

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING ORDINANCE NO. 978 ADOPTING SPECIFIC PLAN AMENDMENT PEN20-0138 FOR THE MORENO VALLEY BUSINESS PARK PROJECT PURSUANT TO PEREMPTORY WRIT OF MANDATE REGARDING CASE NO. CVRI210122 AND RELATED CASE NO. CVRI2101518

WHEREAS, the Sierra Club filed a Petition for Writ of Mandate challenging the City's approval of the Moreno Valley Business Park Project which the City approved in February 2021; and

WHEREAS, the Moreno Valley Business Park Project involved the proposed development of a single industrial building consisting of 220,390 square-foot industrial building situated on 9.98 vacant and unimproved acres located at the southeast corner of Heacock Street and Ironwood Avenue; and

WHEREAS, on October 14, 2024, Hon. Judge Firetag of the Riverside County Superior Court, issued a Peremptory Writ of Mandate mandating that the City set aside and vacate the following approvals for the Moreno Valley Business Park Project: (1) Resolution 2021-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) Resolution No. 2021-08 approving General Plan Amendment PEN20-0066; 3) Resolution No. 2021-11 approving Plot Plan PEN20- 0137; and 4) Ordinance No. 978 adopting Specific Plan Amendment PEN20-0138; and

WHEREAS, the City was ordered to file and serve a return to the Peremptory Writ of Mandate no later than one-hundred eighty (180) days after service of the Writ and any subsequent returns to the Writ every 90 days thereafter, as necessary, subject to the requirement that the return(s) (response(s)) to the Writ specify the actions taken to comply with the terms of the Writ.

THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals

The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Repeal of Ordinance No. 978

That pursuant to the Peremptory Writ of Mandate Regarding Case No. CVRI210122 and related Case No. CVRI2101518, Ordinance No. 978 adopting Specific Plan Amendment PEN 20-0138 for the Moreno Valley Business Park Project is hereby repealed in its entirety.

Section 3. Return to the Peremptory Writ of Mandate

That the City Attorney shall file and serve a return to the Peremptory Writ of Mandate no later than one-hundred eighty (180) days after service of the Writ as mandated by the Court.

Section 4. Severability

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 5. Repeal of Conflicting Provisions

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date

That this Ordinance shall take effect thirty (30) days after its second reading.

Section 7. Certification

That the City Clerk shall certify to the passage and adoption of this Ordinance, enter the same in the book for original ordinances of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Ordinance is passed and adopted.

APPROVED AND ADOPTED this ____ day of _____ 2025.

Ulises Cabrera
Mayor
City of Moreno Valley

ATTEST:

M. Patricia Rodriguez, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney