

RESOLUTION NO. 2025-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND ADOPTING THE FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM AND CERTIFYING THE FINAL ENVIRONMENTAL REPORT (SCH NO. 2022040417) FOR THE TOWN CENTER AT MORENO VALLEY SPECIFIC PLAN (SP-222)

WHEREAS, the City of Moreno Valley is a general law city and a municipal corporation of the State of California (City); and

WHEREAS, Lewis Management Corporation, Inc., (“Applicant”), is the owner of 69.6 acres of real property, shown on page 8 of the Town Center at Moreno Valley (TCMV) Specific Plan (PEN 21-0334); and

WHEREAS, the Applicant has applied for General Plan Amendment (PEN25-0007), Change of Zone (PEN21-0335), Specific Plan (PEN21-0334), and Tentative Tract Map (PEN22-0077) for the Town Center at Moreno Valley Specific Plan (SP-222) (collectively the “Project Approvals” or “Proposed Project”); and

WHEREAS, in conjunction with the Applicant’s requested Project Approvals, and in accordance with the California Environmental Quality Act (CEQA)¹ and the State CEQA Guidelines², the City prepared a Draft Environmental Impact Report (Draft EIR) (SCH No. 2022040417) for the Proposed Project; and

WHEREAS, notwithstanding the above, pursuant to the Housing Accountability Act, Government Code section 65589.5(j)(1), the Proposed Project, which contains a residential component, cannot be denied for inconsistency with the 2006 General Plan; and

WHEREAS, the Draft EIR was circulated for public and agency comment and proper notification was provided in accordance with CEQA and the CEQA Guidelines, with the 45-DAY public comment period commencing on February 24, 2025, through April 10, 2025, after which the City prepared the Final EIR (State Clearinghouse No. 2022040417) (Final EIR); and

WHEREAS, the Final EIR has been completed, and has analyzed the environmental impacts of the construction and operation of the Proposed Project; and

WHEREAS, the Final EIR contains the information required by CEQA Guidelines Section 15132, including, without limitation, the Draft EIR and all revisions and additions thereto, comments on the Draft EIR received from various agencies, organizations,

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

companies, individuals and other interested parties, and the City's responses to the comments received on the Draft EIR; and

WHEREAS, the Final EIR finds and concludes that all potentially significant environmental impacts of the Proposed Project have been identified in the Final EIR and, with the implementation of the mitigation measures defined and set forth in the Mitigation Monitoring and Reporting Program ("MMRP"), will be mitigated to a less-than-significant level except for those impacts identified in the Final EIR, which cannot be mitigated to a less-than-significant level; and

WHEREAS, a Statement of Overriding Considerations has been prepared for the Proposed Project, the purpose of which, as defined in CEQA Guidelines section 15093, is to balance, as applicable, the economic, legal, social, technological, or other benefits of the Proposed Project against its unavoidable environmental risks, that shall be considered when determining whether to approve the Proposed Project; and

WHEREAS, the Statement of Overriding Considerations is based on substantial evidence that the benefits of the Proposed Project, each of which has been determined to be, by itself and independent of the other benefits of the Proposed Project, is a basis for overriding, outweighing, and accepting the Proposed Project's significant and unavoidable air quality impacts identified in the Final EIR; and

WHEREAS, the Final EIR finds, determines and concludes that implementation of the Proposed Project will have specific significant environmental impacts even after the implementation of all feasible mitigation measures identified in the Final EIR, including the reasonable range of alternatives identified in Chapter 7 of the Final EIR, and that the Statement of Overriding Considerations has been prepared and considered, along with the Proposed Project's CEQA Findings of Fact; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Moreno Valley Municipal Code and Government Code Section 65905, a public hearing was scheduled before the Moreno Valley Planning Commission for May 8, 2025, and notice thereof was duly published and posted on the site of the Proposed Project (Project Site) and the City's website and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on May 8, 2025, the Planning Commission, after providing the required notice, conducted the duly-noticed public hearing as prescribed by law to consider the Final EIR and the Proposed Project at which time all interested persons were provided with an opportunity to testify and present evidence, after which the Planning Commission voted 7-0 to recommend that the City Council approve and adopt the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program and certify the Final Environmental Impact Report for the Proposed Project; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and

Notification Procedures) of the Moreno Valley Municipal Code and Government Code Section 65905, a public hearing notice was scheduled before the Moreno Valley City Council for June 3, 2025, and notice thereof was duly published in the Press Enterprise Newspaper and mail to all property owners of record within 600 feet of the Project Site.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. RECITALS AND EXHIBITS

That the foregoing Recitals and the attached Exhibits are true and correct and are hereby incorporated by reference.

Section 2. EVIDENCE AND RECORD

That the City Council has considered all the evidence submitted in the record of proceedings for consideration of the Final EIR, including, but not limited to, the following:

- Moreno Valley General Plan (2006);
- Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein
- Draft Environmental Impact Report (EIR) for the Town Center at Moreno Valley Specific Plan Project, including appendices (February 2025);
- Final EIR for the Proposed Project, including appendices (State Clearinghouse No. 2022040417) (April 2025);
- Application and related material and information pertaining to General Plan Amendment (PEN25-0007), Change of Zone (PEN21-0335), Specific Plan (PEN21-0334), and Tentative Tract Map (PEN22-0077) for the Town Center at Moreno Valley Specific Plan (SP-222)
- Conditions of Approval for Tentative Tract Map No. 38421 (PEN 22-0077);
- All public notices issued by the City of Moreno Valley with regard to the Proposed Project (2021-2025);
- All staff reports, attachments, and related documents prepared by the City of Moreno Valley for the Proposed Project (2025);
- Permitted Uses Table 9.02-020-1;
- Permitted Uses Table 9.02-020-2;
- Testimony, and/or comments from the Applicant and its representatives during the public hearing;
- Testimony and/or comments from all persons provided in written format or correspondence at, or prior to, the public hearing; and
- All documents and websites used, referenced, or incorporated by reference in completing both the Draft EIR and the Final EIR for the Proposed Project.

Section 3. CEQA FINDINGS OF FACT

That based on the substantial evidence included in the Recitals, Exhibits and evidence contained in the record of proceedings, as set forth above, and the findings

set forth in the Draft EIR and Final EIR, the City Council hereby approves and adopts the Findings of Fact, attached hereto as **Exhibit A**, which finds that all potentially significant environmental impacts of the Proposed Project have been identified in the Final EIR and that the implementation of the mitigation measures defined and set forth in the Mitigation Monitoring and Reporting Program (“MMRP”), attached hereto as **Exhibit B**, will be mitigated to a less-than-significant level, except for those impacts identified in the Final EIR as significant and unavoidable.

Section 4. MITIGATION MONITORING AND REPORTING PROGRAM

That based on the substantial evidence included in the Recitals, Exhibits and evidence contained in the record of proceedings, as set forth above, the findings set forth in the Draft EIR and Final EIR, and the CEQA Findings of Fact, as set forth in **Exhibit A**, the City Council hereby approves and adopts the Mitigation Monitoring and Reporting Program (“MMRP”) contained within the Final EIR, attached hereto as **Exhibit B**.

Section 5. STATEMENT OF OVERRIDING CONSIDERATIONS

That based on the substantial evidence included in the Recitals, Exhibits and evidence contained in the record of proceedings and the findings, as set forth above, the findings set forth in the Draft EIR and Final EIR, the CEQA Findings of Fact, attached hereto as **Exhibit A**, and the Mitigation Monitoring and Reporting Program (“MMRP”), contained within the Final EIR, attached hereto as **Exhibit B**, City Council finds and determines that since the economic, social, and environmental considerations associated with the construction and operation of the Proposed Project outweigh the unavoidable significant impacts described in the Final EIR, the City Council hereby approves and adopts the Statement of Overriding Considerations, contained within the Final EIR and attached hereto as **Exhibit A**.

Section 6. APPROVAL AND CERTIFICATION OF THE FINAL EIR

That based on the substantial evidence included in the Recitals, Exhibits and evidence contained in the record of proceedings and the findings, as set forth above, the findings set forth in the Draft EIR and Final EIR, the CEQA Findings of Fact, attached hereto as **Exhibit A**, the Mitigation Monitoring and Reporting Program (“MMRP”), contained within the Final EIR, attached hereto as **Exhibit B**, and Statement of Overriding Considerations, contained within the Final EIR and attached hereto as **Exhibit A**, the City Council hereby approves and certifies the Final EIR for the Proposed Project, attached hereto as **Exhibit B**, and hereby directs staff to cause a Notice of Determination to be filed and posted, as required by CEQA, after the adoption of the City Council Resolution approving and certifying the Final EIR for the Proposed Project becomes final, as specified by Section 9.14.050 of the Moreno Valley Municipal Code.

Section 7. NO SIGNIFICANT NEW INFORMATION

That based on the substantial evidence included in the Recitals, Exhibits and evidence contained in the record of proceedings, as set forth above, the above findings and the findings set forth in the Draft EIR and Final EIR, the CEQA Findings of Fact, attached hereto as **Exhibit A**, the City Council hereby finds that no significant new information, as defined CEQA Guidelines § 15088.5(a), has been received by the City Council after the circulation of the Draft EIR that would require recirculation and that all of the information added to the Draft EIR merely clarifies, amplifies, or makes insignificant modifications to the already adequate Draft and Final EIRs pursuant to CEQA Guidelines § 15088.5(b).

Section 8. CEQA COMPLIANCE

That the City Council hereby certifies that: (a) it has reviewed the Final EIR prior to taking any action to approve the Proposed Project; (b) that the Final EIR has been completed in compliance with CEQA and the CEQA Guidelines; and (c) that the City Council has complied with all procedural and substantive requirements of CEQA and the CEQA Guidelines.

Section 9. INDEPENDENT JUDGMENT AND ANALYSIS

That the City Council hereby finds that the Final EIR reflects the City Council's independent judgment and analysis.

Section 10. REPEAL OF CONFLICTING PROVISIONS

That all provisions of any resolution in effect prior to the effective date of this Resolution as adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 11. EFFECTIVE DATE

That this Resolution shall take effect immediately upon its adoption.

Section 12. SEVERABILITY

That if any provision, section, paragraph, sentence or word of this Resolution 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 as hereby adopted shall remain in full force and effect.

Section 13. CERTIFICATION

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED AND ADOPTED THIS 3rd day of June, 2025.

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera,
Mayor of the City of Moreno Valley

ATTEST:

M. Patricia Rodriguez, City Clerk, CMC

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

Exhibits:

Exhibit A – Findings of Fact and Statement of Overriding Considerations

Exhibit B – Final Environmental Impact Report, Response to Comments, and
Mitigation Monitoring and Reporting Program