

**ORDINANCE NO. XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CHANGE OF ZONE (PEN22-0158) TO AMEND THE CITY ZONING ATLAS FROM RESIDENTIAL 5 (R5) DISTRICT TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) DISTRICT FOR THE REAL PROPERTY LOCATED ON THE SOUTH SIDE OF IRIS AVENUE, EAST OF INDIAN STREET (APN: 316-030-002, 018, AND 019)**

**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 City’s Zoning Atlas; and

**WHEREAS**, South of Iris 2021, LLC (consisting of David Patton, Mark Patton, Tracey Duesler, and Michael and Karen Patton) (“Applicant”) has submitted applications for the approval of General Plan Amendment (PEN22-0159), Change of Zone (PEN22-0158), Conditional Use Permit (PEN22-0157), and Tentative Tract Map 38458 (PEN22-0156) for the development of a 78 unit detached single-family residential project with associated amenities and public improvements (“Proposed Project”) on 9.42 acres located on the south side of Iris Avenue, east of Indian Street (APN: 316-030-002, 018, and 019) (“Project Site”); and

**WHEREAS**, Change of Zone (PEN22-0158) requests an amendment to the Moreno Valley Official Zoning Atlas to change the zoning designation of the Project Site from the Residential 5 (R5) District to Residential Single-Family 10 (RS10); and

**WHEREAS**, on February 8, 2024, a public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and to present evidence; and

**WHEREAS**, on February 8, 2024, in accordance with the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>, the Planning Commission adopted Resolution No. 2024-03, recommending that the City Council certify and adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Proposed Project; and

**WHEREAS**, on February 8, 2024, the public hearing was conducted by the Planning Commission to consider Change of Zone (PEN22-0158), after which the Planning Commission adopted Resolution No. 2024-05 recommending that the City Council approve Change of Zone (PEN22-0158); 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 for March 5, 2024, before the City Council and notice thereof was duly published and posted, and mailed to all property owners of

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

record within 600 feet of the Project Site; and

**WHEREAS**, on March 5, 2024, the public hearing was conducted to consider Change of Zone (PEN22-0158) for the Proposed Project was duly conducted by the City Council at which time all interested persons were provided with an opportunity to testify and to present evidence; and

**WHEREAS**, on March 5, 2024, in accordance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Council considered and adopted Resolution No. 2024-XX, certifying and adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Proposed Project.

**THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**Section 1.                   Amendment of the Official Zoning Atlas**

The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 981, on August 3, 2021, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification to page 159 of the Official Zoning Atlas as shown on the attached map marked “Exhibit A” and included herein by reference and on file in the office of the City Clerk.

**Section 2.                   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 3.                   Notice of Adoption**

Within fifteen (15) 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 (3) public places within the City.

**Section 4.                   Effective Date**

This ordinance shall take effect thirty (30) days after the date of its adoption.

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**PASSED AND ADOPTED THIS 5<sup>th</sup> DAY OF MARCH, 2024.**

CITY OF MORENO VALLEY  
CITY COUNCIL

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Ulises Cabrera,  
Mayor

ATTEST:

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Jane Halstead,  
City Clerk

APPROVED AS TO FORM:

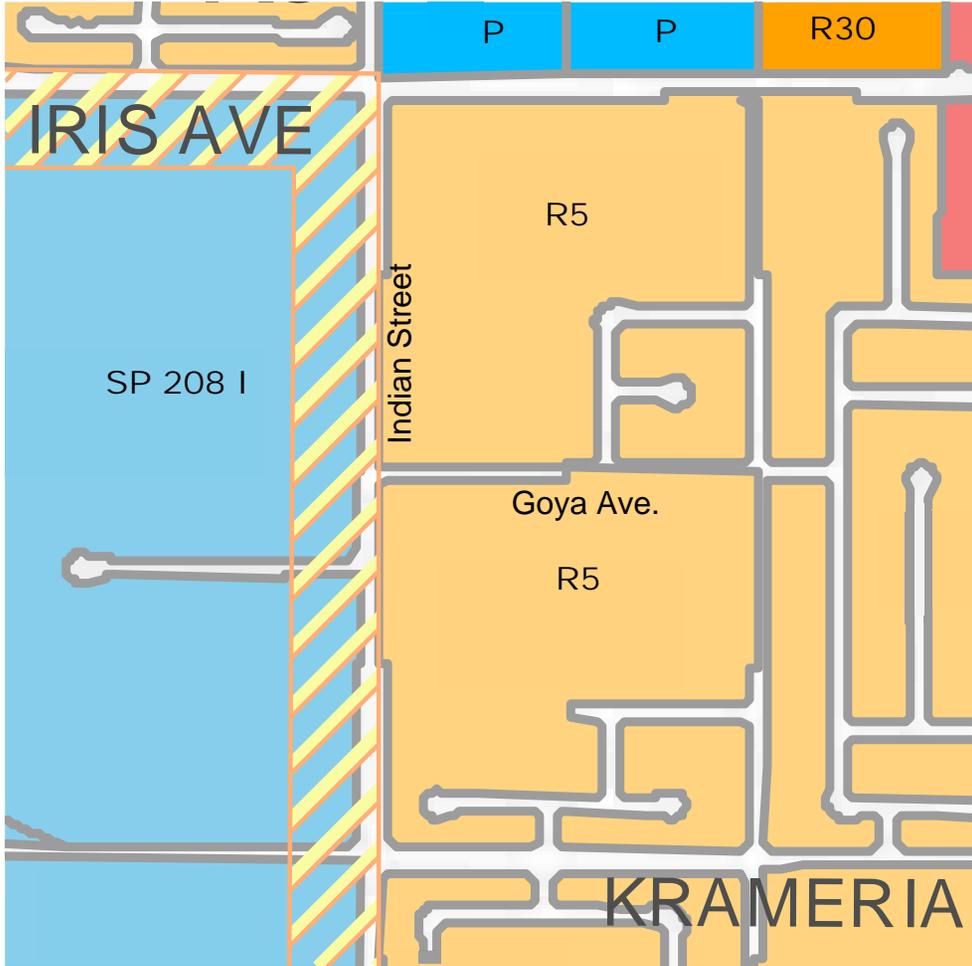
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Steven B. Quintanilla,  
City Attorney

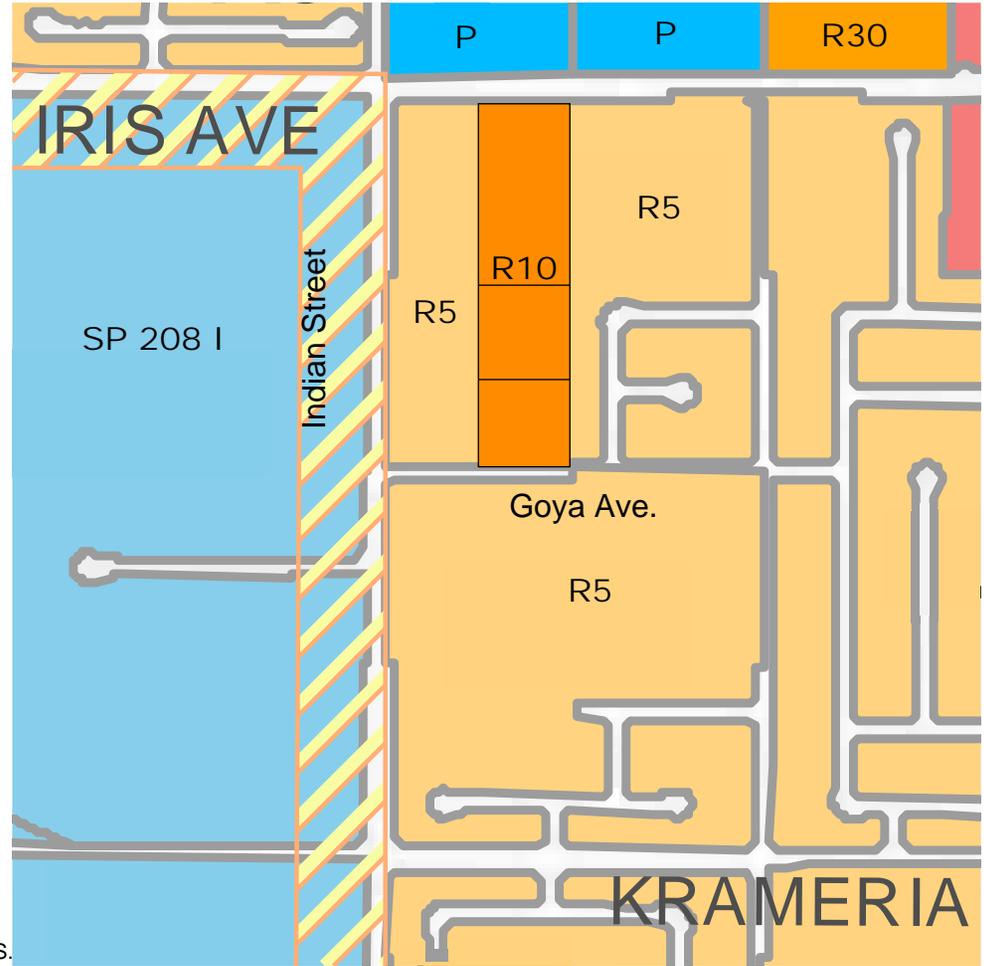
Exhibit:  
Exhibit A: Change of Zone

**EXHIBIT A**

**CHANGE OF ZONING  
(PEN22-0158)**



**Existing Zoning**



**Proposed Zoning**

**LEGEND:**

-  Corridor Mixed Use
-  Industrial/Business Park
-  Public Facilities
-  Suburban Residential
-  Multi-Family