

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 SOUTHEAST CORNER OF GOYA AVENUE AND INDIAN STREET (APN: 316-020-020, 021, 022, 023, 024, AND 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 City’s Zoning Atlas; and

WHEREAS, David Patton, Mark Patton, Tracey Duesler, and Michael and Karen Patton (collectively, the “Applicant”) have submitted applications for the approval of General Plan Amendment (PEN23-0072), Change of Zone (PEN23-0071), Conditional Use Permit (PEN23-0070), and Tentative Tract Map 38702 (PEN23-0069) for the development of a 131 unit detached single-family residential project with associated amenities and public improvements (“Proposed Project”) on 13.73 acres located on the southeast corner of Goya Avenue and Indian Street (APN: 316-020-020, 021, 022, 023, 024, and 025) (“Project Site”); and

WHEREAS, Change of Zone (PEN23-0071) 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) District; 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 (CEQA¹) and CEQA Guidelines², the Planning Commission adopted Resolution No. 2024-07, 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 (PEN23-0071), after which the Planning Commission adopted Resolution No. 2024-09 recommending that the City Council approve Change of Zone (PEN23-0071); 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

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on March 5, 2024, the public hearing was conducted to consider Change of Zone (PEN23-0071) 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 5th DAY OF MARCH, 2024.

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera,
Mayor

ATTEST:

Jane Halstead,
City Clerk

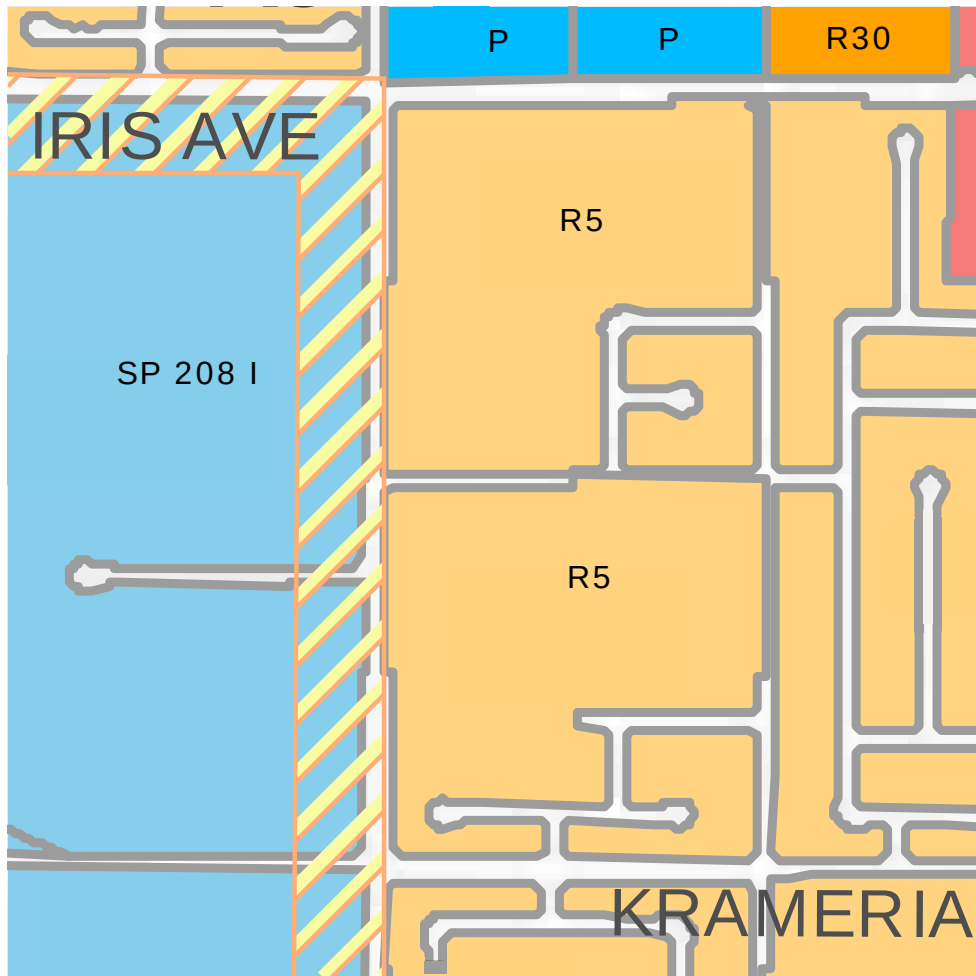
APPROVED AS TO FORM:

Steven B. Quintanilla,
City Attorney

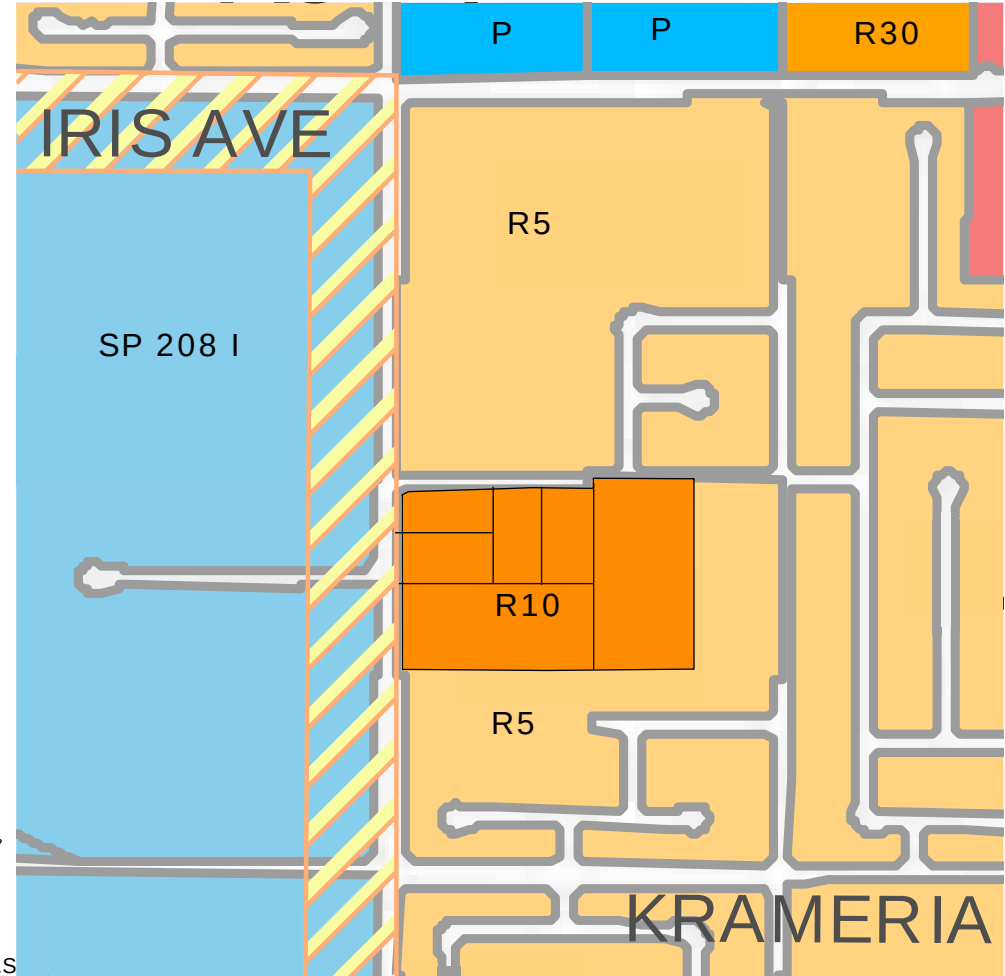
Exhibit:
Exhibit A: Change of Zone

EXHIBIT A

**CHANGE OF ZONE
(PEN23-0071)**



Existing Zoning



Proposed Zoning

LEGEND:

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