

PLANNING COMMISSION RESOLUTION NO. 2013-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA11-0028 (GENERAL PLAN AMENDMENT), PA11-0029 (CHANGE OF ZONE), PA11-0030 (MUNICIPAL CODE AMENDMENT), PA12-0046 (GENERAL PLAN AMENDMENT) AND PA12-0047 (CHANGE OF ZONE) RELATING TO THE ALESSANDRO BOULEVARD CORRIDOR PLAN – PHASE II IMPLEMENTATION INCLUDING REZONING A TOTAL OF APPROXIMATELY 146.19 ACRES TO RESIDENTIAL 30 (R30), APPROXIMATELY 10.46 ACRES OF OPEN SPACE (OS), APPROXIMATELY 21.47 ACRES TO COMMUNITY COMMERCIAL (CC) AND CREATION OF THE MIXED USE OVERLAY DISTRICT (APPROXIMATELY 147.69 ACRES) AND AMENDING THE MUNICIPAL CODE TO INCLUDE STANDARDS RELATED TO THE MIXED USE OVERLAY DISTRICT.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA11-0028 (General Plan Amendment), as described in the title of this Resolution.

WHEREAS, on March 14, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 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 186,301 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). 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 City of Moreno Valley has filed an application for the approval of PA11-0029 (Change of Zone), as described in the title of this Resolution.

WHEREAS, on March 14, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- C. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- D. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 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: 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 186,301 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). 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

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

FACT: The proposed changes do 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 Change of Zone deals with administrative matters that would not cause a physical effect on the environment.

3. **Conformance with Zoning Regulations** – The proposed Change of Zone is consistent with the purposed 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:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA11-0030 (Municipal Code Amendment), as described in the title of this Resolution.

WHEREAS, on March 14, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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: 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 amendment creates the Mixed-Use Overlay District to replace the current Mixed Use Zoning Districts 1 and 2 (MUD1 and MUD2). The amendment also includes development standards for the Mixed Use Overlay District.

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead – Specific Plan 204 and the expired Moreno Highlands – Specific Plan 208) are zoned for mixed use development. The creation of the Mixed Use Overlay District will help promote the concept of mixed use in the City of Moreno Valley.

General Plan Objective 2.4 states that the City shall “Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.” The creation of the Mixed Use Overlay District will help meet this objective.

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

FACT: The proposed changes do 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.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purposed and intent of Title 9.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes (creation of the Mixed Use Overlay District, deletion of the MUD1 & MUD2 and inclusion of the development standards for the Mixed Use Overlay District) eliminate conflicts or clarify the meaning of some sections 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 4:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA12-0046 (General Plan Amendment), as described in the title of this Resolution.

WHEREAS, on March 14, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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 Gention 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 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.

Section 5:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA12-0047 (Change of Zone), as described in the title of this Resolution.

WHEREAS, on March 14, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 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: PA12-0047 (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. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed changes do 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 Change of Zone deals with administrative matters that would not cause a physical effect on the environment.

- 3. **Conformance with Zoning Regulations** – The proposed Change of Zone is consistent with the purposed 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."

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2013-08, recommending that the City Council approve PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone) as described in the title of this resolution.

APPROVED this 14th day of March, 2013.

Mary E. "Meli" Van Natta
Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney