

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA11-0029 (CHANGE OF ZONE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 146.19 ACRES TO RESIDENTIAL 30 (R30) AND APPROXIMATELY 10.46 ACRES TO OPEN SPACE (OS) AND PA12-0047 (CHANGE OF ZONE) TO CHANGE THE LAND USE DISTRICT OF APPROXIMATELY 21.47 ACRES TO COMMUNITY COMMERCIAL (CC).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 82, 99 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Changes (PA11-0029 and PA12-0047).

1.4. An environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0029 and PA12-0047 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 82, 99 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on April 23, 2013, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed Change of Zone is consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. California State law (Government Code Section 65580-65589.8) requires that cities provide an inventory of land suitable for residential development. Section 65583.2(B)(e) requires that jurisdictions with a population greater than 100,000 must have sites allowing at least 30 unit per acre. The City of

Moreno Valley's current population is approximately 193,365 thus requiring the City to provide high density housing opportunities at the 30 unit per acre. PA11-0029 (Change of Zone) will change the land use designation for the four areas totaling approximately 146.19 acres to Residential 30 (R30) and approximately 10.46 acres to Open Space (OS).

PA12-0047 (Change of Zone) will change the zoning designation of Assessor's Parcel Number (APN) 485-220-041, which is located at the southwest corner of Gentian Avenue and Perris Boulevard. The 21.47 acre parcel's land use is currently Residential 5 (R5) and the proposed change is to Community Commercial (CC).

The parcels directly to the west and southwest are part of the request for both land use and rezoning to Residential 30 (R30). The parcels directly south are currently Community Commercial and included an approved shopping center (PA06-0123), Home Depot and a Farmer Boys restaurant.

There is no development application associated with the proposed zone change. The proposed zoning would permit development of a commercial shopping center, which would support the neighboring proposed high density housing.

Changing the zoning of 21.47 acres to commercial uses along Perris Boulevard consistent the goals of the Alessandro Boulevard Corridor Plan though was not an original part of the vision plan. Perris Boulevard is a similar to Alessandro Boulevard as an important regional transportation link for Moreno Valley. Perris Boulevard is ideal to provide a mix of retail and multiple density housing opportunities to promote pedestrian-oriented development. The land use change to Commercial is also consistent with the General Plan and would not be in conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed Change of Zones will not adversely affect the public health, safety or general welfare. An environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0029 and PA12-0047 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

FACT: The Change of Zone is compatible with the purpose and intent of Title 9. As such, it furthers the specific purpose and intent of Title 9 to “implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan.”

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts the Change of Zones (PA11-0029 and PA12-0047) to change to the zoning districts listed in the tables below and subject to the revised zoning designations depicted in the attached Exhibit A and B.

PA11-0029 (Change of Zone) will change the land use designation for the four areas totaling approximately 146.19 acres to Residential 30 (R30) and approximately 10.46 acres to Open Space (OS). The Assessor’s Parcel Numbers of the parcels affected by this Change of Zone are as followed:

Area #1 (Day/Alessandro) – Change of Zone		
APN	Current Zoning	Proposed Zoning
291191004	CC	R30
291191007	CC	R30
291191008	R15 & CC	R30
291191009	R15 & CC	R30
291191010	R15	R30
291191011	CC	R30
291191012	R15	R30
291191013	R15	R30
291191025	CC	R30
291191026	CC	R30
291191027	R15	R30
291191028	R15	R30
291191029	CC	R30

Area #2 (Elsworth/Alessandro) – Change of Zone		
APN	Current Zoning	Proposed Zoning
291200023	CC	R30
291200024	R15	R30
291200025	CC	R30
291200027	CC	R30
291200030	CC	R30

291200038	CC	R30
291200039	CC	R30
291200040	CC	R30
291264001	CC	R30
291264002	CC	R30
291264003	CC	R30
291264004	CC	R30
291264005	CC	R30
291264006	CC	R30
291264007	CC	R30
291264008	CC	R30
291264009	CC	R30
291264011	CC	R30
291264012	CC	R30
291273001	CC	R30
291273004	CC	R30
291273005	CC	R30
291273007	CC	R30
291273008	CC	R30

Area #3 (Morrison/Alessandro) – Change of Zone		
APN	Current Zoning	Proposed Zoning
486270001	OC	R30
486270002	OC	R30
486270003	OC	R30
486270004	OC	R30
486270008	OC	R30
486270017	OC	R30
486280043	R15	R30 (approx.17 acres)
486280043	R15	OS (approx.10.4 acres)
486280002	R15	R30
486280004	R15	R30
486280005	R15	R30
486280006	R15	R30
486280007	R15	R30
486280008	R15	R30
486280010	R15	R30
486280011	R15	R30
486280012	R15	R30
486280013	R15	R30

Area #4 (Perris/Iris) – Change of Zone		
APN	Current Zoning	Proposed Zoning
485220006	R15	R30
485220007	R15	R30

485220008	R15	R30
485220009	R15	R30
485220015	R15	R30
485220016	R15	R30
485220017	R15	R30
485220040	R5	R30

PA12-0047 (Change of Zone) will change the zoning designation of Assessor's Parcel Number (APN) 485-220-041, which is located at the southwest corner of Gentian Avenue and Perris Boulevard. The 21.47 acre parcel's land use is currently Residential 5 (R5) and the proposed change is to Community Commercial (CC).

Area #5 (Perris/Gentian) – Change of Zone		
485220041	R5	CC

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and 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 _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)