

ORDINANCE NO. 2025-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CHANGE OF ZONE (PEN21-0335) AND CORRESPONDING ZONING ATLAS AMENDMENTS FOR THE TOWN CENTER SPECIFIC PLAN AND SPECIFIC PLAN (PEN21-0334),

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 Specific Plan (PEN21-0334), and the Town Center at Moreno Valley Specific Plan Project applicant; and

WHEREAS, the 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 CEQA Guidelines², the City prepared a Draft Environmental Impact Report (Draft EIR) for the Proposed Project, which was completed on or about 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 will maintain internal consistency amongst the elements of 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 review 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 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, businesses, individuals and other interested parties, and the City's responses to the comments received on the Draft EIR; and

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

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, the Planning Commission voted 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 CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES ORDAIN 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 Planning Commission 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 3. PROJECT APPROVALS AND REQUISITE FINDINGS

That based upon 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 based on their respective findings set forth below:

a. Change of Zone (PEN21-0335) and Corresponding Zone Atlas Amendments, attached hereto as Exhibit A, based on the following findings:

- 1) That the changes and amendments are consistent with the 2006 General Plan and its goals, objectives, policies, and programs, as amended, and with the Town Center at Moreno Valley Specific Plan;
- 2) That the proposed changes and amendments will not adversely affect the public health safety or general welfare;
- 3) That the proposed changes and amendments are consistent with the purposes and intent of Title 9 (Planning and Zoning of the Moreno Valley Municipal Code; 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. Specific Plan (PEN21-0334), attached hereto as Exhibit B, based on the following findings:

- 1) That the proposed amendment is consistent with the existing goals objectives policies and programs of the 2006 General Plan;
- 2) That the proposed Specific Plan will not adversely affect the public health safety or general welfare; and
- 3) That the public benefits provided by the Proposed Project as memorialized in the Proposed Project's FEIR's Statement of Overriding Considerations shall remain a legal obligation of successors in interest, which the City Council determines will promote public health, increase recreational opportunities, improve general community services, and otherwise improve the quality of life of residents of the City.

Section 4. 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 5. 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 6. EFFECTIVE DATE OF ORDINANCE

That this Ordinance shall take effect thirty (30) days after its second reading and adoption by the City Council.

Section 7. CERTIFICATION

That the City Clerk shall certify as to the passage of this Ordinance and shall cause the same to be published according to law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

INTRODUCED at a regular meeting of the City Council on June 3, 2025, and PASSED, APPROVED, AND ADOPTED by the City Council on ____ __, ____, by the following vote:

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: Zoning Map

Exhibit B: Town Center at Moreno Valley Specific Plan

Exhibit C: Specific Plan (PEN21-0334) Conditions of Approval

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE)

ss. CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley,
California, do hereby certify that Ordinance No. XXXX was duly and regularly adopted
by the City Council of the City of Moreno Valley at a regular meeting thereof held on the
_____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem, and Mayor)

CITY CLERK

(SEAL)

EXHIBIT A

**Zoning Map
(PEN21-0335)**

EXHIBIT B

**Town Center at Moreno Valley Specific Plan
(PEN21-0334)**