

ORDINANCE NO. 900

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA12-0012 (CHANGE OF ZONE), PA12-0013 (SPECIFIC PLAN) AND PA12-0014 (PRE-ZONING/ANNEXATION), WHICH INCLUDE THE PROPOSED WORLD LOGISTICS CENTER SPECIFIC PLAN, A FULL REPEAL OF THE MORENO HIGHLANDS SPECIFIC PLAN NO. 212-1, PRE-ZONING/ANNEXATION FOR 85 ACRES AT NORTHWEST CORNER OF GILMAN SPRINGS ROAD AND ALESSANDRO BOULEVARD, CHANGE OF ZONE TO LOGISTICS DEVELOPMENT (LD), LIGHT LOGISTICS (LL) AND OPEN SPACE (OS) FOR AREAS WITHIN THE PROPOSED WORLD LOGISTICS CENTER SPECIFIC PLAN BOUNDARY, AND A CHANGE OF ZONE TO OPEN SPACE (OS) FOR THOSE PROJECT AREAS OUTSIDE AND SOUTHERLY OF THE PROPOSED WORLD LOGISTICS CENTER SPECIFIC PLAN BOUNDARY

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

SECTION 1: RECITALS

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission on June 11, 25, and 30, 2015, and the City Council on July 15, 2015.

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

1.3 The revised Zoning Atlas map is attached hereto and incorporated herein as Exhibit A.

1.4 The pre-zoning map for the 85 acres subject to future annexation is attached hereto and incorporated herein as Exhibit B.

1.5 The Specific Plan is attached hereto and incorporated herein as Exhibit C.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 15, 2015, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed amendment to zoning, establishment of the World Logistics Center (WLC) Specific Plan, and related items are consistent with the General Plan, and its goals, objectives, policies and programs and with any applicable specific plan.

FACT: The proposed amendment to existing zoning classifications are consistent with the proposed General Plan amendments

proposed with the WLC Project including land use change to Business Park/Light industrial, all proposed zoning included in the WLC Specific Plan and areas lying outside and south of the WLC Specific Plan boundaries. Within the proposed WLC Specific Plan area (2,610 acres) 2,420 acres are proposed for logistics or industrial warehouse land uses, 74.3 acres for Open Space and 115.8 acres designated for roadway rights of way. Within the WLC Specific Plan area, up to 40.4 million square feet of future high-cube logistics uses are proposed in the Logistics Development land use designation, 200,000 square feet of warehouse and related uses are proposed in the Light Logistics land use designation. The proposed project by repeal of the Moreno Highlands Specific Plan will result in a reduction of residential zoning; however, the reduction of residential zoning is consistent with the 2014 updated General Plan Housing Element.

The proposed Pre-zoning/Annexation of an 85 acre portion of land currently in the County of Riverside into the City's boundaries by a subsequent separate action is consistent with the goals, objectives, policies and programs of the General Plan. The changes are consistent with Objective No. 42 of the City of Moreno General Plan which requires the City to maintain boundaries that are "logical in terms of service capabilities, economic development need, social and economic interdependencies, citizen desires and city costs and revenues." Policy 42.1 of the General Plan states that "the City will support and encourage the annexation of unincorporated areas within the General Plan study area for which benefits will be derived by the City upon annexation." The affected property is a logical extension of the city limits and Moreno Valley is the logical service provider. The area is currently included in the City's Sphere of Influence and additional annexation of approximately 85 acres would be within the City's service capacities.

2. **Health, Safety and Welfare** – The proposed amendment to zoning and related items will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR) has been prepared for the overall project, including the proposed Change of Zone, General Plan amendment and WLC Specific Plan. The analysis presented in the EIR indicates that the proposed project will have certain significant unavoidable adverse impacts to Aesthetics, Air Quality Land Use, Noise, and Traffic/Circulation as described in detail within the document. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be feasibly reduced with mitigation measures to less than

significant levels. A Mitigation Monitoring Program, which will ensure the completion of required mitigation measures for the project is included in the EIR.

A Statement of Overriding Considerations has been prepared in consideration of project impacts related to Aesthetics, Air Quality, Land Use, Noise, and Transportation/Traffic that cannot be mitigated to a less than significant level.

Of particular note, mitigation measures for air quality include measures such as the required inclusion of Tier 4 construction equipment, restriction of trucks that fall below 2010 engine emissions standards from entering project areas and limitation of truck idling to three (3) minutes, all in an effort to reduce air pollutant emissions. Mitigation measures for Noise include the reduction of short-term construction noise levels to include the requirement of a Noise Reduction Compliance Plan, restrictions on grading during nighttime hours, potential sound barriers, as well as measures for long term traffic and operation noise to include building specific noise studies required for individual plot plans, the potential for sound walls and maintenance of buffer areas.

3. The proposed amendment to zoning and related items are consistent with the purposes and intent of Title 9 of the City Municipal Code.

FACT: The proposed project conforms to applicable zoning regulations of the City and is consistent with modifications proposed to land use and zoning within the proposed General Plan Amendments, WLC Specific Plan, and other changes to zoning outside of the WLC Specific Plan area.

The WLC Specific Plan includes development regulations and design standards such as a circulation system that limits truck traffic access in the Plan area primarily through Theodore Street from Highway 60, and Gilman Springs Road from Alessandro Boulevard and a future street designated in the Plan as Street B, and thereby away from existing residential neighborhoods west of the project area. The Specific Plan provides special edge treatment areas surrounding the perimeter of the proposed WLC Specific Plan boundary which are consistent with aesthetic and quality community design objectives of the City.

The change of zone outside the WLC Specific Plan area includes a change to Open Space (OS) for areas to the south of the WLC Specific Plan boundary extending to the San Jacinto Wildlife Area. The change of zone is consistent with the California Department of

Fish and Wildlife land that is provided for habitat use and San Diego Gas and Electric properties which include utility uses and open space buffer areas around their property.

SECTION 3 - PREZONING

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, 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 intended zone or zone classification for the 85 acres of property at the northwest corner of Gilman Springs Road and Alessandra, as shown on the attached WLC Pre-Zoning map marked "Exhibit B" and included herein by reference, and which is contingent upon subsequent annexation action.

SECTION 4 AMENDMENT OF THE OFFICIAL ZONING ATLAS

4.1 **World Logistics Center Specific Plan** – Based on the findings contained in this ordinance, the City Council hereby amends the Official Zoning Atlas, in addition to as amended in Section 3, by including the property stated within this ordinance, and establishing a zoning classification of WLCSP-LD (World Logistics Center Specific Plan – Logistics Development) and WLCSP-LL (World Logistics Center Specific Plan – Light Logistics) for certain property as described on Exhibit A and C (included herein by reference, and on file in the office of the City Clerk).

4.2 **Areas located outside of the World Logistics Center Specific Plan** - Based on the findings contained in this ordinance, the City Council hereby amends the Official Zoning Atlas by including the property stated within this ordinance, and providing zoning classifications of OS (Open Space) for certain property as described on Exhibit A (included herein by reference, and on file in the office of the City Clerk).

4.3 **Pre-Zoning of 85 acre Annexation Site** - Based on the findings contained in this ordinance, the City Council hereby amends the Official Zoning Atlas by including the property stated within this ordinance into the City of Moreno Valley and the existing Sphere of Influence contingent upon a subsequent approval from the Riverside County Local Area Formation Commission (LAFCO), and establishing a zoning classification of WLCSP-LD (World Logistics Center Specific Plan – Logistics Development) for certain property as described in Exhibit B (included herein by reference, and on file in the office of the City Clerk).

SECTION 5: ADOPTION

5.1 Based on the foregoing recitals and findings, the City Council of the City of Moreno Valley does hereby adopt and approve the Zoning/Atlas Map, Pre-Zoning Map and Specific Plan attached hereto as Exhibits A, B and C and does hereby authorize the mayor to sign the ordinance on behalf of the City.

SECTION 6: EFFECT OF ENACTMENT:

6.1 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 7: NOTICE OF ADOPTION:

7.1 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 8: EFFECTIVE DATE:

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

APPROVED AND ADOPTED this _____ day of _____, 2015.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE 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 Ordinance No. 900 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)