

RESOLUTION NO. 2025-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (PEN25-0007) AND TENTATIVE TRACT MAP NO. 38421 (PEN22-0077)

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") submitted applications for a General Plan Amendment (PEN25-0007), Change of Zone (PEN21-0335), Specific Plan (PEN21-0334), and Tentative Tract Map No. 38421 (PEN22-0077) for the Town Center at Moreno Valley Specific Plan (TCMV) (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) for the Proposed Project, which was completed by February 24, 2025; and

WHEREAS, the Draft EIR evaluated the Proposed Project's consistency the 2006 General Plan, and it was found, determined and concluded that the Proposed Project is consistent 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 public comment period commencing on February 24, 2025, to 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 § 15132, including, without limitation, the Draft EIR and all revisions and additions thereto, comments on the Draft EIR received from various agencies, organizations, 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 from the implementation 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

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

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 Proposed Project site and the City's website and mailed to all property owners of record within 600 feet of the Proposed 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, the Planning Commission voted 7-0 to recommend that the City Council approve and certify the Final EIR for the Proposed Project and approve 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 PLANNING COMMISSION 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. **NOTICE**

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, “Conditions”) and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions; and that the Applicant has been further notified that the ninety-day approval period in which the Applicant may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has commenced.

Section 3. **EVIDENCE AND RECORD**

That the City Council has considered all the evidence submitted in the record of proceedings for consideration of the Proposed Project, 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);
- CEQA Findings of Fact;
- Mitigation Monitoring and Reporting Program;
- Statement of Overriding Considerations;
- 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);
- All minutes and transcripts of all public meetings and public hearings held by the City of Moreno Valley related to the Proposed Project (2025);
- Permitted Uses Table 9.02-020-1;
- Permitted Uses Table 9.02-020-2;
- Revised Zoning Atlas Map Pages;
- 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 to the Proposed Project.

Section 4. PROJECT APPROVALS AND REQUISITE FINDINGS

That based on the Recitals, Exhibits attached hereto and the evidence contained in the record of the proceedings as set forth above, the City Council hereby approves the following Project Approvals based on the respective findings set forth below:

A. General Plan Amendment (PEN25-0007), attached hereto as Exhibit A, based on the following findings:

1. That the proposed amendment to the text is consistent with existing goals objectives policies and programs for the applicable General Plan as amended;
2. That proposed amendment will not adversely affect the public health, safety or general welfare;
3. That the proposed amendment will provide public benefits to the general community beyond those that may be unilaterally imposed by the city through the traditional exaction process, which will promote public health, increase recreational opportunities, and improve general community services for children and/or seniors and otherwise improve the quality of life of the residents of the City; and
4. That the public benefits provided by the Proposed Project as memorialized in the Proposed Project FEIR's Statement of Overriding Considerations shall remain a legal obligation of successors and interest which the City Council determined will promote public health increase recreational opportunities improve general community services and otherwise improve the quality of life of the resident of the City.

B. Tentative Tract Map No. 38421 attached hereto as Exhibit "B" subject to only those conditions attached thereto, based on the following findings:

1. That the proposed tentative map is consistent with applicable General Plan, Town Center at Moreno Valley Specific Plan and Zoning as amended;
2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
3. That the property is physically suitable for the type of development;

4. That the Property is physically suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; and
8. That the requirements of the California Environmental Quality Act have been satisfied.

Section 5. 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 6. 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 7. 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.

Section 8. EFFECTIVE DATE

That this Resolution shall take effect immediately upon its adoption.

Section 9. 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.

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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 – Land Use Map

Exhibit B – Tentative Tract Map. No. 38421

Exhibit C - Tentative Tract Map No. 38421 Conditions of Approval

EXHIBIT A

**Land Use Map
(PEN25-0007)**

EXHIBIT B

**Tentative Tract Map. No. 38421
(PEN22-0077)**

EXHIBIT C

**Tentative Tract Map. No. 38421
Conditions of Approval
(PEN22-0077)**