other free and harmless from and against any and all liability, loss, cost, or expense (including court costs and reasonable attorney’s fees) in any manner connected with a claim asserted by any individual or entity for any commission or finder’s fee in connection with this Agreement arising out of agreements by the indemnifying Party to pay any commission or finder’s fee.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year first set forth above.

City:

CITY OF MORENO VALLEY

By

Mayor, City of Moreno Valley

ATTEST:

By

City Clerk

APPROVED AS TO FORM:

By

City Attorney

HF:

HF PROPERTIES,  
a California general partnership

By:

Name: Iddo Benzeevi

Its: President

SUNNYMEAD PROPERTIES,  
a Delaware general partnership

By:

Name: Iddo Benzeevi

Its: President

THEODORE PROPERTIES PARTNERS,  
a Delaware general partnership

By:

Name: Iddo Benzeevi

Its: President

13451 THEODORE, LLC,  
a California limited liability company

By:

Name: Iddo Benzeevi

Its: Sole member

HL PROPERTY PARTNERS,  
a Delaware general partnership



By:

Name: Iddo Benzeevi

Its: President

**ALL TERMS OF THIS AGREEMENT ARE SUBJECT TO REACHING A MUTUALLY  
AGREEABLE RESOLUTION ON AL ITEMS BETWEEN THE CITY AND HF**

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_  
(insert name and title of the officer)

Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_  
(insert name and title of the officer)

Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_  
(insert name and title of the officer)

Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

EXHIBIT A-1  
LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan

EXHIBIT A-2  
DEPICTION OF THE SUBJECT PROPERTY

Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan



## EXHIBIT NO. A-3

Public Benefits; all are viewed as material consideration for this Agreement, by the City and its Council (not listed in priority).

1. Representation and Warranty in support of HF's legal or equitable interest in the land composing the area subject to this Agreement. (Recital E and 3.2)
2. DIF fees, public improvements, or both will be paid to the City to further public improvements. (1.5, 4.8, 4.9)
3. City has oversight over transfer of land or buildings within the area covered by the Agreement. (3.4)
4. HF pays for special staff and consultants. (3.6)
5. Education/Library/Job training/funding to City/Job opportunities. (4.11, 4.12)
6. Fire station: "turn key" fire station will be built on HF provided land and will be fully funded and equipped by HF. (4.8)
7. Land owners are bound, contractually, to provide City benefits beyond those available via a nexus condition.
8. City advances its General Plan's goals, policies and objectives as anticipated when it was adopted.
9. City controls when HF has qualified to release itself, in whole or part, from the Development Agreement. (3.4, 3.5)
10. City preserves its right to impose the enhanced development standards on the Project outlined in the specific plan. (4.2)
11. City has set performance criteria for the Terms of the Agreement. (3.5, 4.4)
12. City preserves the right to update standards and, as required and lawful, require further CEQA reviews. (4.7.1)
13. City Code Standards are imposed for any reimbursements to HF for oversizing any infrastructure. (4.8)
14. City required and is able to hold HF accountable for a local hiring program for City residents. (4.11)
15. City obtains Education, Library, Training, and Innovation funding for residents in the amount up to \$6,993,000, during the Term of the Development Agreement, with One

- Million Dollars (\$1,000,000) of that being provided in a single lump sum payment upon issuance of the first building permit.
16. HF will contribute \$500,000 toward the City's development of SR 60 landscape, signage, bridge design enhancement. (4.13)
  17. Specified homes are to be offered air filtration systems at no charge. (4.14)
  18. City will annually review and enforce its benefits, and ensure performance of its duties. (Article 5)
  19. Defaults and issues in dispute have a specified resolution process. (Article 6)
  20. City is covered by HF funded liability insurance (9.1) and from tort claims. (Article 10)
  21. City is protected as to ensuring HF performance, despite external causation. (11.9)



EXHIBIT "A-1"  
LEGAL DESCRIPTION

THOSE CERTAIN PARCELS OF LAND IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

(APN: 478-220-01)

LOTS 1, 2 AND 7 IN BLOCK 59 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 488-350-3, 4)

LOTS 5 AND 6 IN BLOCK 55 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-220-7)

LOT 4 IN BLOCK 60 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

(APN: 423-250-2, 7, 10, 11, 18)

PARCELS 1, 2 AND 10 OF PARCEL MAP 17905, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 114, PAGES 70 THROUGH 83, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

(APN: 422-070-18, 20, 22)

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF FRACTION 7, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, WHICH LIES NORTH OF THE SOUTH LINE OF LOTS 1, 2, 3 AND 4 IN BLOCK 57 AND WHICH LIES NORTH OF THE SOUTH LINE OF LOT 1 AND ITS EASTERLY EXTENSION AND LOT 2 IN BLOCK 58 AS LOTS AND BLOCKS ARE SHOWN ON MAP 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY RECORDED IN BOOK 11, PAGE 10 OF MAPS, SAN BERNARDINO RECORDS.

EXCEPT THAT PORTION LYING WEST OF THE EAST LINE OF PARCELS 2 AND 3 OF PARCEL MAP NO. 8113, ON FILE IN BOOK 28, PAGE 38 OF PARCEL MAPS, RIVERSIDE COUNTY RECORDS.

ALSO EXCEPT THAT PORTION WHICH LIES NORTHEAST OF THE WESTERLY LINE OF STATE HIGHWAY ROUTE 194, 100.00 FEET IN WIDTH AS DESCRIBED IN THE DEEDS RECORDED OCTOBER 27, 1936 AS FILE NOS. 1498 AND 1499 IN BOOK 300, PAGES 344 AND 345 OF OFFICIAL RECORDS, RIVERSIDE COUNTY RECORDS.

ALSO EXCEPT ONE-HALF OF ALL GAS, OIL AND MINERAL RIGHTS 500.00 FEET BELOW THE SURFACE AS RESERVED IN THE DEEDS RECORDED SEPTEMBER 01, 1960 AS FILE NOS. 77097, 77098, 77099 AND 77100 ALL OF OFFICIAL RECORDS.

TOGETHER WITH:

(APN: 478-220-17, 18, 19, 20, 21, 22, 23, 24)  
 LOTS 1 THROUGH 8, INCLUSIVE, IN BLOCK 81 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-220-15, 16, 25, 26, ,28)  
 LOTS 1, 2, 3, 4, 5, 6, AND 8 IN BLOCK 82 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

EXCEPTING FROM LOT 7, ONE HALF OF ALL OIL, GAS, MINERAL AND SUBSURFACE RIGHTS 500 FEET OR MORE BELOW THE SURFACE, BUT WITHOUT ANY RIGHTS WHATSOEVER TO THE USE OF THE SURFACE OR THE SUBSURFACE AREA OF SAID LAND TO A DEPTH OF 500 FEET FROM SAID SURFACE FOR ANY PURPOSE INCIDENTAL TO THE OWNERSHIP OF SAID SUBSTANCES, AS RESERVED TO MARY B. TRAUTWEIN, A WIDOW, ET AL. BY DEED RECORDED MARCH 6, 1964 AS INSTRUMENT NO. 28654 OF OFFICIAL RECORDS

TOGETHER WITH:

(APN: 478-230-7)  
 LOTS 1 THROUGH 8 IN BLOCK 87 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-230-1, 2, 3, 4, 5, 6)  
 LOTS 1 THROUGH 4, 7 AND 8 IN BLOCK 88 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11,



PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-230-19-0, 20)

LOTS 2 AND 7 IN BLOCK 109 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

EXCEPT FROM SAID LOT 7 BLOCK 109 THAT PORTION CONVEYED TO THE COUNTY OF RIVERSIDE IN DEED RECORDED JULY 24, 1973 AS FILE NO. 97183 OF OFFICIAL RECORDS.

TOGETHER WITH:

(APN: 478-230-11, 14)

LOTS 1 AND 8 IN BLOCK 109 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-230-9, 10)

LOTS 3 AND 4 IN BLOCK 110 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 11 PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-210-54-9)

LOTS 1 THROUGH 4, BLOCK 1 OF THE TOWN OF MORENO, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 19, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THE NORTHERLY 10 FEET OF THAT PORTION OF BAY AVENUE, VACATED BY RESOLUTION RECORDED JANUARY 10, 1974 AS FILE NO. 4002 OF OFFICIAL RECORDS, LYING BETWEEN THE SOUTHERLY PROLONGATION OF THE EAST LINE OF RUSSELL STREET AND THE SOUTHERLY PROLONGATION OF EAST LINE OF LOT 4 IN BOOK 1 AS SHOWN ON AS MAP OF TOWN OF MORENO.

TOGETHER WITH:

(APN: 478-210-55-0)

LOTS 1 THROUGH 4, BLOCK 2 OF TOWN OF MORENO, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN



BOOK 11, PAGE(S) 19, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THE NORTHERLY 10 FEET OF THAT PORTION OF BAY AVENUE, VACATED BY RESOLUTION RECORDED JANUARY 10, 1974 AS FILE NO. 4002 OF OFFICIAL RECORDS, LYING BETWEEN THE SOUTHERLY PROLONGATION OF THE EAST LINE OF REDLANDS BOULEVARD AND THE SOUTHERLY PROLONGATION OF THE WEST LINE OF RUSSEL STREET AS SHOWN ON SAID MAP OF TOWN OF MORENO.

TOGETHER WITH:

(APN: 478-220-4, 5, 6, 10, 11)

LOTS 1, 2, 3, 7 AND 8 IN BLOCK 60 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 488-350-8, 9, 10)

LOTS 6, 7 AND 8 IN BLOCK 56 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-220-2, 3, 12, 13)

LOTS 3, 4, 5 AND 6 IN BLOCK 59 AS SHOWN BY MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 488-350-5)

LOT 7 IN BLOCK 55 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF EUCALYPTUS AVENUE, WITHIN SAID BLOCK LYING SOUTHERLY AND ADJACENT TO SAID LOT 7.

TOGETHER WITH:

(APN: 488-350-6)

LOT 8 IN BLOCK 55 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THOSE PORTIONS

OF EUCALYPTUS AVENUE AND SINCLAIR STREET, WITH SAID BLOCK LYING SOUTHERLY, EASTERLY AND ADJACENT TO SAID LOT 8.

TOGETHER WITH:

(APN: 488-350-7)

LOT 5 IN BLOCK 56 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 423-250-8, 9, 12 AND 423-260-10)

PARCELS 3 THROUGH 5, AND 11 OF PARCEL MAP 17905, IN THE CITY OF, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 114, PAGE(S) 70 THROUGH 83, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

(APN: 423-260-3, 4, 5, 7, 8, 9 AND 423-310-1, 2)

PARCELS 6 THROUGH 9 AND 14 THROUGH 17 OF PARCEL MAP 17905, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 114, PAGE(S) 70 THROUGH 83, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

(APN: PORTION 488-350-15)

ALL THOSE PORTIONS OF LOTS 1, 2, 3 AND 4 OF BLOCK 55, MAP NO. 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP ON FILE IN BOOK 11 PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA LYING SOUTHERLY OF PARCEL MAP 35629, FILED IN MAP BOOK 231 PAGES 77 THROUGH 82 OF PARCEL MAPS.

EXCEPTING THEREFROM THAT PORTIONS OF LOTS 3 AND 4 OF BLOCK 34 CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MAY 25, 1962 AS INSTRUMENT NO. 48967 IN BOOK 3147 PAGE 181 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM ONE HALF OF ALL OIL, GAS, MINERAL AND SUBSURFACE RIGHTS 500 FEET OR MORE BELOW THE SURFACE, BUT WITHOUT ANY RIGHTS WHATSOEVER TO THE USE OF THE SURFACE OR THE SUBSURFACE AREA OF SAID LAND TO A DEPTH OF 500 FEET FROM SAID SURFACE FOR ANY PURPOSE INCIDENTAL TO THE OWNERSHIP OF SAID SUBSTANCES, AS RESERVED IN DEED RECORDED JULY 12, 1961 AS INSTRUMENT NO. 59232 IN BOOK 2942 PAGE 318 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SAID EXCEPTION AFFECTS LOTS 1, 2 AND 4 OF SAID BLOCK 55.



TOGETHER WITH:

(APN 478-240-011-3, 017-9, 026-7, 027-8, 030-0)  
 LOT(S) 3, 4, 5, 6 AND 7 IN BLOCK 136, MAP NO. 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THOSE PORTIONS OF BRODIAEA AVENUE, SINCLAIRE STREET AND CACTUS AVENUE, WITHIN SAID BLOCK, LYING WESTERLY OF THE EAST LINE OF SAID LOTS PROLONGED NORTHERLY AND SOUTHERLY, THAT WOULD PASS WITH A CONVEYANCE OF SAID LOTS.

TOGETHER WITH:

(APN 478-240-028-9)  
 LOT 1 IN BLOCK 136 OF MAP NO. 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, TOGETHER WITH THOSE PORTIONS OF BRODIAEA AVENUE AND THEODORE STREET, WITHIN SAID BLOCK, LYING NORTHERLY OF THE SOUTH LINE OF SAID LOT PROLONGED EASTERLY AND EASTERLY OF THE EAST WEST LINE OF SAID LOT PROLONGED NORTHERLY.

TOGETHER WITH:

(APN 478-240-019-1)  
 LOT 8 IN BLOCK 136 OF MAP NO. 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, TOGETHER WITH THOSE PORTIONS OF CACTUS AVENUE AND THEODORE STREET, WITHIN SAID BLOCK, LYING EASTERLY OF THE WEST LINE OF SAID LOT PROLONGED SOUTHERLY AND SOUTHERLY OF THE NORTH LINE OF SAID LOT PROLONGED EASTERLY.

TOGETHER WITH:

(APN 478-240-025-6)  
 LOT 8 IN BLOCK 113 OF MAP NO. 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, TOGETHER WITH THOSE PORTIONS OF BRODIAEA AVENUE AND THEODORE STREET, WITHIN SAID BLOCK, LYING EASTERLY OF THE WEST LINE OF SAID LOT PROLONGED SOUTHERLY AND SOUTHERLY OF THE NORTH LINE OF SAID LOT PROLONGED EASTERLY.

TOGETHER WITH:

(APN 478-240-29-0)

LOT 2 IN BLOCK 136 OF MAP NO.1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THOSE PORTIONS OF BRODIAEA AVENUE, THEODORE STREET, CACTUS AVENUE, AND SINCLAIR STREET WHICH WOULD PASS BY OPERATION OF LAW.

TOGETHER WITH:

(APN 478-240-24-5)

LOT 7 IN BLOCK 113 OF MAP NO. 1, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, TOGETHER WITH THOSE PORTIONS OF BRODIAEA AVENUE AND THEODORE STREET WHICH WOULD PASS BY OPERATION OF LAW.

TOGETHER WITH:

(APN 478-240-005-8, 008-1)

LOTS 3 AND 6, BLOCK 113, MAP NO. 1 BEAR VALLEY & ALESSANDRO DEVELOPMENT COMPANY., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

TOGETHER WITH:

(APN 422-070-033-1)

PARCEL 4 OF PARCEL MAP 8113, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 28, PAGE 38 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

(APN 422-130-002-8, 003-9)

THE EASTERLY 80 ACRES OF THAT PORTION OF FRACTION SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY, LOCATED SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF THE PORTION OF SAID SECTION GRANTED TO THE STATE OF CALIFORNIA FOR HIGHWAY PURPOSES BY DEED RECORDED MARCH 17, 1937 IN BOOK 318, PAGE 57 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT FROM GOVERNMENT LOTS 3, 4, 5, 6 AND 9, THE SOUTH 30 FEET THEREOF, AS GRANTED TO RIVERSIDE COUNTY FOR ROAD PURPOSES BY DEED RECORDED JUNE 23, 1916 IN BOOK 433, PAGE 192 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND AS SHOWN ON LICENSED SURVEYOR'S MAP ON FILE IN BOOK 5, PAGE 44 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.



THE WESTERLY LINE OF SAID 80 ACRES BEING PARALLEL WITH THE WESTERLY LINE OF SAID SECTION 8. (TO BE ANNEXED)

TOGETHER WITH:

(APN 422-130-001, 422-110-001)

THAT PORTION OF FRACTION SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF THE PORTION OF SAID LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 17, 1937 IN BOOK 318, PAGE 57 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPT THE EASTERLY 80 ACRES THEREOF, THE WESTERLY LINE OF SAID 80 ACRES BEING PARALLEL WITH THE WESTERLY LINE OF SAID SECTION.

ALSO EXCEPT THE SOUTH 30.00 FEET AS DESCRIBED IN DEED TO THE COUNTY OF RIVERSIDE RECORDED JUNE 23, 1916 IN BOOK 433, PAGE 192 OF DEEDS.

ALSO EXCEPTING THEREFROM ANY PORTION THAT LIES WITHIN PARCEL 3 OF PARCEL MAP 16950 AS PER MAP ON FILE IN BOOK 99 OF PARCEL MAPS, AT PAGES 34 THROUGH 42, RIVERSIDE COUNTY RECORDS.

ALSO EXCEPT ONE HALF OF ALL GAS, OIL, AND MINERAL RIGHTS 500.00 FEET FROM BELOW THE SURFACE AS RESERVED BY MARIE B. ERRAMUSPE, A WIDOW, BY DEED RECORDED SEPTEMBER 01, 1960 AS INSTRUMENT NO. 77098, OFFICIAL RECORDS.

TOGETHER WITH:

(APN 422-070-6, 10, 17, 19, 21, AND 422-080-01, 02, 03, 04)

LOTS 1 THROUGH 4 BOTH INCLUSIVE, IN BLOCK 111; LOTS 1 THROUGH 8 BOTH INCLUSIVE, IN BLOCK 83; LOTS 1 THROUGH 8 BOTH INCLUSIVE, IN BLOCK 84; LOTS 1 THROUGH 8 BOTH INCLUSIVE, IN BLOCK 85; LOTS 1 THROUGH 8 BOTH INCLUSIVE, IN BLOCK 86; LOTS 5 THROUGH 8 BOTH INCLUSIVE, IN BLOCK 57; LOTS 5, 6, 7 AND 8 IN BLOCK 58 AND LOTS 1 THROUGH 4 BOTH INCLUSIVE, IN BLOCK 112, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, SAN BERNARDINO COUNTY RECORDER, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH THOSE PORTIONS OF THEODORE STREET, ULYSSES STREET, VIRGINIA STREET, DRACAEA AVENUE, COTTONWOOD AVENUE, BAY AVENUE AND ALESSANDRO BOULEVARD ADJOINING SAID LOTS WITHIN SAID BLOCKS.

TOGETHER WITH THAT PORTION OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, WHICH LIES EAST OF THE EAST LINE OF SAID BLOCKS 57, 84, 85 AND 112.

EXCEPT THAT PORTION OF BLOCK 58 LYING WITHIN PARCEL. MAP 8113 AS PER MAP RECORDED IN BOOK 28, PAGE 38 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY.

ALSO EXCEPT THAT PORTION LYING NORTHEAST OF THE SOUTHWEST LINE OF THE LAND DESCRIBED IN DEEDS TO THE COUNTY OF RIVERSIDE RECORDED OCTOBER 27, 1936 IN BOOK 300, PAGES 344 AND 345 OF OFFICIAL RECORDS, RECORDED JULY 09, 1936 IN BOOK 287, PAGE 315 AND AUGUST 07, 1936 IN BOOK 292, PAGE 85, AND MARCH 17, 1937 IN BOOK 318, PAGE 57, ALL OF OFFICIAL RECORDS.

ALSO EXCEPT PORTION LYING SOUTHERLY OF THE NORTH LINE OF THE LAND DESCRIBED IN DEED TO THE COUNTY OF RIVERSIDE RECORDED DECEMBER 13, 1915 IN BOOK 432, PAGE 254 OF DEEDS.

ALSO EXCEPT THAT PORTION DESCRIBED IN DEED RECORDED NOVEMBER 27, 1934 IN BOOK 205, PAGE 29 OF OFFICIAL RECORDS AND OCTOBER 23, 1934 IN BOOK 199, PAGE 97 OF OFFICIAL RECORDS.

ALSO EXCEPT ONE-HALF OF ALL GAS, OIL AND MINERALS 500.00 FEET FROM BELOW THE SURFACE AS RESERVED IN DEED RECORDED SEPTEMBER 01, 1960 AS INSTRUMENT NOS. 77097, 77098, 77099, 77100 AND 77101, ALL OF OFFICIAL RECORDS.

TOGETHER WITH:

(APN 478-220-029-8)

PARCEL(S) 1 OF PARCEL MAP NO. 9880, AS PER PLAT RECORDED IN BOOK 47 OF PARCEL MAPS, PAGE(S) 25, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

(APN 488-350-019)

LOT 1 IN BLOCK 56 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., AS SHOWN BY MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, LYING SOUTHERLY OF PARCEL MAP 35629, FILED IN MAP BOOK 231 PAGES 77 THROUGH 82 OF PARCEL MAPS.

TOGETHER WITH THOSE PORTIONS OF FIR AVENUE AND THEODORE STREET WITHIN SAID BLOCK LYING EAST OF THE WEST LINE OF SAID LOT PROLONGED NORTHERLY AND NORTH OF THE SOUTH LINE OF SAID LOT PROLONGED EASTERLY.

TOGETHER WITH:

(APN 488-350-021)

LOT 2 IN BLOCK 56 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, LYING SOUTHERLY OF PARCEL MAP 35629, FILED IN MAP BOOK 231 PAGES 77 THROUGH 82 OF PARCEL MAPS.



TOGETHER WITH:

(APN 488-350-023)

LOT 3 IN BLOCK 56 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, LYING SOUTHERLY OF PARCEL MAP 35629, FILED IN MAP BOOK 231 PAGES 77 THROUGH 82 OF PARCEL MAPS.

TOGETHER WITH:

(APN 488-350-025)

LOT 4 IN BLOCK 56 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, LYING SOUTHERLY OF PARCEL MAP 35629, FILED IN MAP BOOK 231 PAGES 77 THROUGH 82 OF PARCEL MAPS.

TOGETHER WITH THOSE PORTIONS OF SINCLAIR STREET WITHIN SAID BLOCK LYING WESTERLY AND NORTHERLY AND ADJACENT TO SAID LOT 4.

TOGETHER WITH:

(APN 478-240-006,007)

LOTS 1 AND 2 IN BLOCK 113 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-220-014)


LOT 8 IN BLOCK 59 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH:

(APN: 478-220-27)

LOT 7 IN BLOCK 82 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP NO. 1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

THIS DESCRIPTION WAS PREPARED  
BY ME OR UNDER MY DIRECTION.

  
\_\_\_\_\_  
JOHN R. DUQUETTE, PLS 7566

DATE: 5/27/15



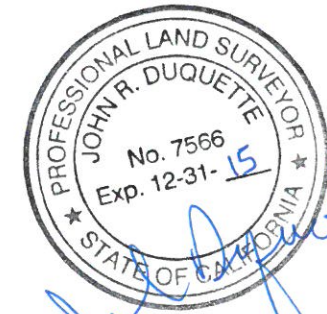
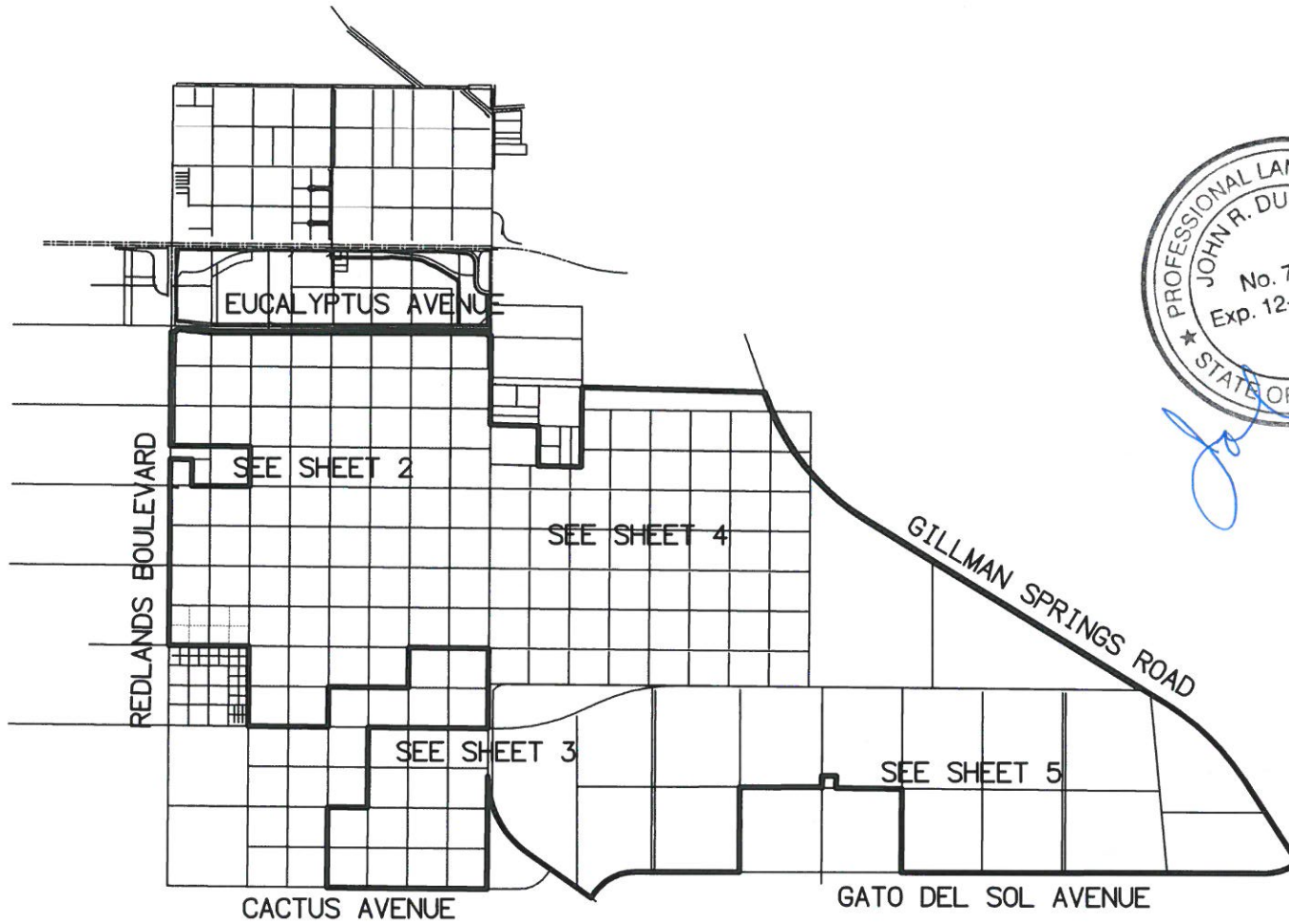


EXHIBIT "A-2"

SHEET 1 OF 5 SHEETS

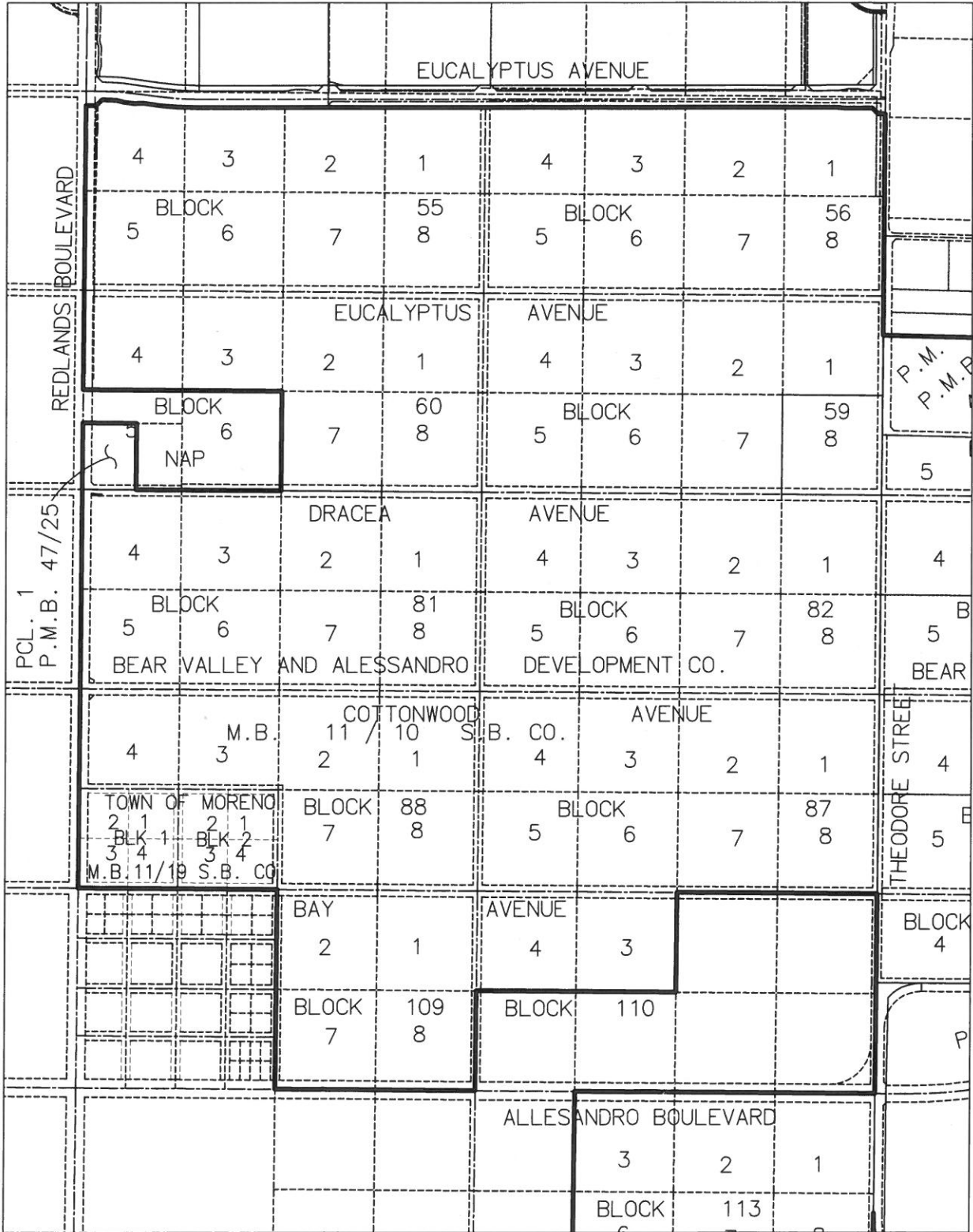
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 40810 COUNTY CENTER DRIVE, SUITE 100  
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Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan



SEE SHEET 4

SEE SHEET 3

# EXHIBIT "A-2"

SHEET 2 OF 5 SHEETS

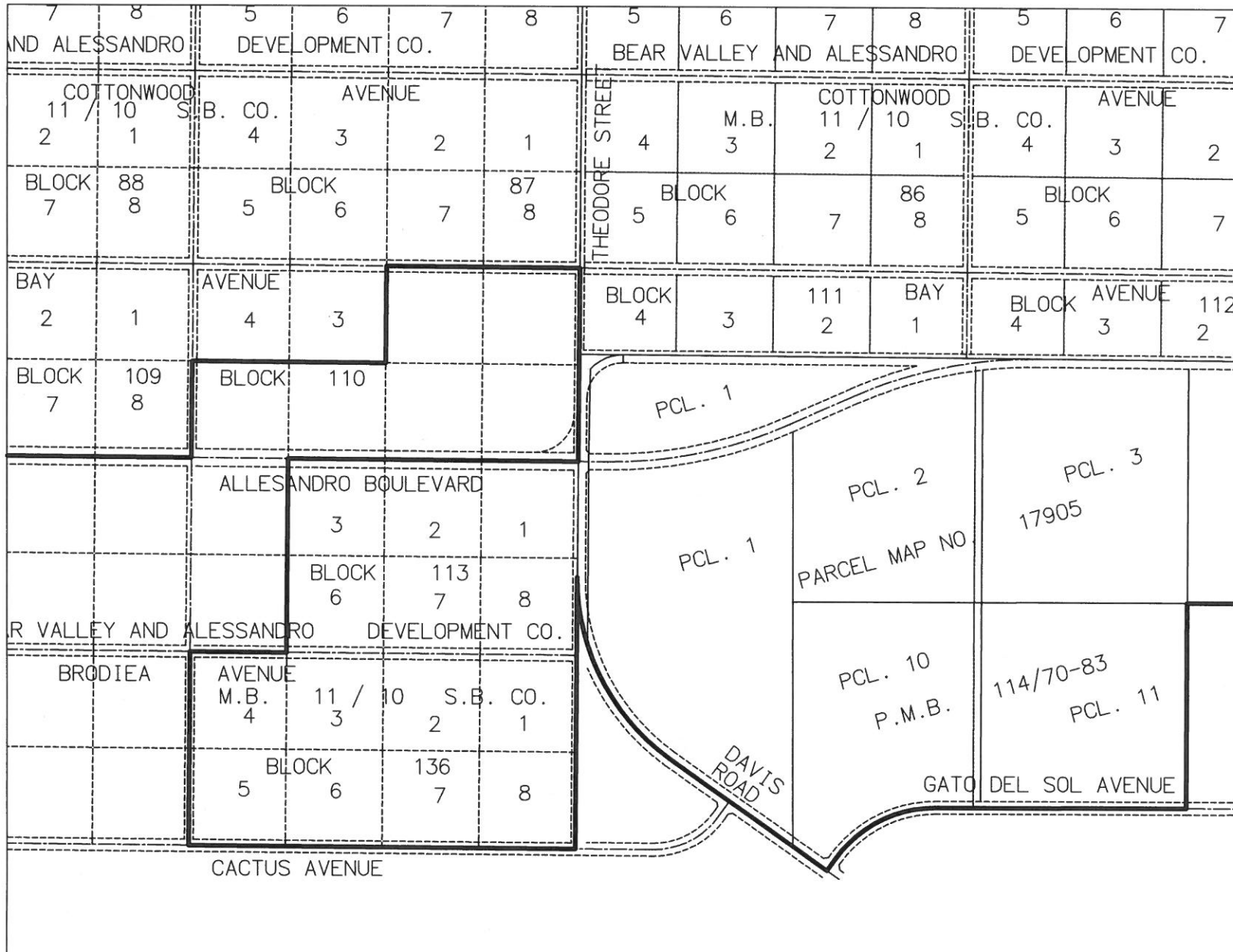
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SEE SHEET 2



SEE SHEET 4

SEE SHEET 5



Packet Pg. 726

EXHIBIT "A-2"

SHEET 3 OF 5 SHEETS

DATE MAY 27, 2015	SCALE 1"=1000'	JOB NO. 10-105750
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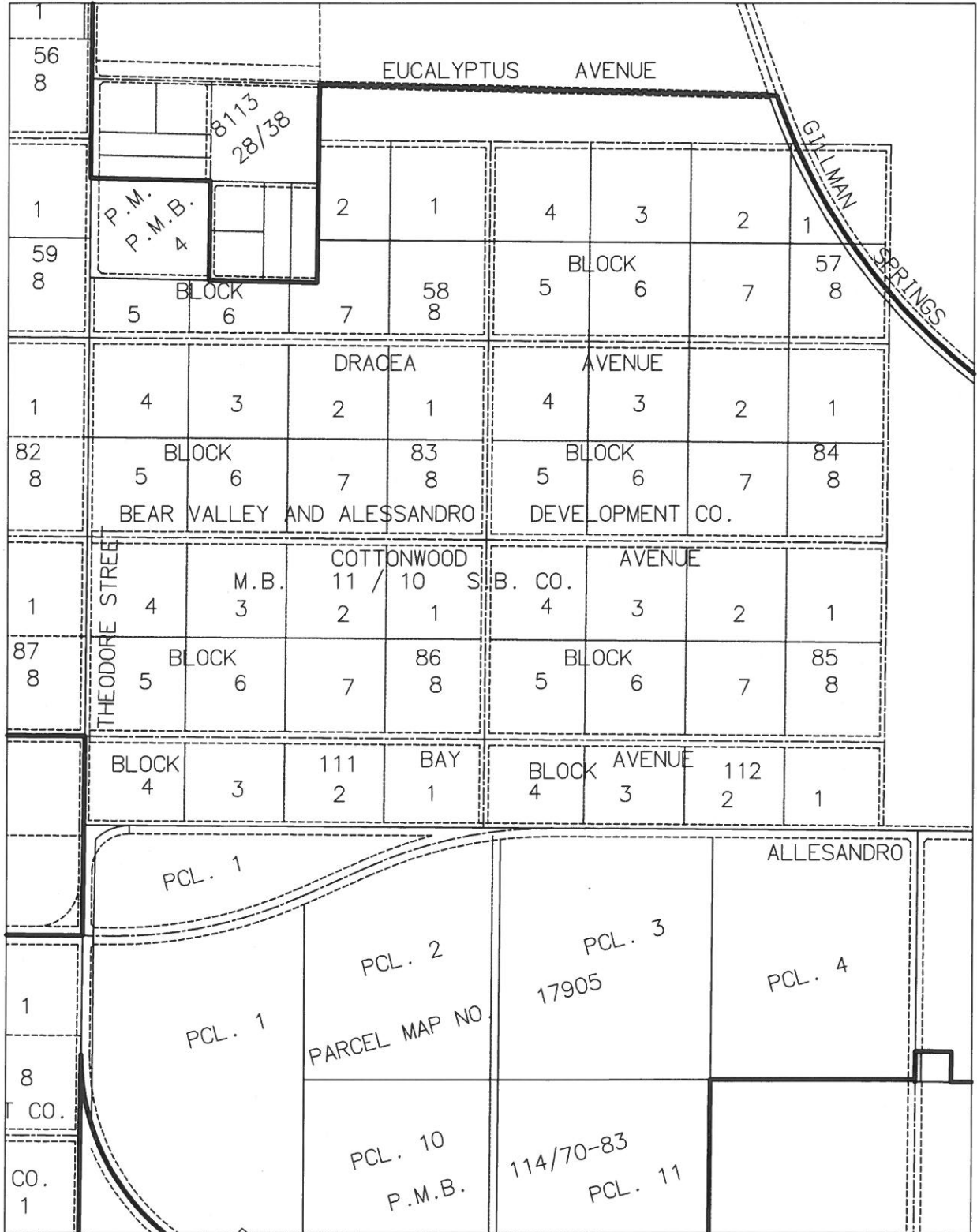
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Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan



Attachment: PC Resolution 2015-16 Development Agreement [Revision 1] (1462 : World Logistics Center project includes a General Plan

SEE SHEET 2



SEE SHEET 3

SEE SHEET 5

# EXHIBIT "A-2"

SHEET 4 OF 5 SHEETS

DATE MAY 27, 2015	SCALE 1"=1000'	JOB NO. 10-105750
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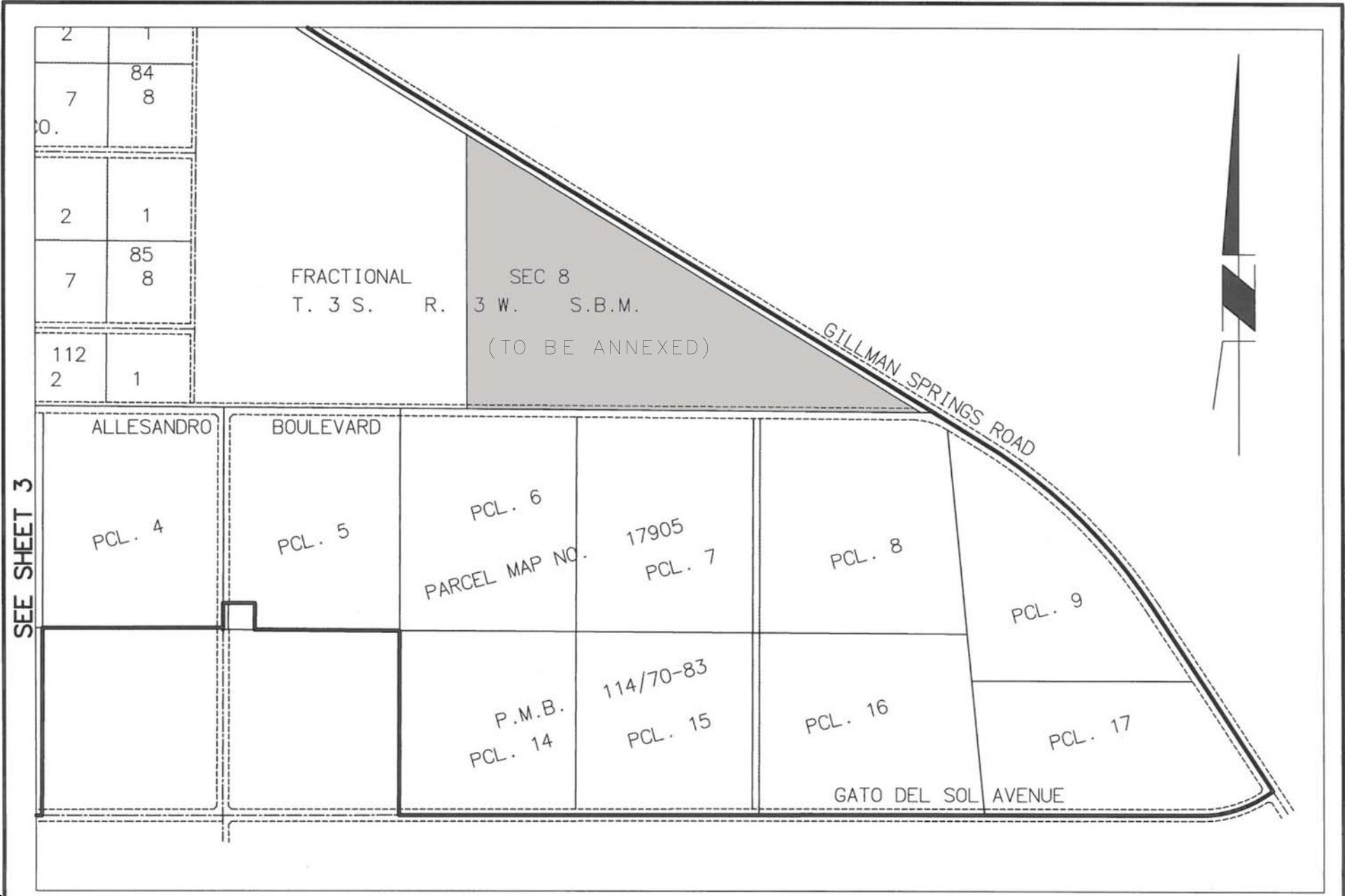


EXHIBIT "A-2"

SHEET 5 OF 5 SHEETS

DATE MAY 27, 2015	SCALE 1"=1000'	JOB NO. 10-105750
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**RBF** CONSULTING

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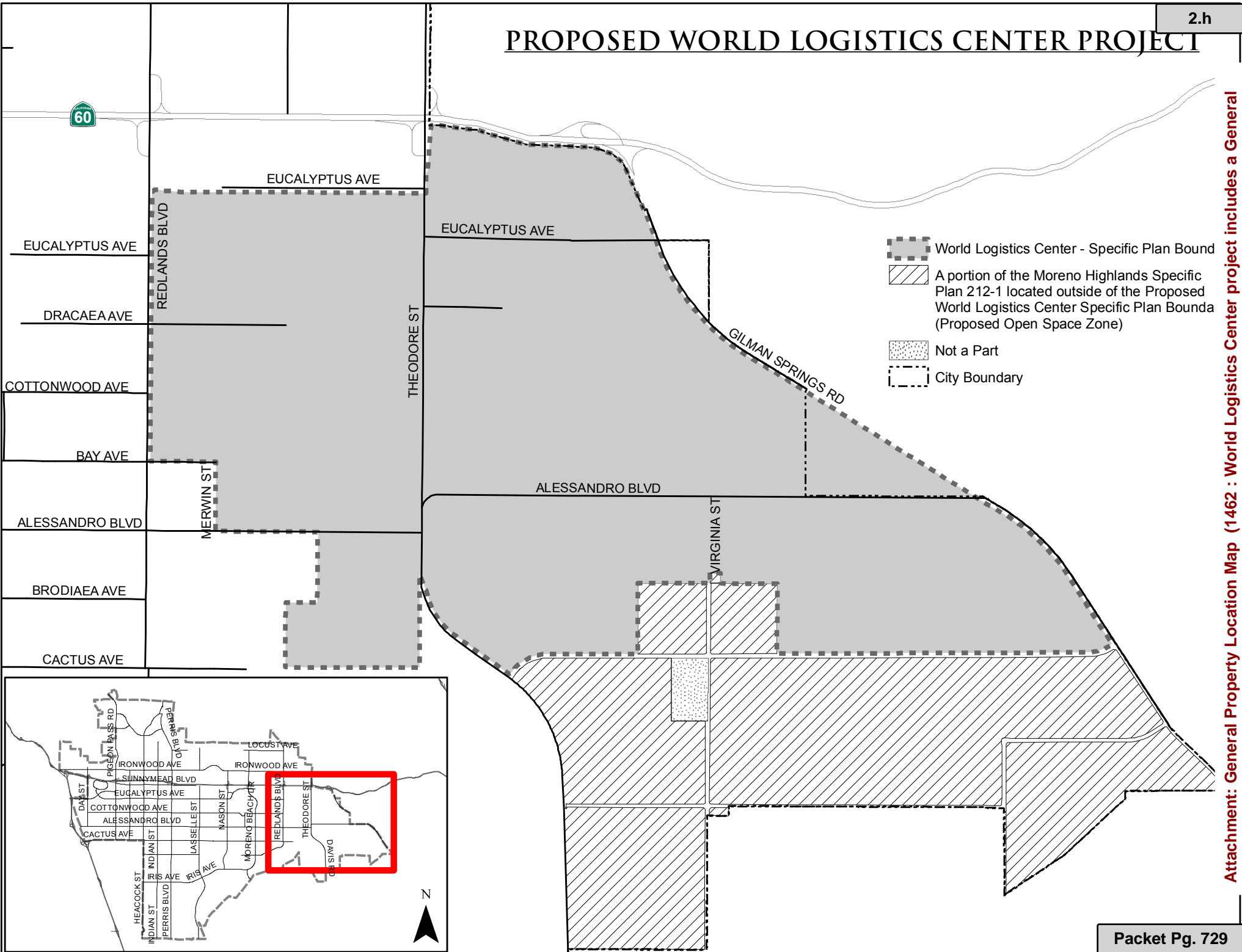
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Packet Pg. 728

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# PROPOSED WORLD LOGISTICS CENTER PROJECT

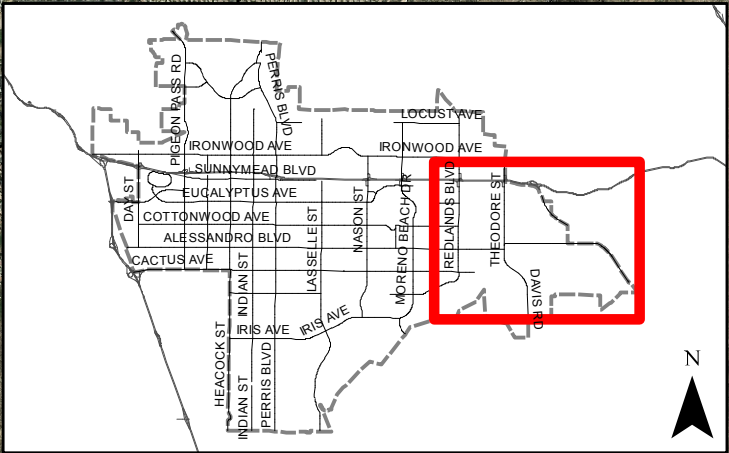
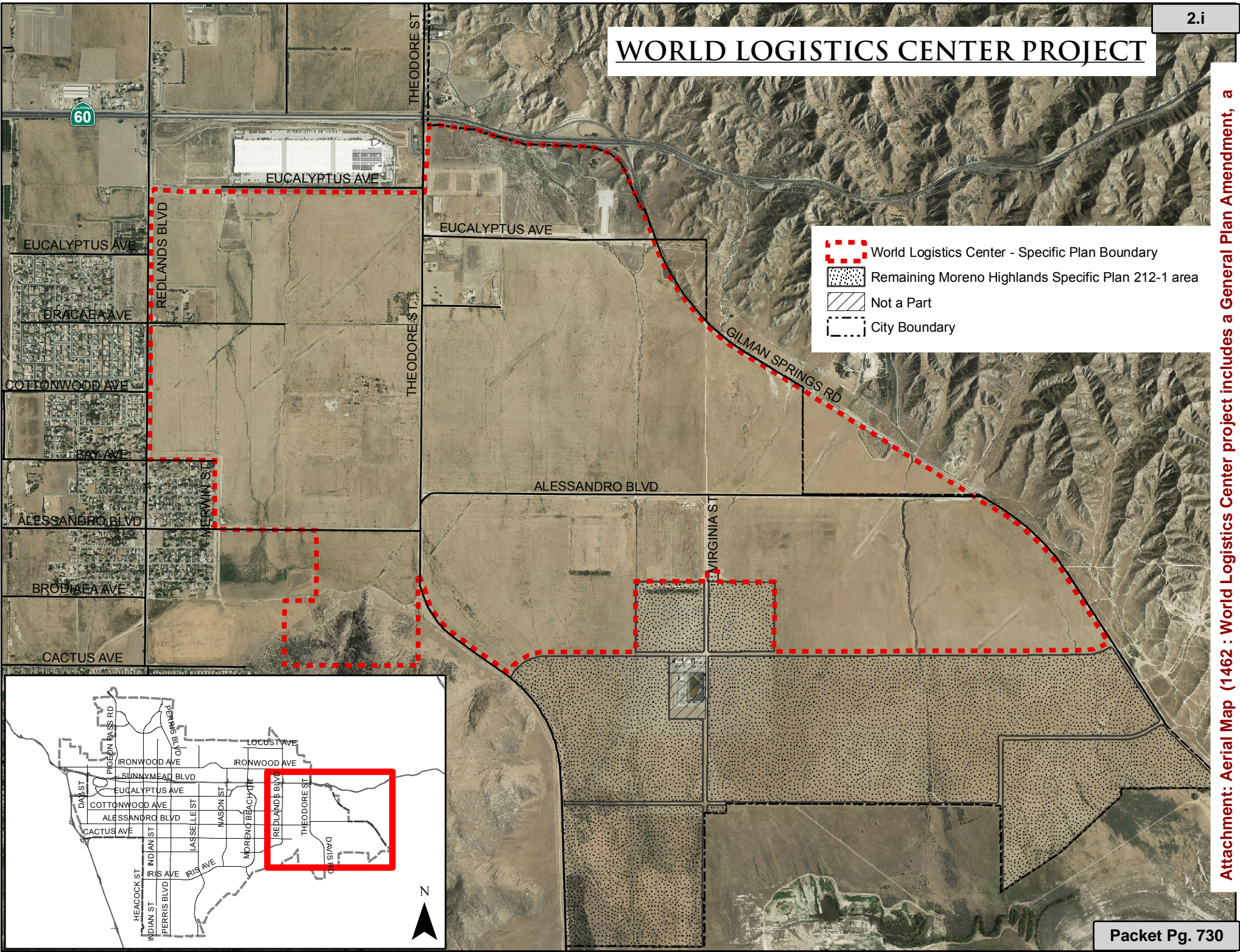


-  World Logistics Center - Specific Plan Bound
-  A portion of the Moreno Highlands Specific Plan 212-1 located outside of the Proposed World Logistics Center Specific Plan Bound (Proposed Open Space Zone)
-  Not a Part
-  City Boundary

Attachment: General Property Location Map (1462 : World Logistics Center project includes a General



# WORLD LOGISTICS CENTER PROJECT



Attachment: Aerial Map (1462 : World Logistics Center project includes a General Plan A amendment, a



## General Plan Background Sheet

The General Plan amendment includes proposed modifications to the existing General Plan text/maps, and proposes revisions to the City of Moreno Valley General Plan land use designations. The proposed project, including the General Plan Land Use Amendments, would include modified land use designations of primarily Business Park (BP), R5 (Residential -5) and OS Open Space. The proposal will change the existing General Plan Land Use Map to BP or Business Park/Light Industrial for a majority of the Specific Plan area, while OS or Open Space will be designated for an approximate 74 acre parcel located in the southern portion of the WLC Specific Plan area and the approximate 1,104 acres south of the proposed World Logistics Center (WLC) Specific Plan boundary area. The proposed General Plan land use amendments for the project would be consistent with the zoning established in the WLC Specific Plan.

If the Business Park/Light Industrial General Plan land use amendment is approved for a majority of the land area within the WLC Specific Plan, it would constitute a significant policy change for the eastern portion of Moreno Valley. This action would remove the multiple/variety of land uses currently allowed in the General Plan for business park/industrial, single and multiple-family residential, commercial/retail, mixed use, public and open space land use designations and opportunities and change them to allow for industrial warehouse and open space uses. Present land use regulations for existing single family homes that currently exist within the WLC Specific Plan area would no longer be included in the new Specific Plan regulation and existing properties would become legal non-conforming uses and structures. As such they would be subject to current Municipal Code standards for non-conforming uses and structure with some restriction placed on future development, improvements and/or expansion. For example, Section 9.02.180 “Legal Non-Conforming Uses, Improvements and Parcels” of the Municipal Code currently allows for the expansion of no more than 250 square feet of floor area and, 400 square feet of garage or carport area for single family residential properties.

Additional text modification from proposed General Plan Elements for the project includes amendment of the Community Development Element related to modification of land uses, Parks, Recreation and Open Space Element for modification of existing multi-use trail configurations, open space and future parkland acquisition areas, Conservation Element to modify the Major Scenic Resources Map, Safety Element to modify noise contours and the Fire Station Map, Circulation Element to include changes to General Plan Street designations and roadway configurations, and General Plan Goals and Objectives to include a revised Circulation Plan, Level of Service standards and Bikeway Plan Map. As Community Development Land Use Map changes were identified at the beginning of the section, a synopsis of the remaining General Plan map and text changes as a result of the proposed WLC Specific Plan included under Attachment 3 to the staff report are as follows:

Open Space - Revisions to the General Plan Parks, Recreation and Open Space Element and Open Space Map (Figure 4-1) includes the removal of approximately 780

acres of open space area which is currently included in the Moreno Highlands Specific Plan as golf course uses and replace with approximately 74.3 acres in the southwestern portion of the proposed WLC Specific Plan. Additional land, approximately 1,104 acres, located outside and to the south of the WLC Specific Plan and adjacent to the San Jacinto Wildlife Area would be designated as open space.

Future Parkland Acquisition Areas – Modifications to the General Plan Parks, Recreation and Open Space Element and Future Parklands Acquisition Areas Map (Figure 4-2) includes the reduction of five proposed active parkland areas based on the standard of three (3) acres of parkland area required per 1,000 people in residentially zoned property such as what was provided in the Moreno Highlands Specific Plan. As parks are not required for either industrial or commercially zoned properties, the future General Plan parkland sites within the WLC Specific Plan have been eliminated.

Master Plan of Trails –Revisions to the General Plan Parks, Recreation and Open Space Element and Master Plan of Trails General Plan Map (Figure 4-3) would primarily revise trail configurations in the plans to include the connection on Eucalyptus Avenue to Gilman Springs Road instead of Cottonwood Avenue to Gilman Springs Road. With the revised trails configuration, multi-use trails are proposed to traverse through the project from Redlands Boulevard with a trail running on the northern and eastern portion of the project down Eucalyptus Avenue and connecting at Gilman Springs Road down to proposed Street F. The trail will then meander down to the San Jacinto Wildlife Area. On the west and southern portions of the project site, the multi-use trail will run down Redlands Boulevard and around the Old Moreno neighborhood (along Bay Avenue and Merwin Street) to Cactus Avenue. The proposed Cactus Avenue trail would continue east at the base of the hills to connect to Davis Street and the San Jacinto Wildlife Area. The City of Moreno Valley Trails Board reviewed the WLC project trails configurations on January 23, 2013. In light of the subsequent deletion of 100 acres from the project area and a reduction in approximately 1 million square feet of building area, the Board reviewed the revised recreational trails for the project on January 22, 2014, and recommended approval.

Fire Stations - General Plan Safety Element modifications to the Fire Station Map (Figure 6-1) will change the location of a future fire station from just south of Alessandro Boulevard and west of Gilman Springs Road to just south of Eucalyptus Avenue and immediately west of Gilman Springs Road.

Build out Noise Contours - General Plan Safety Element modifications to the Build out Noise Contour Map (Figure 6-2) include adjustments in noise CNEL Levels for properties and roadways within the WLC Specific Plan area and properties and roadway areas outside of the WLC Specific Plan area. Specific changes to the noise contours are included with the attached General Plan information on unchanged segments and technical data to accompany the Build out Noise Contour Map

Major Scenic Resources – The General Plan Conservation Element modifications to modify the Major Scenic Resources Map (Figure 7-2) include adjustment of the view corridor further to the south below the WLC Specific Plan boundary area.

Circulation Plan – The General Plan Circulation Element changes (Figure 9-1) include modification to the Circulation Map to remove General Plan streets such as Encilia Avenue (east to west divided minor arterial), Spine Road (northeast to southwest divided arterial), Virginia Avenue (a primarily north to south minor arterial) and Sinclair Street (a north to south divided major arterial). Additional streets in the WLC Specific Plan will be added and are included in the proposed WLC Specific Plan as Streets A, B, E and F, and are subject to renaming at a later date when physical development proceeds. In addition, a cleanup item will be completed to the remaining portion of Encilia Avenue, west of the project area where the correct spelling will be made to “Encelia” and updated right of way configuration will be provided.

The Specific Plan, which is used to implement the General Plan objectives, proposes a circulation system for the area that limits truck traffic access to Theodore Street (from Highway 60) and Gilman Springs Road. Additional passenger vehicle access would be provided from Cactus Avenue with trucks prohibited from that route. All motor vehicle access along Alessandro Boulevard from the west would be prohibited, with allowances for pedestrian and bicycle access only. As Alessandro Boulevard is considered a historical street and landmark, it will include the same name and alignment but will include only emergency access, trail connection and public access at Merwin Street up to where the street connects into the Specific Plan and provides vehicular access. The restriction of access will prevent trucks from utilizing Alessandro Boulevard as a connection to the residential neighborhoods located west of Redlands Boulevard.

LOS Standards –General Plan Circulation Element modifications to LOS or Level of Service standards included on the LOS Standards Map (Figure 9-2) includes only adjustments where proposed streets are to be located. LOS standards for the majority of streets within the WLC Specific Plan are not changing from existing General Plan and remain at LOS C and D.

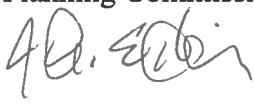
Bikeway Plan – The General Plan Bikeway Plan included under the Circulation Element of the General Plan (Figure 9-4) includes changes where Bicycle Boulevards would be included on modified streets within the WLC Specific Plan boundary area.

961 Creek View Lane  
 Redlands, CA 92373  
 (909) 307-9444 Phone  
 john@johnhusing.com  
 www.johnhusing.com

**RECEIVED**

**MAY 26 2015**

CITY OF MORENO VALLEY  
 Planning Division

To: Moreno Valley Planning Commission  
 From: John Husing   
 Date: May 21, 2015  
 Subject: World Logistics Center

At recent forums sponsored by UCR (5/12/2014) and Riverside County (5/14.2014), I discussed my view of the best way in which to plan for the likely growth of logistics facilities in the eastern portion of Western Riverside County, including Moreno Valley. Those thoughts may be of use to the Planning Commission in its deliberations about the World Logistics Center.

Having watched the Inland Empire economy grow-up over the past 50 years of work as an economist, the city of Ontario seems to me to have handled industrial growth the best and offers serious lessons to Moreno Valley. Allow me to explain.

Ontario's first distribution center opened in 1985. Today, there are 99 million square feet of industry development in that city which is the backbone of the entire Inland Empire logistics industry. Importantly, these operations are isolated to the east of the community. There are no incompatible uses such as retail centers, residential neighborhoods or schools mixed in to the industry area. Also, the city has worked hard to isolate the heavy duty truck traffic between these facilities and the adjacent freeways so there is minimal intermixing with other vehicles. This has allowed Ontario to benefit from the retail sales taxes (*which exceed all other non-industrial sources*) and property taxes generated by this industrial complex and use them to support projects benefiting the rest of the city. This has been done without unduly impacting the lives of its residents. It has also provided jobs:housing balance for the community which today has far more jobs than are needed given its level of occupied homes.

Ontario has had one difficulty in that its overall industrial area was never master planned in advance as it had a large number of landowners and numerous developers unrelated to each other. It was thus not possible to plan all of the amenities that could have been built into the industrial area. It thus grew up as projects were proposed without an overall theme or allowance for infrastructure or amenities beyond those individual developers were proposing.

Moreno Valley has the chance to overcome that difficulty. As the World Logistics Center has a single property owner and the Planning Commission is looking at the entire area as a unit, this offers an enormous advantage to the city. The 40 million square feet proposed can have the thematic tone and amenities this implies. The project is also arising at a time when e-commerce operations are looking for locations. Their retail sales tax generation, which applies to every California sale from their facilities, should far exceed that possible in Ontario which grew up before the advent of on-line shopping. In addition, the square foot of space per job in these fulfillment centers is much less than traditional warehousing making the jobs per facility as high or higher than for manufacturing firms of equal size. This offers the opportunity for more jobs in less space than in Ontario and should help the city's resident-commuters work locally.



Much has been made of the 40 million square feet as a major change in the scope of logistics space. Here, it should be noted that the city of Riverside had 40,693,000 square feet in first quarter 2013 and more has been built since. Currently, the Inland Empire has 19.2 million square feet under construction, which represents 82.5% of that in Southern California. The point being that the amount is not unusual large, its just stands out because it is being master planned.

It should also be noted that the Inland Empire's logistics sector has added 13,633 direct jobs between first quarter 2014-2015, representing 25.1% of the 54,367 jobs created in the area. The median hourly pay in this sector, according to the official data from the California Employment Development Department, is \$21.44 (\$44,591 a year) with 50% of workers making more and 50% less. Their analysis shows that 83% of workers in the field are in occupations requiring a high school or less education. That means 33% of marginally educated workers are earning over the median hourly rate. This is an important consideration for Moreno Valley in that the Census Bureau's American Community Survey found that 53.1% of Moreno Valley's adults 25 and over in 2013 had high school or less schooling.

Finally on the issue of pollution, there has finally been a study of the 2007 truck engines already required on all trucks going to the ports or intermodal rail yards and thus those handling containers. Over 50% of the study was paid for by California Air Resources Board and the Environmental Protection Agency. The research was conducted by the Health Effects Institute in Boston and conducted by Ph.D. scientists from around the U.S. It found no cancer risk and 90% plus reductions in PM<sub>2.5</sub>, NOX and other gases. The 2010 engines are even cleaner and will be required on all trucks by 2021. Let me recommended that members of the commission review the study directly. It is available at: <http://www.healtheffects.org/> Here is there website summary:

HEI report on lifetime animal exposure to new-technology diesel engine exhaust finds no evidence of lung cancer – January 2015

Research Report 184, *Advanced Collaborative Emissions Study (ACES): Lifetime Cancer and Non-Cancer Assessment in Rats Exposed to New-Technology Diesel Exhaust*, describes the first study to conduct a comprehensive evaluation of lifetime exposure to new-technology diesel exhaust (NTDE). The study was conducted by Drs. Jacob McDonald of the Lovelace Respiratory Research Institute, Jeffrey Bemis of Litron Laboratories, Lance Hallberg of the University of Texas Medical Branch, and Daniel Conklin of the University of Louisville, and their colleagues. Male and female rats were exposed for 80 hours per week, for up to 30 months, to emissions from a heavy-duty diesel engine meeting stringent 2007 U.S. standards that has greatly reduced particle emissions compared with pre-2007 engines. The investigators evaluated more than 100 different biologic endpoints, including tumor development, and compared the results with biologic effects seen in earlier studies in rats exposed to diesel exhaust from pre-2007 engines. For a Press Release, [click here](#). To download HEI Research Report 184, including a Commentary by the HEI ACES Review Panel



Thank you for allowing mean to submit these remarks,

*John Husing*

John Husing

Moreno Valley  
Planning Commission

May 20, 2015

RECEIVED

MAY 18 2015

CITY OF MORENO VALLEY  
Planning Division

World Logistics Center

Re: as a former resident of  
Moreno Valley, please  
consider the residents.

Truckers are prone to  
change the environment.

Living near the Industrial  
area @ Alessandro Blvd.

This area will become an  
eyesore compared to Now.

Please don't allow this! The  
Press-Enterprise published a MAP.

P.S. this breaks  
my heart!

Sincerely,  
Helen Vytham  
8171 Niagara Ave.  
Riverside, CA 92504

Grace Espino-Salcedo

---

**Subject:** FW: missing crucial exhibits in FINAL EIR & horrible DA

-----Original Message-----

From: Lindsay Robinson [<mailto:lindsay.robinson@ucr.edu>]

Sent: Monday, May 18, 2015 7:45 AM

To: George Price; Jeffrey J. Giba; Jesse L. Molina; Dr. Yxstian A. Gutierrez; [ladaonnaj@moval.org](mailto:ladaonnaj@moval.org)

Cc: Mark Gross; Michelle Dawson; Mike Lee; Richard Sandzimier; Allen D. Brock, CBO

Subject: missing crucial exhibits in FINAL EIR & horrible DA

Dear Council Members and staff,

I have been working my way thru the recently released FINAL EIR submitted for the World Logistics Center which is posted on the city website and I have some very large concerns. I'm not sure who I need to address these matters to so I am including everyone that might be involved.

It does not seem logical nor transparent for a document to be released as the FINAL if it is incomplete, but this document seems to be missing some very important exhibits- A1, A2 and B in the development agreement which would describe the property involved and the public improvements that the developer is responsible for. These items are critical/crucial to the entire issue at hand and should be in the FINAL EIR. The fact that they are missing indicates that this should not have been presented to the public as a final document. It's difficult enough to wade through this once and very frustrating to find information is missing.

Even more appalling to an average resident like me is the entire Development Agreement and I can not believe that city staff would accept this as a final agreement. It is completely one sided and should never have been allowed in the FINAL document. The developer is promoting his project as bringing 20,000 jobs (gross exaggeration by newer automated technology) yet in this agreement he never has to build anything. That needs to be brought out by the city not buried in a website folder. Citizens should not lose their right to contest or change this project either. There is so much more that is completely awful about this agreement and I hope you all read and understand it completely and thus reject it in it's entirety.

It also seems like there have been way too many changes from the original so it should have been submitted as a revised EIR not a FINAL EIR.

Since this document is not complete and also contains a horribly one-sided Development Agreement, I feel you should reject the document until it's complete and return it to the developer. A new 45 day review would begin when a complete final document is submitted.

The city has promised transparency and ethical behavior and I hope you will follow those practices regarding this document.

Thank you for your time and consideration,

Lindsay Robinson

Attachment: Letters of Correspondence (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World



**Board of Education**  
 Gary E. Baugh, Ed.S., President  
 Cleveland Johnson, Vice President  
 Jesus M. Holguin, Clerk  
 Denise Fleming, Ed.D.  
 Patrick W. Kelleher

**Superintendent of Schools**  
 Judy D. White, Ed.D.

## Moreno Valley Unified School District

25634 Alessandro Boulevard  
 Moreno Valley, California 92553  
 951-571-7500  
 www.mvusd.net

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*The mission of Moreno Valley Unified School District is to ensure all students graduate high school prepared to successfully enter into higher education and/or pursue a viable career path.*

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May 28, 2015

Mark Gross, AICP  
 Senior Planner  
 Community and Economic Development Department  
 City of Moreno Valley  
 14177 Frederick Street  
 Moreno Valley, CA 92552

**Subject: Comments on Final Environmental Impact Report for World Logistics Center Project**

Dear Mr. Gross:

We at Moreno Valley Unified School District (MVUSD) welcome and appreciate the opportunity to provide comment on the Final Environmental Impact Report (FEIR) for the proposed World Logistics Center project. Our mission is to ensure all students graduate high school prepared to successfully enter into higher education and/or pursue a viable career path. So job creation in our community is especially important to us, and we take very seriously our consideration of potential job-creating projects, to the point of enlisting the help of experts to analyze details in an objective manner. As you know, MVUSD does not take a stand in favor or in opposition to this project. We do, however, have similar concerns about the project's impact on air quality and the potential effects on student and staff health that we expressed in our comments on the Draft Environmental Impact Report (DEIR). As outlined in this letter, the FEIR is flawed and should be revised and recirculated before any action is taken concerning the approval of this project.

**FEIR Air Quality and Community Risk and Hazards Comments**

Most of the comments provided by MVUSD on the DEIR have been addressed in the revised Air Quality Study and revisions to the FEIR, including:

- » assessment of acute non-cancer hazards
- » discussion on ultrafine particles
- » use of the new OEHHA guidance for a school-based health risk assessment
- » evaluation of potential risks to 36 schools located within Moreno Valley

The conclusions of the FEIR are that there would be no excess cancer risk or acute/chronic hazards to occupants of the MVUSD schools with implementation of the proposed project. However, we feel that the assertion in the FEIR that the proposed project would not result in any cancer risks from diesel emissions is overstating the results of the Advanced Collaborative Emissions Study (ACES), as described in more detail in the following paragraphs.

Master Response-2: Health Effects of Diesel Particulate Matter. Page 233 of the FEIR (also identified in Master Response-1 on page 221). This response does not correctly apply the findings of the new technology diesel exhaust (NTDE) in the ACES to the proposed project. The Master Response states that the proposed project would not result in any cancer risk from diesel emissions.

Mr. Mark Gross  
May 28, 2015  
Page 2

Although the results of the ACES report are encouraging, the conclusion reported in the FEIR that there is no cancer risk from "new technology trucks" is premature. In addition, "older" diesel trucks on the roads will continue to pose risks. The responses to comments made throughout the FEIR compare the reduction in risks from "older" trucks to "newer" trucks as the reason for rejecting additional mitigation.

The ACES report showed that rats and mice exposed to emissions from the new diesel engine exhaust did not develop lung tumors or toxic health impacts, although there were some minor physiological effects. There were small decreases in respiratory function and some signs of lung inflammation in the rats exposed to the highest DPM concentrations, but the effects were not severe. However, the study only looked at tissues and pulmonary function; other endpoints won't be evaluated until after the rodents are euthanized. Although the results are promising, it's premature to say the new NTDE engines eliminated all health impacts from diesel exhaust and there is no cancer risk. Furthermore, these findings are not consistent with the Office of Environmental Health Hazards Assessment (OEHHA) updated guidelines on health risk, which show an increased lifetime risk for early childhood exposure.<sup>1</sup> The conclusion that "diesel exhaust does not contribute to cancer" (see also page 237) is not factual.

Master Response-5: Air Filtration Systems for Residences. Page 237 of the FEIR. The conclusion of the health risk assessment was that operation of the project would not significantly contribute to health risk impacts outside the project site boundaries; therefore, the students and staff at MVUSD schools would not be adversely impacted by the project. However, the conclusion that "diesel exhaust does not contribute to cancer" is not factual (see our comments on Master Response-2).

Response to Comment E-3-6. Page 325 of the FEIR. This response does not respond to the comment that the Reference Exposure Level (REL) does not account for all of the known health effects from diesel particulate matter, especially in children. The limitations of the methodology must be disclosed in the FEIR.

Recirculation of the DEIR is Required. The FEIR adds significant new information to the DEIR, requiring recirculation pursuant to CEQA Guidelines Section 15088.5. The project description has changed significantly since circulation of the DEIR, including but not limited to a change in boundary, a change in project buildout by eight years, and a reduction in one million square feet of development. This resulted in substantial changes throughout the DEIR; without recirculation the public is deprived of a meaningful opportunity to comment. Further, a significant number of new mitigation measures have been added, the environmental effects of which have not been evaluated. Additionally, Mitigation Measure 4.5.6.1B impermissibly defers analysis to a future project-level EIR. The revised DEIR must be recirculated for public review taking into account the above comments.

### **Draft Facts, Findings and Statement of Overriding Considerations**

Page 225 through page 226. The District takes issue with the statement of overriding consideration, which states:

"Approval of the Project Will Ensure that the Health of Residents, School Children and Workers, both Within and Outside of the Project Area, Will Not Be Adversely Affected by the Construction and Operation of the Project"

<sup>1</sup> The OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines (2015) incorporate new scientific information that has shown that early-life exposures to air toxics contribute to an increased lifetime risk of developing cancer and other adverse health effects, compared to exposures that occur in adulthood. As result, OEHHA has identified different breathing rates and age-sensitivity factors for different age groups, including school-aged children.



Mr. Mark Gross  
May 28, 2015  
Page 3

While the project has reduced health risks to sensitive receptors in the area, "approval of the project" will result in a significant increase in air pollutant emissions and health risk from the substantial increase in diesel truck traffic. This discussion goes on to say that:

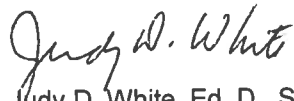
"...diesel trucks which comply with stringent USEPA and CARB 2010 standard do not cause cancer or adverse health effect." And

"As a result, the city will enjoy the numerous benefits which will flow from the construction and operation of the project without subjecting anyone to the risk of cancer and other adverse health effects which result from the use of older diesel trucks." (underline added)

These statements are misquoted, because diesel particulate matter (DPM) is an air toxic contaminant (TAC). In fact, as identified in the latest Multiple Air Toxics Exposure Study (MATES-IV) conducted by the South Coast Air Quality Management District, DPM is still the primary driver of cancer risk in the air basin. Unless 2010 trucks are mandated to not use diesel fuel, this statement of overriding considerations should be removed because it mischaracterizes risks (see comments on the FEIR Master Response-2, above). Impacts of the project may be minimized and/or less than 10 in a million cancer risk; but it does not mean there is "no risk" and "no health impacts." These statements contradict the significant unavoidable impact for localized construction and operational criteria air pollutant emissions identified in the EIR.

Thank you for considering our comments. Should you have any questions, please contact me at (951) 571-7500, or Sergio San Martin Director, Facilities at (951) 571-7692.

Sincerely,



Judy D. White, Ed. D., Superintendent

CC: Mays Kakish, Chief Business Official  
Sergio San Martin, Director, Facilities



Grace Espino-Salcedo

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**Subject:** RE: Moreno Valley Homeowner favoring development

**From:** [Edd.Williams@mvc.edu](mailto:Edd.Williams@mvc.edu) [<mailto:Edd.Williams@mvc.edu>]

**Sent:** Thursday, May 28, 2015 12:30 PM

**To:** Mark Gross

**Subject:** Moreno Valley Homeowner favoring development

Mr. Gross:

I am a college professor here at Moreno Valley College on Iris and Lasselle and have been here since January 1994 – more than 21 years. I thus have seen a considerable amount of new construction, from tract homes to business centers and recent projects like the large tilt-up manufacturing-type / storage-type buildings on Iris near March Air Force Base and those along the 60FWY corridor. I have seen the steady increase of cars, traffic lights, road and freeway congestion, and the inevitable smog that comes with industry and growth.

I think the word “inevitable” deserves special attention. New development is indeed inevitable, and if it doesn’t occur in the greater Moreno Valley area, it will take place somewhere else nearby like Beaumont or Banning or other areas. Yes, I understand the environmental concerns; I have plenty of colleagues who frantically criticize recent close-by developments like the one you are overseeing.

But I must take this time to voice my support of your development and eagerly await the outcome of the public hearings.

I realize recent public hearings have somewhat reduced local long-term development plans, so whatever plans might have happened in Moreno Valley will – it is inevitable – end up in a close-by town, and Moreno Valley will have lost many jobs and future homeowners and renters who will buy their homes or rent their houses and apartments in some other town. How a city like Moreno Valley grows – indeed that’s important and deserves careful scrutiny. But growth is going to happen; otherwise, stagnation will settle in like a bad odor in a lifeless canyon. Our area needs and deserves more industry, more technology, more manufacturing – in short, more jobs that will help our local residents improve their lives and way of living. Those who are willing to work may very well find jobs close to home, that is, if our local residents are willing to invest in our local area.

Best wishes to you in your endeavors,  
 Edd Williams  
 Professor of English  
 Moreno Valley College.  
 Riverside Community College District

Attachment: Letters of Correspondence (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World

Grace Espino-Salcedo

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**Subject:** RE: World Logistics Center Final EIR

**From:** Robertson, Glenn@Waterboards [<mailto:Glenn.Robertson@waterboards.ca.gov>]  
**Sent:** Wednesday, June 03, 2015 6:41 PM  
**To:** Mark Gross  
**Cc:** Robertson, Glenn@Waterboards  
**Subject:** World Logistics Center Final EIR

To Mark Gross- Mark, I have seen no notice of the City of Moreno Valley receiving comment on the Final EIR of the World Logistics Center before your June 11 Planning Commission hearing, but I have received public inquiry as to whether you still may be taking reactions into the meeting. I reread our Regional Board staff's April 25, 2013 letter for the DEIR, compared with answers by Final EIR Response to Comments (RTC), for any discrepancies on BMPs leading up to adoption of the project. We do have one concern that for us has always been unclear.....

Aside from those RTC answers that essentially state that site BMPs are detailed in the Water Quality Management Plan, and that bioretention areas may be used in conjunction with detention/infiltration basins to capture and treat runoff from this large warehouse and transport project, Board staff do suggest inclusion of distinct plans for a structural BMP with absorbant material or other means to capture/separate oil and other automotive fluids that are likely to be carried toward the basins. We suggest that the first BMP that runoff enters may separate hydrocarbons from the water, and that characteristics of the bio-retention areas may designed to only subsequently "polish" the flows. This can be discussed between your staff and our Inland Stormwater staff as final design moves forward.

Thank you for your consideration Mark.

Glenn S. Robertson  
 Engineering Geologist, M.S., PG  
 Regional Planning Programs Section, CEQA Coordinator  
 Santa Ana Regional Water Quality Control Board  
 3737 Main Street, Suite 500  
 Riverside, CA 92501  
 Phone: 951-782-3259  
 Fax: 951-781-6288  
 Email: [Glenn.Robertson@waterboards.ca.gov](mailto:Glenn.Robertson@waterboards.ca.gov)

Attachment: Letters of Correspondence (1462 : World Logistics Center project includes a General Plan Amendment, a Change of Zone, World

## MEMORANDUM

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**DATE:** June 4, 2015

**PROJECT:** World Logistics Center Final EIR

**TO:** Mark Gross, Moreno Valley Planning Department

**FROM:** Kent Norton, AICP, Associate  
LSA Associates, Inc.

**SUBJECT:** **Response to RWQCB Email dated June 3, 2015**

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On June 3, 2015 Glenn Robertson, an Engineering Geologist and CEQA Coordinator in the Regional Planning Programs Section of the Santa Ana Regional Water Quality Control Board sent an email to you making the following comments regarding the Final EIR:

**Comment 1:**

*I have seen no notice of the City of Moreno Valley receiving comment on the Final EIR of the World Logistics Center before your June 11 Planning Commission hearing, but I have received public inquiry as to whether you still may be taking reactions into the meeting. I reread our Regional Board staff's April 25, 2013 letter for the DEIR, compared with answers by Final EIR Response to Comments (RTC), for any discrepancies on BMPs leading up to adoption of the project. We do have one concern that for us has always been unclear.*

*Aside from those RTC answers that essentially state that site BMPs are detailed in the Water Quality Management Plan, and that bioretention areas may be used in conjunction with detention/infiltration basins to capture and treat runoff from this large warehouse and transport project, Board staff do suggest inclusion of distinct plans for a structural BMP with absorbant material or other means to capture/separate oil and other automotive fluids that are likely to be carried toward the basins. We suggest that the first BMP that runoff enters may separate hydrocarbons from the water, and that characteristics of the bio-retention areas may be designed to only subsequently "polish" the flows. This can be discussed between your staff and our Inland Stormwater staff as final design moves forward.*

**Response 1:**

The following discussion from Section 4.9, Volume 3, page 4.9-56 of the FEIR addresses the concern raised:

The project will comply with the *Water Quality Management Plan for the Santa Ana Region of Riverside County* (approved by the Santa Ana Regional Water Quality Control Board October 22, 2012), which requires the use of Low Impact Development (LID) BMPs that maximize infiltration, harvest and use, evapotranspiration and/or bio-treatment. Flows from the project will be treated first by LID BMPs where the flow will be infiltrated, evapotranspired, or treated. As required by **Mitigation Measure 4.9.6.1A**, the treated flows will then be reduced to below or equal to pre-development conditions by routing the on-site storm water flows through a series of on-site detention and infiltration basins before flows are released off site. These basins will provide incidental infiltration and secondary treatment downstream of the LID BMPs. All runoff from the site will be treated by LID BMPs and then routed through the detention and infiltration basins before it leaves the project area and into Mystic Lake and the San Jacinto Wildlife Area.

The Water Quality Management Plan Guidance Document for the Santa Ana Region of Riverside County discusses water quality impacts and the use of LID BMPs:

“LID BMPs have been shown in studies throughout the country to be effective and reliable at treating a wide range of Pollutants that can be found in urban runoff, including those listed above, and those subject to adopted

TMDLs in the Santa Ana Region of Riverside County (Bacteria and Nutrients). As such, the LID BMPs required in this WQMP are expected to treat discharges of urban-sourced 303(d) listed Pollutants from subject projects to an impaired waterbody on the 303(d) list such that the discharge from the project would not cause or contribute to an exceedance of Receiving Water Quality Objectives.”

Since SARWQCB has found that lids are “effective and reliable” and that their use “would not cause or contribute to an exceedance”, the MM 4.9.6.1A addresses the concern raised in the comment. However, if a project-level review determines that additional BMPs are required to control pollutants from stormwater pollutant runoff, those BMPs would be considered as part of the project-level environmental review and NPDES permitting process. The separation of oil and other potential vehicle fluids from storm water runoff will be one of the primary objectives in the evaluation for treatment of runoff. During the preliminary and final design of each future building, BMP measures will be incorporated into the design to treat the pollutants of concern (POC). If absorbent material is the Best Available Technology (BAT) to achieve separation of oil and other vehicle fluids from runoff then it will be included in the treatment train used. The overall goal is to direct project runoff to adjacent landscaped areas where it will be allowed to infiltrate and support the proposed drought tolerant landscape, reducing and/or eliminating the need for irrigation.

**RESPONSE SUMMARY:** Future development under the WLC Specific Plan will meet all applicable laws, regulations, and permitting requirements in consultation with permitting agencies as appropriate, including the RWQCB, as outlined in the WLCSP EIR as part of future discretionary approvals.

**MEMORANDUM**


---

**DATE:** June 4, 2015

**TO:** Mark Gross  
Planning Department  
4177 Frederick Street  
Moreno Valley, California 92552

**FROM:** Kent Norton, AICP, Associate  
LSA Associates, Inc.

**SUBJECT: Response to MVUSD Letter, dated May 28, 2015**

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In a letter dated May 28, 2015, the Moreno Valley Unified School District submitted comments on the WLC Project FEIR. The specific comments are presented below, followed by responses to each comment.

**COMMENT 1:**

*FEIR Air Quality and Community Risk and Hazards Comments*

*Most of the comments provided by MVUSD on the DEIR have been addressed in the revised Air Quality Study and revisions to the FEIR, including:*

- » *assessment of acute non-cancer hazards*
- » *discussion on ultrafine particles*
- » *use of the new OEHHA guidance for a school-based health risk assessment*
- » *evaluation of potential risks to 36 schools located within Moreno Valley*

**RESPONSE 1:**

The City appreciates that MVUSD acknowledges the response to MVUSD's comments. However, all of MVUSD's comments on the DEIR were addressed as set forth in Volume 1 of the FEIR under the response to comment Letter E-3.

**COMMENT 2:**

*The conclusions of the FEIR are that there would be no excess cancer risk or acute/chronic hazards to occupants of the MVUSD schools with implementation of the proposed project. However, we feel that the assertion in the FEIR that the proposed project would not result in any cancer risks from diesel emissions is overstating the results of the Advanced Collaborative Emissions Study (ACES), as described in more detail in the following paragraphs.*

**RESPONSE 2:**

MVUSD's comments confuse the analysis for cancer risk with the distinct and separate analysis for acute/chronic hazards. While the cancer risk analysis did rely on the ACES prepared by HEI, the analysis for acute/chronic hazards relied on SCAQMD guidelines for analysis. Also, MVUSD does not acknowledge that while not necessary, the FEIR also included a cancer risk analysis based upon the most up-to-date OEHHA methodology which found no cancer impacts outside the project boundaries. In summary, regardless of methodology, there are no cancer or acute/chronic hazards outside the project boundaries. In addition, on the basis of the ACES prepared by HEI, there are no cancer or acute/chronic hazards within the project boundaries.

Further, the FEIR does not overstate the conclusion of the study. In their own words, the study authors found that “in contrast to previous health studies of TDE [traditional diesel exhaust], the ACES study found that lifetime exposure did not induce tumors or pre-cancerous changes in the lung and did not increase tumors related to NTDE [new technology diesel exhaust] in any other tissue.”

**COMMENT 3:**

*Master Response-2: Health Effects of Diesel Particulate Matter. Page 233 of the FEIR (also identified in Master Response-1 on page 221). This response does not correctly apply the findings of the new technology diesel exhaust (NTDE) in the ACES to the proposed project. The Master Response states that the proposed project would not result in any cancer risk from diesel emissions.*

*Although the results of the ACES report are encouraging, the conclusion reported in the FEIR that there is no cancer risk from "new technology trucks" is premature. In addition, "older" diesel trucks on the roads will continue to pose risks. The responses to comments made throughout the FEIR compare the reduction in risks from "older" trucks to "newer" trucks as the reason for rejecting additional mitigation.*

*The ACES report showed that rats and mice exposed to emissions from the new diesel engine exhaust did not develop lung tumors or toxic health impacts, although there were some minor physiological effects. There were small decreases in respiratory function and some signs of lung inflammation in the rats exposed to the highest DPM concentrations, but the effects were not severe. However, the study only looked at tissues and pulmonary function; other endpoints won't be evaluated until after the rodents are euthanized. Although the results are promising, it's premature to say the new NTDE engines eliminated all health impacts from diesel exhaust and there is no cancer risk.*

**RESPONSE 3:**

MVUSD’s comment claims that reliance on the HEI ACES is premature because it looked at a limited number of health endpoints, specifically “tissues and pulmonary function”. This statement is both incorrect and not applicable. It is incorrect because HEI “evaluated animals histologically throughout the study for the presence of tumors and other types of lesions in the airways and in multiple tissues. In addition, they examined a vast array of biologic endpoints: hematologic (several cell types, plus coagulation), serum chemistry (including triglyceride and protein components), lung lavage (including numbers of cells and levels of multiple cytokines and markers of oxidative stress and tissue injury), and pulmonary function (HEI ACES Report p. 2).” That evaluation allowed HEI “to analyze the data from more than 100 endpoints in the broad areas of histology, serum chemistry, systemic and lung inflammation, and respiratory function, the investigators confirmed the a priori hypothesis, namely, that NTDE would not cause an increase in tumor formation or substantial toxic health effects in rats, although some biologic effects might occur (HEI ACES Report p.3).” It is not applicable because the HEI ACES was relied upon in the FEIR to analyze only the cancer impacts of the WLC project, other health endpoints were evaluated using SCAQMD guidelines for acute/chronic hazards.

MVUSD’s comment regarding older diesel trucks does not apply to the WLC project because the WLC project prohibits such trucks. (WLC Project FEIR, Volume 3, p. 4.3-97, MM 4.3.6.3B(1)) The fact that other projects continue to rely on such trucks has no bearing on the environmental impacts of the WLC project.

Finally, the HEI ACES is a peer-reviewed lifetime exposure study of new technology diesel exhaust whose ACES Steering Committee included U.S. EPA, California Air Resources Board, and Natural Resources Defense Council (HEI ACES Report p.xii). In addition, the “draft reports were evaluated by the HEI ACES Review Panel — an independent panel of distinguished scientists who had no involvement in selecting or overseeing these studies and included some members of the HEI Review Committee (HEI ACES Report p.vii).” The study represents the latest scientific information on the health effects of new diesel technology exhaust.



**COMMENT 4:**

*Furthermore, these findings are not consistent with the Office of Environmental Health Hazards Assessment (OEHHA) updated guidelines on health risk, which show an increased lifetime risk for early childhood exposure. The conclusion that "diesel exhaust does not contribute to cancer" (see also page 237) is not factual.*

**RESPONSE 4:**

MVUSD's comment that the findings are not consistent with updated OEHHA guidelines is not accurate. The FEIR does contain a full analysis of the cancer impacts of the project using the updated OEHHA guidelines. That analysis finds there is no significant impact beyond the project boundaries and that only three homes within the project boundaries would experience a potentially significant impact. The FEIR then relies upon the HEI ACES to demonstrate that since the project requires new technology diesel engines, which do not contribute to cancer, there would be no significant cancer-related health impact. While MVUSD states the conclusion is not factual, it is, in fact, the primary conclusion of the HEI ACES: "that NTDE would not cause an increase in tumor formation or substantial toxic health effects." (HEI ACES Report p.3)

**COMMENT 5:**

*Master Response-5: Air Filtration Systems for Residences. (Page 237 of the FEIR.) The conclusion of the health risk assessment was that operation of the project would not significantly contribute to health risk impacts outside the project site boundaries; therefore, the students and staff at MVUSD schools would not be adversely impacted by the project. However, the conclusion that "diesel exhaust does not contribute to cancer" is not factual (see our comments on Master Response-2). Response to Comment E-3-6. Page 325 of the FEIR. This response does not respond to the comment that the Reference Exposure Level (REL) does not account for all of the known health effects from diesel particulate matter, especially in children. The limitations of the methodology must be disclosed in the FEIR.*

**RESPONSE 5:**

All current methods, including the recently updated OEHHA guidelines, were used to evaluate health impacts of the project. MVUSD does not identify which impacts are known and quantifiable but not addressed by the REL and the EIR preparer is not aware of any health effects which are not addressed by the REL. These issues are fully responded to Response to Comment E-3-5.

**COMMENT 6:**

*Recirculation of the DEIR is Required. The FEIR adds significant new information to the DEIR, requiring recirculation pursuant to CEQA Guidelines Section 15088.5. The project description has change significantly since circulation of the DEIR, including but not limited to a change in boundary, a change in project buildout by eight years, and a reduction in one million square feet of development. This resulted in substantial changes throughout the DEIR; without recirculation the public is deprived of a meaningful opportunity to comment. Further, a significant number of new mitigation measures have been added, the environmental effects of which have not been evaluated.*

**RESPONSE 6:**

CEQA Guidelines Section 15088.5 actually states that "new information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect". The impacts described in the FEIR are similar to or less than the impacts described in the DEIR. New, though not significant, information that was added to the document responds to comments; merely clarifies or amplifies existing information; or adds new mitigation measures, any impacts of which have been fully evaluated in the FEIR.

**COMMENT 7:**

*Additionally, Mitigation Measure 4.5.6.1 B impermissibly defers analysis to a future project-level EIR. The revised DEIR must be recirculated for public review taking into account the above comments.*

**RESPONSE 7:**

MM 4.5.6.1B does not impermissibly defer analysis. Rather it sets out the requirements to properly mitigate any potential impact to cultural resources encountered over the course of development. By laying out performance standards in the mitigation measure, MM 4.5.6.1B properly complies with CEQA.

**COMMENT 8:*****Draft Facts, Findings and Statement of Overriding Considerations***

*Page 225 through page 226. The District takes issue with the statement of overriding consideration, which states:*

*"Approval of the Project Will Ensure that the Health of Residents, School Children and Workers, both Within and Outside of the Project Area, Will Not Be Adversely Affected by the Construction and Operation of the Project"*

*While the project has reduced health risks to sensitive receptors in the area, "approval of the project" will result in a significant increase in air pollutant emissions and health risk from the substantial increase in diesel truck traffic. This discussion goes on to say that:*

*"... diesel trucks which comply with stringent US EPA and CARB 2010 standard do not cause cancer or adverse health effect." And*

*"As a result, the city will enjoy the numerous benefits which will flow from the construction and operation of the project without subjecting anyone to the risk of cancer and other adverse health effects which result from the use of older diesel trucks." (underline added)*

*These statements are misquoted, because diesel particulate matter (DPM) is an air toxic contaminant (TAC). In fact, as identified in the latest Multiple Air Toxics Exposure Study (MATES-IV) conducted by the South Coast Air Quality Management District, DPM is still the primary driver of cancer risk in the air basin.*

*Unless 2010 trucks are mandated to not use diesel fuel, this statement of overriding considerations should be removed because it mischaracterizes risks (see comments on the FEIR Master Response-2, above). Impacts of the project may be minimized and/or less than 10 in a million cancer risk; but it does not mean there is "no risk" and "no health impacts." These statements contradict the significant unavoidable impact for localized construction and operational criteria air pollutant emissions identified in the EIR.*

**RESPONSE 8:**

The conclusions of the Draft Facts, Findings and Statement of Overriding Considerations are correct. While MATES-IV does show that diesel exhaust is the primary driver of cancer risk, that is due to the fact that majority of diesel trucks on the road represent traditional diesel engine technology, not the new technology 2010 trucks that are a requirement of the WLC project. Furthermore, OEHHA characterized diesel exhaust as a toxic air contaminant based upon studies evaluating the effects of traditional diesel exhaust. None of the studies that OEHHA relied upon evaluated the effects of new technology diesel exhaust as described in the HEI ACES. In fact, HEI ACES represents the latest scientific evidence regarding cancer risk and that study concluded that "that NTDE would not cause an increase in tumor formation or substantial toxic health effects". Finally, in regard to non-cancer health effects from diesel exhaust, the FEIR also includes the standard analyses recommended by SCAQMD and found no significant health impacts.

**RESPONSE SUMMARY:** The conclusions contained in the FEIR are based upon the latest scientific evidence. Where the FEIR differs from standard analyses, such as the use of the updated OEHHA guidelines, those standard analyses are also fully evaluated and presented as well. Even the traditional analyses show no health-related impacts outside the project boundaries.



February 8, 2012

Mr. Iddo Benzeevi  
 Chief Executive Officer  
 Highland Fairview Operating Company  
 14225 Corporate Way  
 Moreno Valley, CA 92553

RE: Highland Fairview Specific Plan / World Logistics Center

Dear Mr. Benzeevi:

Our City staff is pleased to assist Highland Fairview to finalize a development application involving your proposed World Logistics Center development. As staff indicated, the application will need to include a General Plan Amendment, a Specific Plan, a zone change, and other land use approvals concerning Highland Fairview's properties in the eastern part of the city.

As you are also aware, over the past year, the City has developed and is now implementing an aggressive economic development strategy which identified logistics as a prime area of focus and opportunity for development in the eastern portion of the city, generally regarded as the Rancho Belago area. The area identified by the City for logistics warehouse distribution uses is located east of Redlands Blvd., south of SR-60 and stretching to the City's eastern boundary at Gilman Springs Road and continuing to the City's southern border. This area of the City is generally referred to as the "Moreno Highlands area".

The City Council has already taken two formal actions to advance the City's economic development plan. These past actions include the adoption of the City's amended Housing Element in February 2011, which states the City's intent to consider comprehensive General Plan and zoning amendments for the Moreno Highlands area to facilitate the development of logistics uses.

In addition, in April 2011, the City adopted a comprehensive Economic Development Action Plan for the City which identified the Moreno Highlands area as an "Area of Opportunity for logistics development". Collectively, these City actions reflect our intent to authorize the initiation of a planning process pursuant to City Zoning Code sections 9.02.040 and 9.02.050 whereby amendments to the City's General Plan, the existing Moreno Highlands Specific Plan, and other zoning changes would be considered for the entirety of the Moreno Highlands area which are consistent with the City's economic development strategy.

Mr. Iddo Benzeevi  
Highland Fairview Specific Plan / World Logistics Center  
Page 2

Given the City's directive and economic development program for the entire area, the extensive infrastructure requirements, to insure consistent and compatible land use and for the area to be comprehensively and consistently re-entitled, it would be impossible for the City to undertake a planning process that does not consider the entire Moreno Highlands area, including land currently not owned or controlled by Highland Fairview. Standard planning practice would not lend itself to considering a proposed new land plan that included only a portion of Moreno Highlands area or land only owned by one party.

For these reasons, City management is requesting and staff has directed the Highland Fairview entitlement team and City planning staff to analyze the entire Moreno Highlands area, and not just land currently controlled by Highland Fairview.

Please contact me if you have any questions or concerns regarding the foregoing.

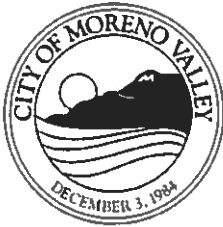
Sincerely,

A handwritten signature in brown ink, consisting of several overlapping loops and curves, positioned above the printed name.

Henry Garcia  
City Manager

HG:lr





APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Res</i>
CITY MANAGER	<i>ms</i>

## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Barry Foster, Community & Economic Development Director

**AGENDA DATE:** May 22, 2012

**TITLE:** PUBLIC HEARING REGARDING THE EXPANSION OF THE APPLICATIONS FOR A GENERAL PLAN AMENDMENT (PA12-0010), CHANGE OF ZONE (PA12-0012) AND SPECIFIC PLAN (PA12-013) FOR THE WORLD LOGISTICS CENTER PROJECT AND A RECOMMENDATION FROM THE CITY COUNCIL TO INCLUDE PROPERTIES NOT OWNED BY OR PARTICIPATING WITH THE PROJECT APPLICANT, HIGHLAND FAIRVIEW PROPERTIES.

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### RECOMMENDED ACTION

Staff recommends that the City Council conduct the Public Hearing and thereafter direct staff to apply one of the alternatives set forth below pertaining to properties not owned by or participating with Highland Fairview Properties in their applications for a general plan amendment, change of zone and specific plan for the World Logistics Center Project.

### BACKGROUND

In April 2011, the City Council adopted a comprehensive Economic Development Action Plan (EDAP) that identified the Moreno Highlands area, generally located east of Redlands Boulevard and south of the Moreno Valley Freeway (Highway 60), as an "area of opportunity for logistics development". The Plan also identified logistics as a prime area of focus and opportunity for the City in an effort to increase employment and revenue to benefit residents and local businesses and support the provision of public services.

On March 19, 2012, Highland Fairview Properties (HFP) submitted General Plan Amendment, Change of Zone and Specific Plan applications to the Planning Division for the proposed World Logistics Center (WLC) Project. The WLC Project is the type of

project envisioned by the adopted City Council EDAP and could further the implementation of the EDAP.

The WLC Project applications include land owned or participating with HFP in the WLC Project and a number of properties not owned by or participating with HFP in the WLC Project or the applications. HFP has also submitted Tentative Parcel Map, Annexation and Development Agreement applications for the same project. All land in the last three applications is owned by or participating with HFP. The General Plan Amendment, Change of Zone, Specific Plan and Tentative Parcel Map were deemed to be complete for processing on April 18, 2012.

The proposed World Logistics Center Specific Plan is a master plan for the development of up to 41.6 million square feet of modern high-cube logistics warehouse distribution facilities on approximately 2,665 acres of land located generally east of Redlands Boulevard, south of the Moreno Valley Freeway (Highway 60) and west of Gilman Springs Road. The General Plan Amendment and Change of Zone, which cover approximately 3,820 acres, also include 1,136 acres of open space and 19 acres of existing public utility facilities located south of the Specific Plan area and north of the City limits. The majority of the Project area is currently covered by the Moreno Highlands Specific Plan, a 3,038 acre master plan approved in 1992 with a mixture of residential, commercial, business park and public/recreation uses.

## DISCUSSION

The Municipal Code authorizes an amendment to the General Plan to be initiated by any one of three actions: (1) recommendation of the Planning Commission and City Council concurrence; (2) recommendation of the City Council; or (3) a privately filed application for a specific property or properties submitted by the property owner or owner's authorized agent (MC Section 9.02.040). The Municipal Code similarly authorizes an amendment for a change of zone to be initiated by one of three actions: (1) recommendation of staff or the Planning Commission; (2) recommendation of the City Council; or (3) a privately filed application from a property owner or the owner's authorized agent relating to the owner's property (MC Sections 9.02.050). The Municipal Code does not have explicit provisions to include properties not providing authorization for a Specific Plan or similar type of project (MC Section 9.02.190). For such projects, the practice has been to include only properties providing authorization. Therefore, staff is requesting City Council direction as set forth below.

The majority of Specific Plan area is owned by HFP affiliated companies. Authorization has also been provided by the second largest owner in the Specific Plan area, the Henrietta Lee Trust. In addition, a group of owners in the southwest portion of the Specific Plan area and one owner on Theodore Street have provided authorization for the Project.

The approximate 1,155 acres located outside of the Specific Plan area but within the General Plan Amendment and Change of Zone applications are owned by the California



Department of Fish and Game, San Diego Gas& Electric and the Southern California Gas Company. None of these entities have provided authorization for the Project. Attachment 1 provides a map of the ownership and location of the properties identified above in this paragraph.

Approval of the WLC Project would require the elimination of the Moreno Highlands Specific Plan (MoHi) that covers most of the Project area, including all of the area outside of the proposed WLC Specific Plan. The MoHi plan has been covered by a 20-year development agreement negotiated by the original master developer, that until this year precluded action by the City or any single landowner to revise the area's land use or zoning. To eliminate the MoHi plan, the utility and open space outside the proposed WLC Specific Plan need to be included in the General Plan Amendment and Change of Zone applications to provide alternative land use designations compatible with the current use of the property for utility facilities and open space.

Within the Specific Plan area, there are 18 owners (total of 21 parcels) that have not provided authorization for the Project. The largest landowner of these parcels is the Metropolitan Water District of Southern California (MWD) which owns 132 acres, but only uses 18 acres of the property for its Inland Feeder water transmission system. The remaining 114 acres has been determined as surplus by MWD. These parcels total approximately 294 acres or 11% of the Specific Plan area. The majority of the other parcels (13 total parcels) are located northeast of Theodore Street and Dracaea Avenue; three parcels are northeast of Redlands Boulevard and Dracaea Avenue; three parcels are northwest of Theodore Street and Alessandro Boulevard; and two are northeast of Cactus Avenue and Merwin Street. All of these properties are located outside of the MoHi plan area. Some of the parcels are developed with single family homes and accessory structures. Others have agricultural activities or are vacant. Only seven existing residential units are located within the boundaries of the proposed WLC Specific Plan, with four being owner-occupied and three rental properties.

The non-participating parcels identified in the above paragraph are either located adjacent to the primary truck access route for the proposed WLC Specific Plan (Theodore Street) or are surrounded on three or more sides by participating properties. All but three of the properties are currently zoned for residential uses, which would be incompatible in close proximity or surrounded by the proposed development of logistics uses. Therefore, it would further advance a consistent and comprehensive planning strategy to include these parcels in the General Plan Amendment and Change of Zone applications in order to identify new more appropriate land use designations for consideration in conjunction with the overall WLC Project. Inclusion in the Specific Plan application will allow for greater design consistency in property development and simplify the development review process should properties in and out of the Specific Plan be combined. Any existing structures or uses would become non-conforming with approval of any land use changes and would be allowed to remain in place unless abandoned for an extended period of time (currently one year per the City Municipal Code).

The initial draft of the Specific Plan includes two land use categories – Logistics and Light Logistics. The former category is generally limited to large logistics facilities. The latter category is intended to include properties that are too small to accommodate large logistics facilities. Staff has worked with the applicant to expand the list of permitted uses in the Light Logistics category to include thirteen possible uses for warehouse, storage and similar activities (see attached Exhibit 3). Most of these uses are consistent with the permitted uses in the Moreno Valley Industrial Area Specific Plan in the south part of the City.

### **ALTERNATIVES**

Staff is seeking direction from the City Council as to which of the following options should be followed in processing the WLC Project applications:

1. Include all properties not providing authorization in all three applications. This action is a recommendation by the City Council to include all properties not providing authorization to be included in all three applications. This action would provide for the development of consistent land uses and development regulations for the area east of Redlands Boulevard. If adopted, such land uses and regulations would change and make most existing property improvements non-conforming.
2. Include all properties not providing authorization in the General Plan and Change of Zone applications, but not the Specific Plan application. This action would be a recommendation by the City Council to include all properties not providing authorization to be included in the applications for a General Plan Amendment and Change of Zone. This action would provide for the development of consistent land uses for the area east of Redlands Boulevard, but would allow for non-participating parcels to default to existing City zoning classifications that provide a greater variety of uses which may be incompatible with the logistics focus proposed for the area. If adopted, such land uses and regulations would change and make most existing property improvements non-conforming.
3. Include some of the properties in one or more of the applications. This action is a recommendation by the City council to include certain of the properties not providing authorization to be included in one or more of the applications. This action would not provide for the development of consistent land uses for the area east of Redlands Boulevard. If the Specific Plan is adopted, such inconsistent land uses would affect the current property rights and expectations of non-participating property owners by increasing the level of review and regulation to provide consistency, but would not make existing property improvements non-conforming. This action would also increase the level of review and regulation to provide consistency for development within the Specific Plan.

### **FISCAL IMPACT**

All direct costs associated with the processing of the WLC Project applications shall be borne by HFP.

**NOTIFICATION**

Notice of this Public Hearing was sent to all property owners within the WLC Project area and tracts and properties adjacent to the Project area. Notice of the Hearing was also published in the Press Enterprise on April 27, 2012, and posted in proximity to properties located within the Project area that did not provide authorization for the WLC Project applications.

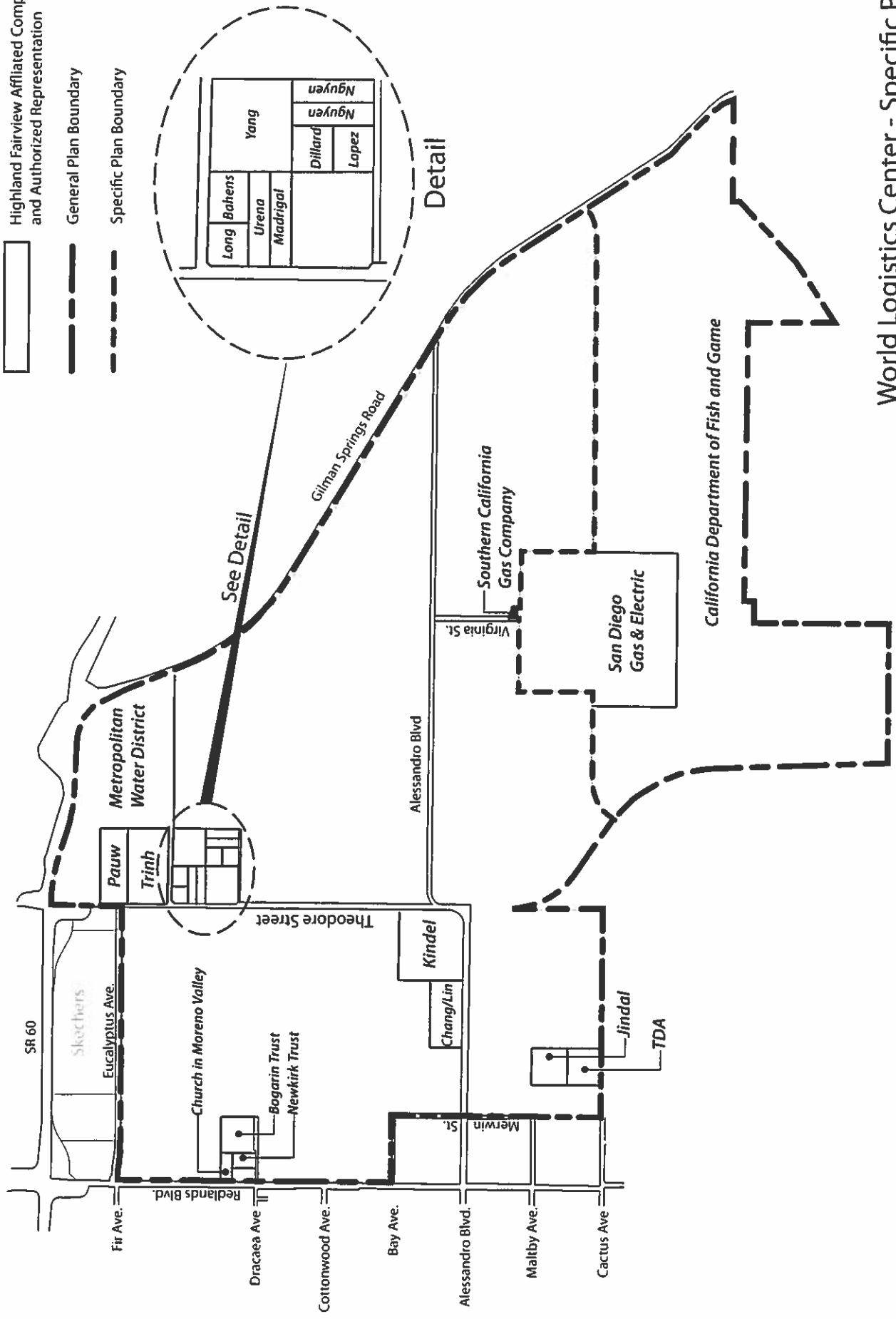
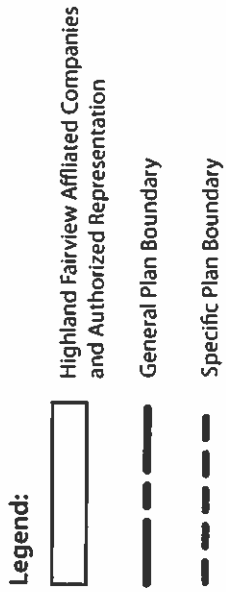
**ATTACHMENTS/EXHIBITS**

1. Map of Non-Participating Parcels with Owner Names
2. Map of Draft Land Use Plan for Proposed Specific Plan
3. LL "Light Logistics" Permitted Uses

Prepared By:  
John C. Terrell AICP  
Planning Official

Department Head Approval:  
Barry Foster  
Community & Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

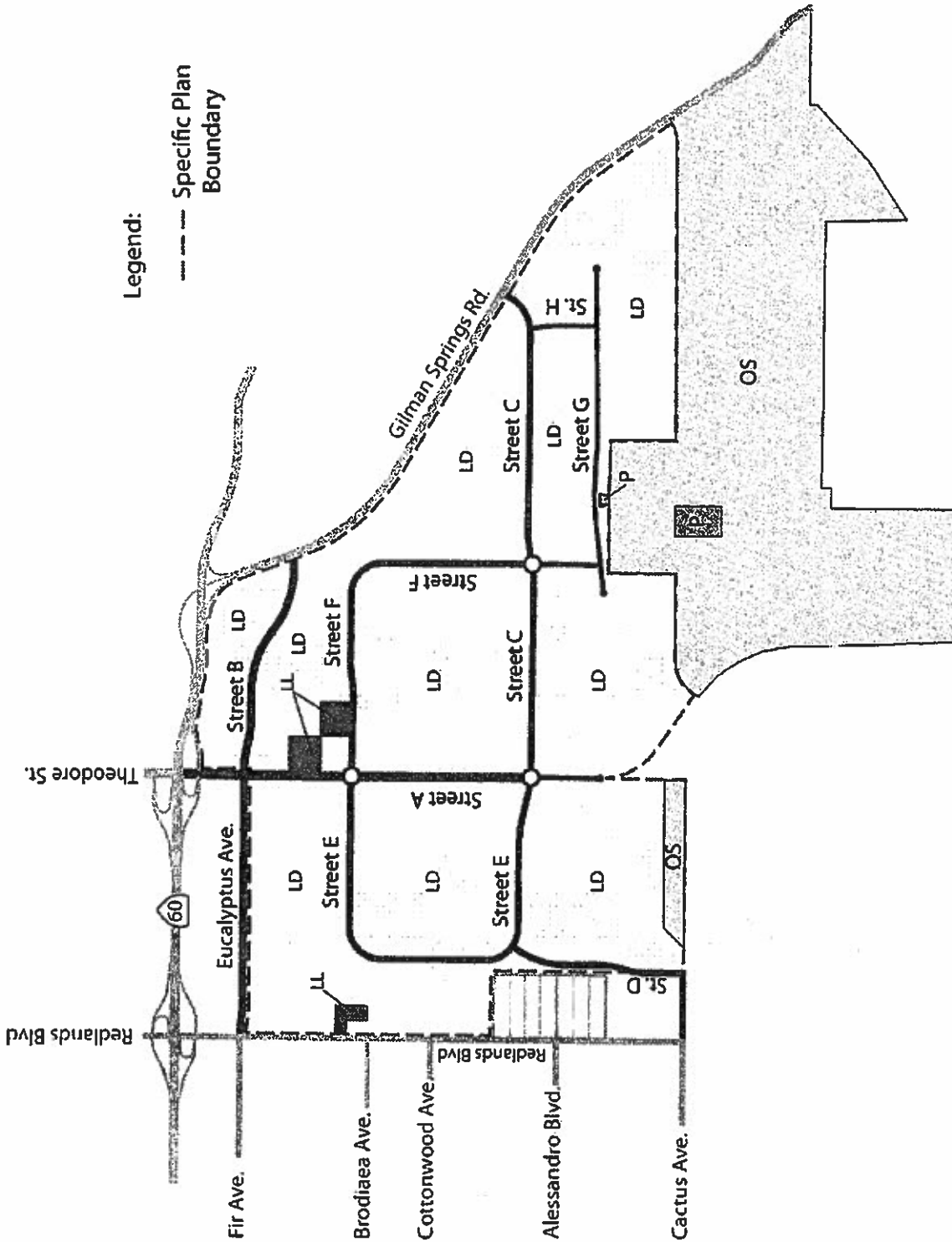


World Logistics Center - Specific Plan



ATTACHMENT 1

Scale: None  
April 10, 2012



Legend:  
 --- Specific Plan Boundary

**Specific Plan Boundary**

ATTACHMENT 2



DRAFT

SP|STANDARDS & GUIDELINES

APPENDICES

## LL "Light Logistics" Permitted Uses

### Currently in LL Category:

1. Agricultural Uses
2. Warehouses
3. Self-storage
4. Vehicle and container storage
5. Construction yards within, or immediately adjacent to approved construction sites
6. Cellular transmission facilities and structures
7. Public facilities

**DRAFT**

### To be Added:

8. Public Storage/Mini Warehousing w/Outdoor Storage (replace "self-storage")
9. Wholesale/storage/distribution
10. Nursery supplies
11. Building Contractor's Storage
12. Building Material and Equipment Supplies w/Outdoor Storage
13. Caretaker's Residence

### Definitions:

**Public Storage/Mini-Warehouses:** Activities include mini-warehouse or recreational vehicle storage facilities for the rental or lease of small scale enclosed storage units or parking spaces to individuals, firms or organizations.

**Light Wholesale, Storage and Distribution:** Activities typically include: wholesale, storage, and warehousing services and storage and wholesale to retailers from the premises of finished goods.

**Medium Wholesale, Storage and Distribution:** Activities typically include: wholesale, storage and warehousing services, moving and storage services, storage and wholesaling to retailers from the premises of finished goods, and distribution facilities.

**Heavy Wholesale, Storage and Distribution:** Activities typically include: warehousing, storage, freight handling, shipping, trucking services and terminals; storage and wholesaling from the premises of unfinished, raw or semi-refined products. Typically uses include, but are not limited to, trucking firms, automotive storage or impound yards.

**Agricultural/Nursery Supplies and Services:** Activities typically include: tree services and plant materials and nursery/landscape services.



 **DRAFT**

**Building Contractor's Storage Yards:** Activities typically include: offices and storage of equipment materials, and vehicles for contractors who are in trades involving construction activities.

**Building & Site Maintenance Services:** Activities include maintenance and custodial services, including, but not limited to: window cleaning services, pool and landscape services, etc.

**Caretaker's Residence:** Where 24-hours on-site surveillance is necessary in conjunction with an industrial use, a caretaker's residence is permitted. A caretaker's residence shall not be used to establish a single-family residence in conjunction with a business.

**Vehicle Storage:** Includes the storage of vehicles used regularly in business operations and not available for sale on-site including but not limited to: overnight storage of trucks, trailers and containers, service vehicles, catering trucks, etc. inclusive of dispatching services. Uses include the storage of operable and inoperative vehicles, including impound yards.

**Outdoor Storage:** Any material, equipment or vehicle that is not stored within an enclosed structure. Outdoor storage is permitted, subject to the screening requirements of this Specific Plan.

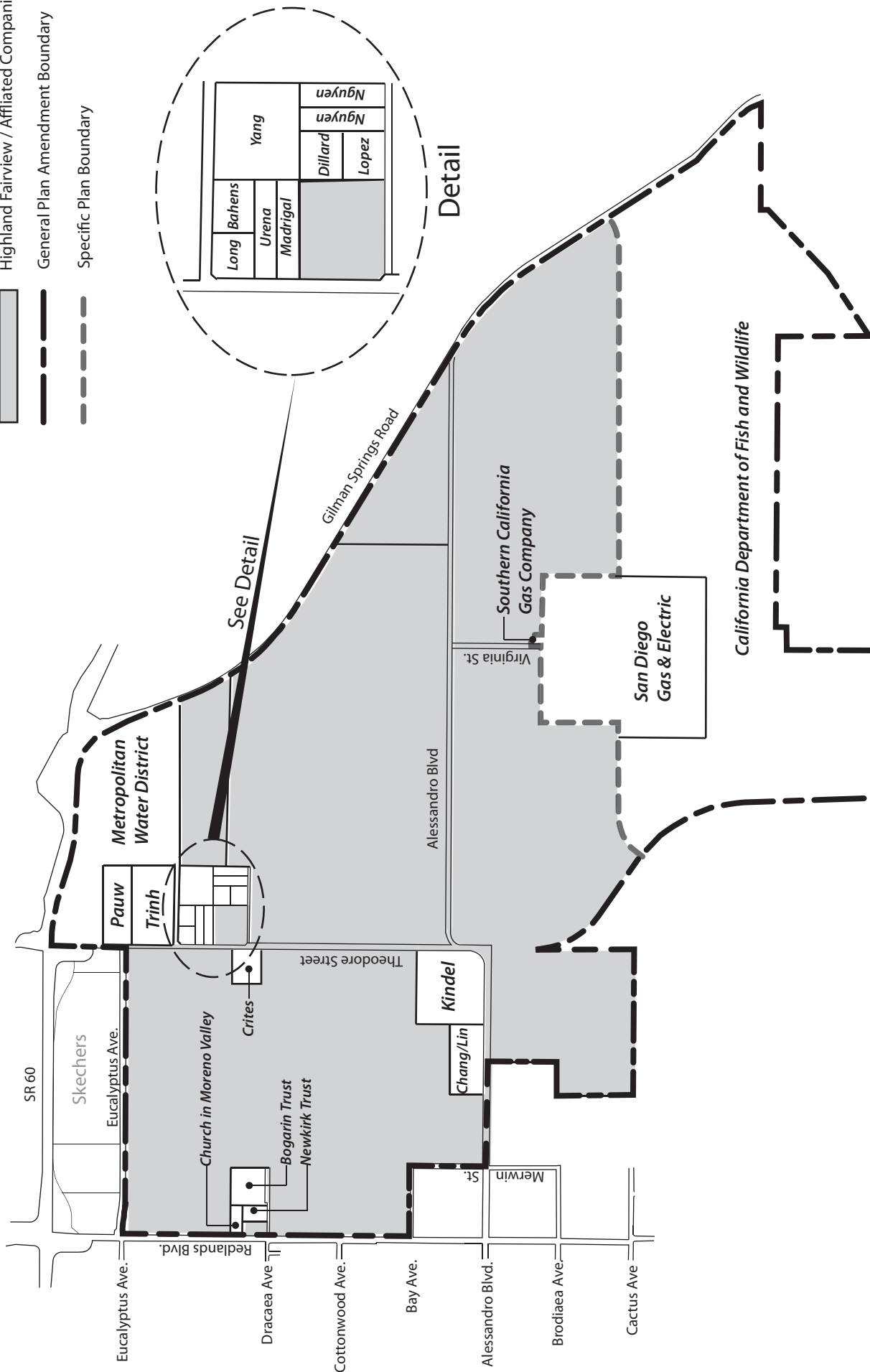


Planning Area (PA)	Land Use	Area	Building SF
<b>Logistics Development</b>			
1	LD	77.8	1,100,000
2	LD	193.5	4,200,000
3	LD	120.3	1,600,000
4	LD	301.5	5,600,000
5	LD	64.2	1,100,000
6	LD	115.3	500,000
7	LD	10.3	50,000
8	LD	142.9	2,150,000
9	LD	485.8	10,400,000
10	LD	139.9	2,200,000
11	LD	500	8,000,000
12	LD	231.3	3,500,000
		<b>2,382.8</b>	<b>40,400,000</b>
<b>Light Logistics</b>			
20	LL	16.1	45,500
21	LL	10.5	77,250
22	LL	10.5	77,250
		<b>37.1</b>	<b>200,000</b>
<b>Open Space</b>			
30	OS	74.3	
		<b>74.3</b>	
<b>Right of Way</b>			
ROW		115.8	
		<b>115.8</b>	
<b>Grand Total</b>		<b>2,610.0</b>	<b>40,600,000</b>



Exhibit 2-1 Land Use Plan

- Legend:**
- Highland Fairview / Affiliated Companies
  - General Plan Amendment Boundary
  - Specific Plan Boundary



# World Logistics Center - Property Ownership

Scale: None

Attachment: Highland Fairview Property Ownership Map (1462 : World Logistics Center project includes a General Plan Amendment, a Change