Date: June 9, 2011 From: Mayor Richard A. Stewart To: Henry T. Garcia Chris Vogt AORENO VALLEY RECEIVED June 8, 2011 11 JUN -9 PM 2: 12

CHT COUNCIL

To the members of the Planning Commission of the city of Moreno Valley:

I am writing this letter to express my frustration and outrage at the apparent lack of planning done by this committee in regard to road construction in front of Moreno Valley elementary schools during the closing weeks of the school year. I am not opposed to the work itself but rather the timing. It seems obvious to the parents and staff at the schools that tearing up sidewalks, removing asphalt, and repaving streets is a ridiculously stupid idea during the last 4 weeks of school. I for one am shocked that it did not seem to occur to the planning committee.

I am a parent at Sugar Hill elementary and was stunned to arrive at the school in late May to find the sidewalks at the crosswalks torn out. In order to keep the hole clear, cones were placed around the areas under construction which forced students, parents, and the crossing guard to walk in the lane of traffic in order to get to school. At the corner of Sunnymead Ranch Parkway and Old Country Road, the crossing guard was stressed and anxious as she tried to get children safely in to school. She not only had to keep an eye on the crosswalks, but she was having to walk children around the cones as they were in the way of traffic. At the unmanned crosswalk up the street on Old Country Road, children were in the lanes of traffic in order to get around the cones with no one to make sure they were seen and arriving safely at school. Calling the situation a "safety issue" is an understatement and created a frighteningly chaotic situation during morning drop-off and afternoon pick-up times. Rain delayed the project and so we dealt with the crosswalk nightmare for nearly 2 weeks.

We were overjoyed to arrive after the Memorial holiday to see the sidewalk project completed but were quickly dismayed to see the "Temporary No Parking" signs along the road. We watched the big trucks move up and down Old Country Road clogging the morning drop-off traffic and wondered what was happening. When I arrived at 11:45 to pick up my kindergartener, my anger could not be contained. The asphalt was gone in front of the school. No parking was allowed along Old Country Road on either side. I tried to imagine the afternoon pick-up scene where parking is a nightmare even when you can park along Old Country Road. I called the planning office right away to express my frustration as politely but directly as I could. I also shared the number with other frustrated parents and encouraged them to be respectful but honest in expressing their frustration.

The question that keeps coming to mind is, "Why now?" This work should have been saved for the school district's summer recess. The children are released for the summer on June 10. I am angered by the city's negligence in the planning of construction in front of the elementary school and the apparent lack of communication with the schools regarding a project that has had a tremendous impact on the school and its operation. I saw the principal out there last Friday informing the workers of our minimum day. The workers were surprised by that information and told the principal that would "change everything here today." They would have been in the process of paving at dismissal time. Not only has it been a logistical nightmare for parents as we bring our children to and front school but, more importantly, it has been dangerous from the very beginning. Our crossing guard who works so hard to keep our kids safe fell as she stepped off the curb last week and has been out of school ever since.

I am bringing this to the attention of the Planning Commission and the City Council because I want to make sure that this does not happen again.

Respectfully,

Rachel Logan, Sugar Hill parent

cc: Planning Commission Members, City Council Members

ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

# 11 JUN - 6 PM 5: 05

June 3, 2011

The Honorable Richard A. Stewart Mayor of Moreno Valley PO Box 88005 Moreno Valley, CA 92552-0805 Date: June 7, 2011 From: Mayor Richard A. Stewart To: Council Members Henry T. Garcia Barry Foster

FYI

Dear Mayor Stewart:

I am pleased to inform you of your community's Fiscal Year (FY) 2011 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low- and moderate-income persons and special populations across the country. President Obama signed Public Law 112-10 on April 15, 2011, a Continuing Resolution, which includes FY2011 funding for these programs. Your community's FY2011 available amounts are:

Community Development Block Grant (CDBG)	\$1,618,700
HOME Investment Partnerships (HOME)	\$588,285
Housing Opportunities for Persons with AIDS (HOPWA)	\$ 0
Emergency Shelter Grants (ESG)	\$ 0

The FY2011 Continuing Resolution significantly reduced funding for the CDBG and HOME programs compared to the FY2010 levels. The CDBG overall funding was reduced by more than \$600 million, resulting in allocation reductions of approximately 16.5 percent–reduction percentages may vary by grantee due to the use of updated population estimates and other factors. HOME program funding was reduced by more than \$200 million–approximately 11.7 percent. Grantees that have already submitted their annual Action Plan based on an anticipated amount higher than the FY2011 allocations for these programs must revise their Action Plan consistent with the allocation and applicable amendment requirements. Your local CPD field office is available to provide additional information regarding amendment requirements.

The Department will allocate ESG funds in a two-stage process: (1) \$160 million will be immediately allocated under the existing Emergency Shelter Grants regulations; and (2) \$65 million, at least, will be allocated once the new Emergency Solutions Grant regulations are published for effect. HUD is advising ESG grantees that are developing their 2011 annual Action Plan to assume funding based upon their 2010 allocation and to follow the existing ESG regulations. At the time of the second allocation, ESG grantees will be required to complete a substantial amendment to their Consolidated Plan/Action Plan, as necessary.

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espanol.hud.gov

There are several important program priorities I would like to highlight for the upcoming year. First, CPD is working on enhancements to the Consolidated Plan. The "Con Plan" has been effectively unchanged since its inception in the mid-1990s, and there is general agreement that the content must be improved to make it more relevant and meaningful to decision makers and the public. Further, both CPD and its program partners understand that the consolidated planning process must be simplified, and unnecessary burden reduced or eliminated through better use of technology, including linking the Consolidated Plan to the Integrated Disbursement and Information System (IDIS) and eliminating the need to prepare a separate Consolidated Plan revisions throughout the summer and fall through webinars, stakeholder meetings, and at <u>www.hud.gov/cpd</u>. I urge you and your staff to review the proposed changes and to provide feedback as CPD looks to launch the revised Consolidated Plan in the spring of 2012.

Second, CPD is moving rapidly to implement the OneCPD technical assistance process. Under OneCPD, technical assistance will adopt a place-based strategy with the goal of improving the ability of grantees to understand their local market conditions, set goals, and design and effectively carry out their housing and community development programs. This is particularly important as many local governments continue to struggle with budgetary pressures resulting from the economic downturn.

Finally, HUD again urges grantees to consider the needs of returning veterans and their families in the design and administration of these formula programs. Our fellow Americans have served our nation on the battlefields of Iraq and Afghanistan and seemingly countless other places around the globe. Many veterans are returning to our communities with wounds and injuries that may make it difficult for them to find housing or support themselves and/or their families. I ask that you consider their sacrifice and ensure that these men and women receive every appropriate consideration in the use of these funds at the local level.

CPD looks forward to working with you in a true partnership to successfully meet the challenges we face in FY2012. Please contact your local CPD office director if you or your staff have questions or comments.

Sincerely,

Mercedes Márquez Assistant Secretary



PAUL E. ZELLERBACH DISTRICT ATTORNEY RIVERSIDE COUNTY DISTRICT ATTORNEY 3960 ORANGE STREET

RIVERSIDE, CALIFORNIA 92501-3643 951-955-5520

October 22, 2013

Ms. Jane Halstead Moreno Valley City Clerk 14177 Frederick St. Moreno Valley, CA 92552

# Subject: Preservation of Evidence Demand

Dear Ms. Halstead:

The Riverside County District Attorney's Office has learned that the Moreno Valley City Council will consider adopting Resolution No. 2013-82, a "Resolution Adopting Updated Records Retention Schedules and Authorizing Destruction of Certain City Records" at its regular meeting on October 22, 2013.

The District Attorney's Office has reason to believe that litigation may result from matters currently under investigation with regard to the City of Moreno Valley and that relevant evidence potentially may be destroyed if Resolution No. 2013-82 is passed and implemented. This information may be in the City of Moreno Valley's possession or control and the City has a duty to preserve that information.

Therefore, the District Attorney's Office demands that the City of Moreno Valley immediately take action to protect and preserve until further notice any of that information that is in its possession or under its control until further notice.

Specifically, the District Attorney's Office demands that the City of Moreno Valley immediately suspend deletion, overwriting and/or any other destruction of records and electronic stored information (hereinafter "ESI") connected, either directly or indirectly, to the following:

- All records and ESI associated with or concerning Highland Fairview, Iddo Benzeevi, Jerry Stephens, Tom Owings, Marcelo Co, Jesse Molina, Victoria Baca, Richard Stewart, Yxstian Gutierrez and Michael Geller.
- All records and ESI associated with or concerning all City of Moreno Valley elected and appointed public officials and Department Heads.

Jane Halstead, Moreno Valley City Clerk October 22, 2013 Page | 2

- All records and ESI associated with or concerning pending or approved development construction projects, infrastructure and/or new infrastructure projects located in the City of Moreno Valley.
- All records and ESI associated with or concerning communications to and from City of Moreno Valley employees, elected and/or appointed public officials regarding the hiring, employment and discharge of former City Manager Henry Garcia.
- All records and ESI associated with or concerning the following development projects: Skechers, World Logistic Center, Prologis, Aquabella Development, Ridge Property Development and Nason Street infrastructure improvements.

The District Attorney's Office is specifically demanding that you preserve all documents, tangible things and ESI potentially associated with or concerning the matters identified above for the time frame of January 1, 2008 to present.

ESI, as used in this demand, should be afforded the broadest possible definition and includes (by way of example and not as an exclusive list) any and all information electronically, magnetically or optically stored as:

- Digital communications (e.g., e-mail, voice mail, instant messaging);
- Word processed documents (e.g., Word or WordPerfect documents and drafts);
- Spreadsheets and tables (e.g., Excel or Lotus 123 worksheets);
- Accounting Application Data (e.g., QuickBooks, Money, Peachtree data files);
- Image and Facsimile Files (e.g., .PDF, .TIFF, .JPG, .GIF images);
- Sound Recordings (e.g., WAV and .MP3 files);
- Video and Animation (e.g., .AVI and .MOV files);
- Databases (e.g., Access, Oracle, SQL Server data, SAP);
- Contact and Relationship Management Data (e.g., Outlook, ACT!);
- Calendar and Diary Application Data (e.g., Outlook PST, Yahoo, blog tools);
- Online Access Data (e.g., Temporary Internet Files, History, Cookies);
- Presentations (e.g., PowerPoint, Corel Presentations)
- Network Access and Server Activity Logs;
- Project Management Application Data;
- Computer Aided Design/Drawing Files; and,
- Back Up and Archival Files (e.g., Zip, GHO)

All ESI must be preserved so that it can be retrieved at a later time. The information must be preserved in its original electronic form so that all information contained within it,

Jane Halstead, Moreno Valley City Clerk October 22, 2013 Page | 3

whether visible or not, is also available for inspection. It is not sufficient to make a hard copy of electronic communication.

Thank you for your anticipated cooperation.

<del>dery</del> truly yours. PAUL E. ZELLERBA

Riverside County District Attorney

MV00232316

Cc: Michelle Dawson Moreno Valley City Manager 14177 Frederick St. Moreno Valley, CA 92552

> Suzanne Bryant Moreno Valley City Attorney 14177 Frederick St. Moreno Valley, CA 92552

Tom Owings Mayor, Moreno Valley City Council 14177 Frederick St. Moreno Valley, CA 92552

Jesse Molina Mayor Pro Tem, Moreno Valley City Council 14177 Frederick St. Moreno Valley, CA 92552

Victoria Baca Moreno Valley City Council 14177 Frederick St. Moreno Valley, CA 92552

Richard Stewart Moreno Valley City Council 14177 Frederick St. Moreno Valley, CA 92552

Yxstain Gutierrez Moreno Valley City Council 14177 Frederick St. Moreno Valley, CA 92552

PAUL E. ZELLERBACH RIVERSIDE COUNTY DISTRICT ATTORNEY 3960 ORANGE STREET RIVERSIDE, CA 92501-3643

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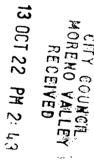
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Victoria Baca Moreno Valley City Council 14177 Frederick St. Moreno Valley, CA 92552



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CITY COUNCIL OFFICED 08 AUG 29 PM 2: 26 MEMORANDUM

CITY COUNCIL

Sound Hail wy

People · Pride Progress

To: Jane Halstead, City Clerk

From: Bonnie Flickinger, Council Member/

Date: August 29, 2008

Subject: PA08-0068 Conditional Use Permit

Applicant: Omnipoint Communications, Inc.

Owner: City of Moreno Valley

Representative: Trillium Consulting

Location: Southwest corner of John F. Kennedy Drive and Indian Street.

Proposal: Conditional Use Permit (PA08-0068) to allow the installation, operation and maintenance of an unmanned wireless telecommunications facility. The facility will consist of a new equipment enclosure large enough to contain all ground related equipment for two separate carriers approximately 12' x 36', and new cellular antenna to be mounted on a new baseball field light standard. The new light standard is replacing an existing light standard of the same height engineered to carry the additional load.

The Planning Commission approved this item on August 28, 2008.

In consideration of the importance of the issues, it would be in the best interest of the City that the proposed project be considered and decided by the City Council. Therefore, pursuant to the Municipal Code, I hereby assume jurisdiction over this matter for the City Council.

Please advise when this item will be agendized for City Council consideration.

cam

c: Mayor and Council Members Robert G. Gutierrez, City Manager Robert Herrick, City Attorney Kyle Kollar, CDD Director John Terell, Planning Official

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# CITY COUNCIL OFFICE 08 AUG 29 PM 2: 26

# CITY COUNCIL MORENO VALLEY RECEIVED

# MEMORANDUM

People · Pride Progress

To: Jane Halstead, City Clerk

Bonnie Flickinger, Council Member From:

Date: August 29, 2008

PA08-0069 Conditional Use Permit Subject:

Applicant: Royal Street Communications

Owner: City of Moreno Valley

Representative: Core Communications

Southwest corner of John F. Kennedy Drive and Indian Street. Location:

Proposal: Conditional Use Permit (PA08-0069) to allow the installation, operation and maintenance of an unmanned wireless telecomm facility. The facility will consist of a new equipment enclosure large enough to contain all ground related equipment for two separate telecomm carriers approximately 12' x 36', and new cellular antenna to be mounted on a new baseball field light standard. The new light standard is replacing an existing light standard of the same height engineered to carry the additional antenna load.

The Planning Commission approved this item on August 28, 2008.

In consideration of the importance of the issues, it would be in the best interest of the City that the proposed project be considered and decided by the City Council. Therefore, pursuant to the Municipal Code, I hereby assume jurisdiction over this matter for the City Council.

Please advise when this item will be agendized for City Council consideration.

cam

Mayor and Council Members C: Robert G. Gutierrez, City Manager Robert Herrick, City Attorney Kyle Kollar, CDD Director John Terell, Planning Official

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# **CITY OF MORENO VALLEY** CONDITIONS OF APPROVAL CONDITIONAL USE PERMIT PA04-0174

#### APN: 291-020-021

# **APPROVAL DATE: EXPIRATION DATE:**

May 12, 2005 May 12, 2008

- 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 & Recreation (PR)
- X Police (PD)
- Other (Specify or Delete)

Note: All Special conditions are in **bold lettering**. All other conditions are standard to all or most development projects.

#### COMMUNITY DEVELOPMENT DEPARTMENT

#### Planning Division

#### **Special Conditions**

- P1. This Conditional Use Permit has been approved for a vehicle sales business. Any change or modification of the use or improvements shall require separate approval. Violation may result in revocation of this Conditional Use Permit.
- P2. (GP) Prior to issuance of precise grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.
- P3. (GP) Prior to issuance of building permits, the developer shall submit wall/fence plans to the Community Development Department – Planning Division for review and approval for wrought iron (or tubular steel) fencing and gate along Box Springs Road behind the front setback line (20 feet from the ultimate property line). (MC 9.08.070)

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

R - Map Recordation

**GP** - Grading Permits WP - Water Improvement Plans BP - Building Permits

CO - Certificate of Occupancy or building final P - Any permit

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

GP - General Plan Ord - Ordinance Res - Resolution

MC - Municipal Code DG - Design Guidelines UFC - Uniform Fire Code SBM - Subdivision Map Act CEQA - California Environmental Quality Act Ldscp - Landscape Development Guidelines and Specs UBC - Uniform Building Code

- P4. (CO) Prior to issuance of Certificate of Occupancy the blue fencing around the holding area shall be removed or replaced with an approved fence material.
- P5. (CO) Prior to the issuance of Certificates of Occupancy or building final, the existing chain link fence and gate along Box Springs Road shall be removed and all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community Development Department -- Planning Division. (MC 9.080.070).
- P6. (CO) Prior to issuance of Certificate of Occupancy or building final, the developer shall remove the existing trash receptacle and construct a new trash receptacle in accordance with City standards.
- P7. (CO) Prior to issuance of Certificate of Occupancy or building final, the developer shall improve (with pavement or gravel surface) all surfaces on which vehicles are to be driven, parked or displayed, including the 24-foot wide fire and emergency access route.
- P8. Vehicles shall not be displayed, parked or driven on unimproved surfaces or areas designated for landscaping.
- P9. Landscaping shown on the approved plans are not part of this approval. Landscaping and irrigation shall be installed in the locations indicated on the approved plot plan and on unimproved surfaces and between the existing hardscape along the freeway frontage.
- P10. The existing trees shown on the approved plot plan shall be retained.
- P11. (CO) Prior to issuance of Certificate of Occupancy or building final, a minimum of two (2) bicycle parking spaces shall be provided pursuant to the requirements of Section 9.11.060 of the Municipal Code.
- P12. (CO) Prior to issuance of Certificate of Occupancy or building final, the developer shall eliminate all nonconforming signs and sign structures, including, but not limited to, any existing wall signs and freestanding signs.
- P13. All signs on the property, whether temporary or permanent, shall conform to the requirements of Chapter 12 of the City of Moreno Valley Municipal Code.
- (P14- (P) Prior to issuance of any permit, the subject parcel shall be merged with the parcel to the west, the site of a recreational vehicle dealership, to form one parcel that is 2.5 acres or more in area.

- P15. No vehicle repair shall take place on the premises of the subject vehicle sales business.
- P16. (P) This conditional use permit shall not be effective until the Ordinance 685 becomes effective. Ordinance 685 is an amendment to Section 9.09.060 of the Moreno Valley Municipal Code to change the minimum area for vehicle dealerships to allow either a single dealership of at least 2.5 acres or two vehicle dealerships situated side-by-side on a single parcel of at least 2.5 acres.
- P17. The operating hours shall be no earlier than 9 a.m., nor later than 9 p.m. Sunday through Thursday or 10 p.m. on Friday and Saturday.

#### Standard Conditions

- P18. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
- P19. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P20. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
- P21. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official or designee. (MC 9.14.020)
- P22. 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)
- P23. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris by the developer or the developer's successor-in-interest. (MC 9.02.030)
- P24. Any signs indicated on the submitted plans are not included with this approval. Any signs 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 Community Development Department - Planning Division. (MC 9.12.020)

- P25. The Community Development Director and the City Engineer may allow improvements to be completed in stages (phasing) provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to issuance of a Certificate of Occupancy for that phase. (MC 9.08.220)
- P26. (GP) Prior to issuance of precise permits, all site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
- P27. (GP) Prior to issuance of precise grading permits, the location of required trash receptacle enclosure(s) shall be approved by the Community Development Department - Planning Division. The design shall comply with City standards and be architecturally integrated with the project. (MC 9.08.150, DG)
- P28. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review and approval. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications.
- P29. (BP) Prior to issuance of building permits, the Community Development Department -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 with 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 that will provide complete screening upon maturity. (GP Objective 43.30, DG)
- P30. (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 Community Development Department Planning Division for review and approval by Planning and the Police Department. 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. (MC 9.08.100, DG)
- P31. (BP) Prior to issuance of building permits, the applicant shall obtain a Land Use Clearance

stamp from the Community Development Department - Planning Division on the final plan check set.

- P32. (GP) If archaeological, paleontological or historical resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant regarding mitigation measures to preserve or record the find. Recommendations by the consultant shall be implemented as deemed necessary and feasible by the Community Development Director before work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA)
- P33. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

#### **Building and Safety Division**

B1. The site shall be developed in compliance with all current model codes to include: Uniform Building Code (UBC), Uniform Plumbing Code (UPC), Uniform Mechanical Code (UMC), National Electrical Code (NEC), as well as Title 24 and ADA and all other applicable State and Federal codes. (Ord, State and Federal codes)

#### SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community and Development Director 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. Multi-family residential development shall provide a solid weather-tight overhead structure with adequate lighting for the mailbox area.

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