

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TWO AMENDMENTS TO THE GENERAL PLAN LAND USE ELEMENT (PA11-0028 AND PA12-0046) RELATING TO THE ALESSANDRO BOULEVARD CORRIDOR PROJECT – PHASE II IMPLEMENTATION INCLUDING REZONING APPROXIMATELY 146.19 ACRES TO RESIDENTIAL 30 (R30), APPROXIMATELY 10.46 ACRES OF OPEN SPACE (OS) AND APPROXIMATELY 21.47 ACRES TO COMMERCIAL (C).

Section 1:

WHEREAS, the applicant, the City of Moreno Valley has filed an application for approval of PA11-0028, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes approximately 146.19 acres of Residential 5 (R5), Residential 15 (R15), Residential/Office (R/O) and Commercial land uses to Residential 30 (R30) and approximately 10.46 acres of Open Space (OS) land uses as described in the title of this resolution and the attached Exhibit A; and

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein; and

WHEREAS, an environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0028 and PA12-0046 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was held before the Planning Commission on March 14, 2013, regarding the Alessandro Boulevard Corridor Project – Phase II: Implementation. The Planning Commission recommended that the City Council approve and adopt a mitigated negative declaration for this project.

WHEREAS, on April 23, 2013, the City Council of the City of Moreno Valley held a public hearing to consider the subject General Plan Amendments; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA11-0028:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: 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.

PA11-0028 (General Plan Amendment) will change the land use designation for the four areas totaling approximately 146.19 acres to Residential 30 (R30) and approximately 10.4 of Open Space (OS). All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The Assessor’s Parcel Numbers of the parcels affected by this General Plan Amendment are as followed:

| Area #1 (Day/Alessandro) – General Plan Amendment | | |
|---|------------------|-------------------|
| APN | Current Land Use | Proposed Land Use |
| 291191004 | C | R30 |
| 291191007 | C | R30 |
| 291191008 | R/O & C | R30 |
| 291191009 | R/O & C | R30 |
| 291191010 | R/O | R30 |
| 291191011 | C | R30 |
| 291191012 | R/O | R30 |
| 291191013 | R/O | R30 |
| 291191025 | C | R30 |
| 291191026 | C | R30 |
| 291191027 | R/O | R30 |
| 291191028 | R/O | R30 |
| 291191029 | C | R30 |

| Area #2 (Elsworth/Alessandro) – General Plan Amendment | | |
|--|------------------|-------------------|
| APN | Current Land Use | Proposed Land Use |
| 291200023 | C | R30 |
| 291200024 | R/O | R30 |
| 291200025 | C | R30 |
| 291200027 | C | R30 |
| 291200030 | C | R30 |
| 291200038 | C | R30 |
| 291200039 | C | R30 |
| 291200040 | C | R30 |
| 291264001 | C | R30 |
| 291264002 | C | R30 |
| 291264003 | C | R30 |
| 291264004 | C | R30 |
| 291264005 | C | R30 |
| 291264006 | C | R30 |
| 291264007 | C | R30 |
| 291264008 | C | R30 |
| 291264009 | C | R30 |
| 291264011 | C | R30 |
| 291264012 | C | R30 |
| 291273001 | C | R30 |
| 291273004 | C | R30 |
| 291273005 | C | R30 |
| 291273007 | C | R30 |
| 291273008 | C | R30 |

| Area #3 (Morrison/Alessandro) – General Plan Amendment | | |
|--|------------------|------------------------|
| APN | Current Land Use | Proposed Land Use |
| 486270001 | R/O | R30 |
| 486270002 | R/O | R30 |
| 486270003 | R/O | R30 |
| 486270004 | R/O | R30 |
| 486280043 | R/O | R30 (17 acres) |
| 486280043 | R/O | OS (approx.10.5 acres) |
| 486270008 | R/O | R30 |
| 486270017 | R/O | R30 |
| 486280002 | R/O | R30 |
| 486280004 | R/O | R30 |
| 486280005 | R/O | R30 |
| 486280006 | R/O | R30 |

| | | |
|-----------|-----|-----|
| 486280007 | R/O | R30 |
| 486280008 | R/O | R30 |
| 486280010 | R/O | R30 |
| 486280011 | R/O | R30 |
| 486280012 | R/O | R30 |
| 486280013 | R/O | R30 |

| Area #4 (Perris/Iris) – General Plan Amendment | | |
|--|------------------|-------------------|
| APN | Current Land Use | Proposed Land Use |
| 485220006 | R15 | R30 |
| 485220007 | R15 | R30 |
| 485220008 | R15 | R30 |
| 485220009 | R15 | R30 |
| 485220015 | R15 | R30 |
| 485220016 | R15 | R30 |
| 485220017 | R15 | R30 |
| 485220040 | R5 | R30 |

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed amendment to the General Plan does not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

Section 2:

WHEREAS, the applicant, the City of Moreno Valley has filed an application for approval of PA12-0046, requesting an amendment to the General Plan Land Use. The requested amendment to the Land Use Element changes approximately 21.47 acres of Residential 5 (R5) land use to Commercial (C) land use as described in the title of this resolution and the attached Exhibit B; and

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein; and

WHEREAS, an environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0028 and PA12-0046 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was held before the Planning Commission on March 14, 2013, regarding the Alessandro Boulevard Corridor Project – Phase II: Implementation. The Planning Commission recommended that the City Council approve and adopt a mitigated negative declaration for this project.

WHEREAS, on April 23, 2013, the City Council of the City of Moreno Valley held a public hearing to consider the subject General Plan Amendments; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA12-0046:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: PA12-0046 (General Plan Amendment) will change the land use 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 Commercial (C).

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 Commercial (C) and included an approved shopping center (PA06-0123), Home Depot and a Farmer Boys restaurant.

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

Changing the land use 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. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed amendment to the General Plan does not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby approves Resolution No. 2013- __ approving PA11-0028 and PA12-0046, thereby establishing the General Plan Land Uses as described in the Resolution, and the revised General Plan maps attached to the Resolution as Exhibit A & B.

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

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

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

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2013-__ 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 _____, YYYY by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)