

CHAPTER 9.10**PERFORMANCE STANDARDS****Sections:**

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Section 9.10.010 Purpose and Intent

The purpose and intent of this Chapter is to explicitly describe the location, configuration, design, amenities, operation, and other standards for proposed development projects that may impact the surrounding neighborhood. The performance standards set maximum tolerance limits on certain adverse effects created by any use or development of land.

Section 9.10.020 Applicability**Applicability**

These performance standards shall apply to all land uses, in all districts, unless specifically stated otherwise in this Title. All uses shall be subject to these performance standards, the General Development Standards of Chapter 9.08, the Specific Use Development Standards of Chapter 9.09, the requirements of the underlying district, and all other requirements of this Title.

Section 9.10.030 Exemptions**Exemptions**

The following uses or activities are exempt from the provisions of this Chapter.

1. Emergency equipment, vehicles, devices, and activities.
2. Temporary construction, maintenance, or demolition activities between the hours of 7:00 a.m. and 7:00 p.m.

Section 9.10.040 Administration

The standards of this Chapter shall be enforced by the department or agency having enforcement authority over the subject matter. Upon discovery of any potential violation of these standards, the appropriate department or agency shall investigate and initiate corrective action as deemed necessary.

Section 9.10.050 Air Quality

No operation or activity otherwise permitted under this Title shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases or other forms of air pollution which exceeds the requirements of the South Coast Air Quality Management District or the requirements of any Air Quality Plan or General Plan Air Quality Element adopted by the City of Moreno Valley.

Section 9.10.060 Electrical or Electronic Interference

No operation or activity otherwise permitted under this Title shall cause any source of electrical or electronic disturbance that adversely affects persons or the operation of equipment on other property and is not in conformance with the regulations of the Federal Communication Commission.

Section 9.10.070 Fire and Explosive Hazards

An operation or activity otherwise permitted under this Title involving the storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices in accordance with the requirements of the Uniform Fire Code. Open fire burning of waste material is prohibited. Closed system incineration of waste material, where such activity is otherwise permitted under this Title and is required for research, medical or similar uses, may be permitted subject to the requirements of the California Department of Health and South Coast Air Quality Management District or other requirements of any Air Quality Plan or General Plan Air Quality Element adopted by the City of Moreno Valley.

Section 9.10.080 Liquid and Solid Wastes

No operation or action otherwise permitted under this Title shall discharge at any point into any public street, public sewer, private sewage disposal system, stream, body of water or into the ground, any materials which can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accordance with standards approved by the California Department of Public Health or other governmental agency having jurisdiction over liquid and solid waste.

Section 9.10.090 Radioactive Wastes

No operation or activities otherwise permitted under this Title shall be permitted which result at any time in the release or emission of any fissionable or radioactive materials into the atmosphere, the ground, groundwater or sewage systems except as provided by and in accordance with State law. Any such operation or activity which handles, tests, transports, stores or in any way uses fissionable or radioactive material shall prepare a study addressing the probability of the release of such material and implement all recommendations identified by the study.

Section 9.10.100 Heat and Cold

No operation or activity otherwise permitted under this Title shall emit heat or cold which would cause a temperature increase or decrease on any adjacent property in excess of 10 degrees Fahrenheit, whether the change

is in the air, on the ground, or in any structure, or in any body of water.

Section 9.10.110 Light and Glare

No operation, activity, sign, or lighting fixture shall create illumination which exceeds 0.5 foot-candles minimum maintained on any adjacent property, whether the illumination is direct or indirect light from the source. All lighting shall be designed to project downward and shall not create glare on adjacent properties.

Section 9.10.120 Maintenance of Open Areas

Except as otherwise provided in this Title all open areas shall be landscaped, surfaced, or treated and maintained permanently in a dust-free, weed-free condition.

Section 9.10.130 Mechanical and Electrical Equipment

All mechanical and electrical equipment, including air conditioners, antennas, pumps, transformers, and heating and ventilating equipment shall be located, operated and screened in a manner that does not disturb adjacent uses and activities. In addition, all central building electrical controlling equipment and switching facilities shall be located within the building for all commercial, industrial and business facilities.

Section 9.10.140 Noise and Sound

Unless otherwise specified in Chapter 9.08, General Development Standards, or Chapter 9.09, Specific Use Development Standards, all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attention or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

Section 9.10.150 Odors

No operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

Section 9.10.160 Outdoor Storage, Trash Areas, and Service Areas

All storage areas for storage of maintenance equipment or vehicles or refuse, and all collection areas and service areas, shall be enclosed or effectively screened from public view with a fence, wall, landscaping, berming or a combination thereof. Doors to trash enclosures shall be closed at all times except when the enclosure is being accessed for refuse disposal or pick-up. The screening requirements of Section 9.08.150 are also referenced and not intended to be superseded hereby.

Section 9.10.170 Vibration

No vibration shall be permitted which can be felt at or beyond the property line.

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