

RESOLUTION NO. 2026-XX

APPEAL (PAA26-0001)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AFFIRMING AND UPHOLDING THE PLANNING COMMISSION’S DENIAL OF GENERAL PLAN AMENDMENT (PEN24-0023) TO AMEND THE GENERAL PLAN LAND USE MAP AND CHANGE OF ZONE (PEN24-0024) CHANGING THE LAND USE DESIGNATION AND ZONING FROM RESIDENTIAL 5 (R5) TO RESIDENTIAL 10 (R10) FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF CACTUS AVENUE AND BRADSHAW CIRCLE, EAST OF MORENO BEACH DRIVE (APNS: 478-090-018, 478-090-024, AND 478-090-025)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and has the authority to approve amendments to the City’s General Plan and the City’s Zoning Atlas; and

WHEREAS, Shay Mueller of RC Hobbs Companies (“Applicant”) submitted applications for a General Plan Amendment to change the existing land use designation to Residential (R10), a Zone Change to change the zoning designation to Residential Single-Family 10 (RS10) District, a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) and a Tentative Tract Map (TTM) for a 4.81-acre site that will be subdivided into 37 single-family residential lots (“Proposed Project”), on the northeast corner of Cactus Avenue and Bradshaw Circle, east of Moreno Beach Drive (APNS: 478-090-018, 478-090-024, and 478-090-025) (“Project Site”); and

WHEREAS, on January 8, 2026, a duly noticed Public Hearing was duly conducted by the Planning Commission to consider the Proposed Project, at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, on January 8, 2026, the Planning Commission denied the Proposed Project, by denying General Plan Amendment (PEN24-0023) and Change of Zone (PEN24-0024) based on the following findings: (a) Since the City is a general law city, any zoning ordinance must be consistent with its general plan, so that all land uses and zoning ordinances must be compatible with the objectives, policies, general land uses, and programs specified in the plan; (b) The proposed general plan amendment is not in the public interest since the City is currently preparing a comprehensive general plan update, which is anticipated to be considered by the City Council in February or March 2026 with the proposed zoning of the subject site remaining Residential 5 (R5) which has been analyzed under the draft EIR for the general plan update as being zoned Residential 5 (R5); (c) Changing the land use designation of the Project Site from Residential 5 (R5) to Residential 10 (R10) would be detrimental to the public interest and convenience, and

welfare of the City in that it would be inconsistent with existing low-density residential development adjacent to the west of the proposed project site; (d) Increasing the residential zoning density for the project site is not necessary for meeting the City's regional housing needs assessment objectives with respect to affordable housing; (e) The proposed general plan amendment is not in the City's best interest in that the City's Pro-Housing Jurisdiction designation received from the California Department of Housing and Community Development is based on the Project Site being zoned (R5) rather than (R10); (f) The proposed General Plan Amendment will not promote public safety in that it can potentially add more traffic to Cactus Avenue, which is currently not built out to accommodate traffic based on the proposed (R10) zoning of the Project Site; (g) The proposed General Plan Amendment and Change of Zone will not promote public safety in that it will potentially add increased traffic to Bradshaw Circle that would jeopardize emergency access to the community of 8 homes located adjacent to Buvan Court, which is accessed via Bradshaw Circle; (h) The proposed Change of Zone is inconsistent with the General Plan as set forth in the Findings of Denial of the General Plan Amendment; and (i) The proposed Change of Zone will adversely affect the public safety and general welfare in that higher-density development will add more traffic to Cactus Avenue, which is currently not built out to standards to accommodate traffic based on the proposed increase in density of the project site; and

WHEREAS, the Applicant timely filed an Appeal of the Planning Commission's denial of the Proposed Project; and

WHEREAS, on February 17, 2026, the City Council conducted a duly noticed Public Hearing on the Appeal of the Planning Commission's denial of the Proposed Project, and considered the Proposed Project's Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program; and

WHEREAS, on February 17, 2026, at a duly noticed Appeal Hearing of the City Council, all interested persons were provided an opportunity to testify and to present evidence; and

WHEREAS, on February 17, 2026, the City Council affirmed and upheld the Planning Commission's denial of the Proposed Project based on the Planning Commission's findings supporting the denial of General Plan Amendment (PEN24-0023) and Change of Zone (PEN24-0024).

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 attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Evidence

That the City Council has considered all the evidence submitted into the Administrative Record related to the Proposed Project, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Applications for General Plan Amendment (PEN24-0023) and Change of Zone (PEN24-0024) as depicted in Exhibit A, attached hereto;
- (d) Applications for Conditional Use Permit (CUP) (PEN24-0022) for a Planned Unit Development (PUD) and Tentative Tract Map (TTM) (PEN24-0021);
- (e) Staff Report prepared for the Planning Commission and City Council's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearings;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearings; and
- (g) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearings.

Section 3. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby finds as follows:

- (a) Since the City is a general law city, any zoning ordinance must be consistent with its general plan, so that all land uses and zoning ordinances must be compatible with the objectives, policies, general land uses, and programs specified in the plan;
- (b) The proposed general plan amendment is not in the public interest since the City is currently preparing a comprehensive general plan update, which is anticipated to be considered by the City Council in February or March 2026 with the proposed zoning of the subject site remaining Residential 5 (R5) which has been analyzed under the draft EIR for the general plan update as being zoned Residential 5 (R5);
- (c) Changing the land use designation of the Project Site from Residential 5 (R5) to Residential 10 (R10) would be detrimental to the public interest and convenience, and welfare of the City in that it would be inconsistent with existing low-density residential development adjacent to the west of the proposed Project Site;
- (d) Increasing the residential zoning density for the project site is not necessary for meeting the City's regional housing needs assessment objectives with respect to affordable housing;

- (e) The proposed general plan amendment is not in the City’s best interest in that the City’s Pro-Housing Jurisdiction designation received from the California Department of Housing and Community Development is based on the Project Site being zoned (R5) rather than (R10);
- (f) The proposed General Plan Amendment will not promote public safety in that it can potentially add more traffic to Cactus Avenue, which is currently not built out to accommodate traffic based on the proposed (R10) zoning of the Project Site;
- (g) The proposed General Plan Amendment and Change of Zone will not promote public safety in that it will potentially add increased traffic to Bradshaw Circle that would jeopardize emergency access to the community of 8 homes located adjacent to Buvan Court, which is accessed via Bradshaw Circle;
- (h) The proposed Change of Zone is inconsistent with the General Plan as set forth in the Findings of Denial of the General Plan Amendment; and
- (i) The proposed Change of Zone will adversely affect the public safety and general welfare in that higher-density development will add more traffic to Cactus Avenue, which is currently not built out to standards to accommodate traffic based on the proposed increase in density of the project site.

Section 4. Affirming and Upholding Planning Commission’s Denial.

That based on the foregoing Recitals, Administrative Record and Findings, the City Council hereby affirms and upholds the Planning Commission’s denial of a General Plan Amendment (PEN24-0023) and Change of Zone (PEN24-0024).

Section 5. Repeal of Conflicting Provisions

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

Section 6. Severability

That the City Council declares that, should 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 of this Resolution as hereby adopted shall remain in full force and effect.

Section 7. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

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APPROVED AND ADOPTED this 17th day of February, 2026.

Ulises Cabrera
Mayor
City of Moreno Valley

ATTEST:

M. Patricia Rodriguez, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

Exhibit:

Exhibit A: General Plan Land Use Designation

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, M. Patricia Rodriguez, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2026-XX 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 _____, 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

M. PATRICIA RODRIGUEZ, CITY CLERK

(SEAL)

Exhibit A
General Plan Land Use Designation