

ORDINANCE NO. 2025-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 23003 TO REZONE THE PARCEL NEAR THE INTERSECTION OF CRESTMORE ROAD AND 35TH STREET (APN 179-320-005) FROM LIGHT AGRICULTURE (A-1 ZONE) TO MULTIPLE-FAMILY DWELLINGS (R-2 ZONE)

THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Project.

(a) Juan Carlos Frias (“Applicant”) applied for Change of Zone (“CZ”) No. 23003, Site Development Permit (“SDP”) No. 23045 to develop an apartment complex with seven (7) dwelling units varying in size and one (1) recreational vehicle garage on a 0.95-acre site under Master Application (“MA”) No. 23003 located near the intersection of Crestmore Road and 35th Street (APN: 179-320-005) (the “Project”). The proposed Project has an existing General Plan Land Use Designation of Medium High Density Residential (“MHDR”) which allows for a density of 5-8 dwelling units per acre. The Project will require a Change of Zone from Light-Agriculture (A-1) to Multiple-Family Dwellings (R-2) to allow for the construction of multi-family dwellings. This ordinance addresses Change of Zone No. 23003. Site Development Permit No. 23045 will be addressed by separate resolution.

Section 2. Change of Zone.

(a) The Applicant has applied for CZ No. 23003 to change the zone of an approximately 0.95 acre site (APN 179-320-005) located near the intersection of Crestmore Road and 35th Street from Light Agriculture (A-1 Zone) to Multiple-Family Dwellings (R-2 Zone), as shown on Exhibit “A.”

(b) Section 9.285.020 of the Jurupa Valley Municipal Code provides that an application for a change of zone shall not be set for hearing unless: (1) all procedures required by the Jurupa Valley rules implementing the California Environmental Quality Act to hear a matter have been completed, and (2) the requested change of zone is consistent with the Jurupa Valley General Plan.

Section 9.285.010 of the Jurupa Valley Municipal Code provides that a amendments to Title 9 of the Jurupa Valley Municipal Code must be made in accordance with the procedures set forth in Government Code Section 65800 *et seq.*, as now enacted or hereafter amended, and with the requirements of Title 9. Government Code Section 65853 provides that an amendment to a zoning ordinance, which amendment changes any property from one zone to another, shall be adopted in the manner set forth in Sections 65854 to 65857, inclusive.

(d) Government Code Section 65854 provides that the Planning Commission must hold a public hearing on the proposed amendment to a zoning ordinance, with notice of the hearing given pursuant to Government Code Section 65090 and, if the proposed amendment to a zoning ordinance affects the permitted uses of real property, also given pursuant to Government Code Section 65091. Additionally, Sections 9.285.040 (1) and (2) of the Jurupa Valley Municipal Code provide that the Planning Commission shall hold a noticed public hearing on a proposed amendment to Title 9 of the Jurupa Valley Municipal Code that proposes to change property from one zone to another.

Government Code Section 65855 provides that after the hearing, the Planning Commission must render its decision in the form of a written recommendation to the legislative body, which must include the reasons for the recommendation, the relationship of the proposed amendment to applicable general and specific plans, and must transmit the recommendation to the legislative body in such form and manner as may be specified by the legislative body. Additionally, Section 9.285.040 (3) of the Jurupa Valley Municipal Code provides that, after closing the public hearing, the Planning Commission must render its decision within a reasonable time and transmit it to the City Council in the form of a written recommendation, which shall contain the reasons for the recommendation and the relationship of the proposed amendment to the General Plan. A copy of the recommendation shall be mailed to the applicant and proof thereof shall be shown on the original transmitted to the City Council.

(f) Section 9.285.040 (4)(a) of the Jurupa Valley Municipal Code provides that upon receipt of a recommendation for approval by the Planning Commission, the City Clerk shall set the matter for public hearing before the City Council at the earliest convenient day, and give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the Planning Commission. Government Code Section 65856(a) provides that upon receipt of the recommendation of the Planning Commission, the legislative body must hold a public hearing.

(g) Government Code Section 65857 provides that the legislative body may approve, modify, or disapprove the recommendation of the Planning Commission; provided that any modification of the proposed ordinance or amendment by the legislative body not previously considered by the Planning Commission during its hearing, must first be referred to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing thereon. Additionally, Section 9.285.040 (5) of the Jurupa Valley Municipal Code provides that after closing the public hearing the City Council must render its decision within a reasonable time and may approve, modify, or disapprove the recommendation of the Planning Commission; provided, however, that any proposed modification of the Planning Commission's recommendation not previously considered by the Planning Commission must first be referred back to the Planning Commission for a report and recommendation.

Section 3. Procedural Findings. The City Council of the City of Jurupa Valley does hereby find, determine and declare that:

(a) The application for the Project was processed including, but not limited to a public notice, in the time and manner prescribed by state law and Jurupa Valley Ordinances.

(b) On October 29, 2025, public hearing notices were sent to surrounding property owners within 1,000 feet from the boundaries of the proposed Project site. Additionally, legal advertisements were published in the Press Enterprise on October 29, 2025. No responses have been received at this time.

(c) On October 8, 2025, the Planning Commission held the public hearing where staff, the Applicant, and the public had an opportunity and did address the Planning Commission regarding the Project. Following the receipt of public testimony on October 8, 2025, the Planning Commission closed the public hearing, and adopted Resolution 2025-22 by a 5-0 vote recommending that the City Council approve the Project.

(d) On November 20, 2025, the City Council of the City of Jurupa Valley held a public hearing on the Project at which time all persons interested in the Project had the opportunity to address the City Council. At the conclusion of the public hearing, the City Council closed the public hearing.

(e) All legal preconditions to the adoption of this Resolution have occurred.

Section 4. California Environmental Quality Act Findings. The City Council of the City of Jurupa Valley does hereby make the following environmental findings and determinations in connection with the approval of the Project:

(a) Pursuant to the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code § 21000 *et seq.*) and the State Guidelines (the “Guidelines”) (14 Cal. Code Regs. § 15000 *et seq.*), City staff prepared an Initial Study of the potential environmental effects of the approval of the Project as described in the Initial Study. Based upon the findings contained in that Study, City staff determined that, with the incorporation of mitigation measures, there was no substantial evidence that the Project could have a significant effect on the environment and a MND and Mitigation Monitoring and Reporting Program (“MMRP”) was prepared in full compliance with CEQA.

(b) On November 20, 2025, the City Council of the City of Jurupa Valley considered the proposed Project, including the CZ No. 23003, SDP No. 23045, the MND and MMRP, at a duly noticed and conducted public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the proposed Project, Findings, MND and MMRP prior to adopting this Ordinance.

(c) The Project was processed, including but not limited to all public notices, in the time and manner prescribed by State and local law, including the California Environmental Quality Act, Public Resources Code 21000, *et seq.* and the California Environmental Quality Act Guidelines, 14 Cal. Code Regs 15000 *et seq.* (collectively referred to as “CEQA”).

(d) Pursuant to CEQA, the City is the lead agency for the Project because it is the public agency with the authority and principal responsibility for approving the Project.

(e) The City prepared an Initial Study to analyze the potential environmental effects of the Project. Based on the information contained in the Initial Study, City staff concluded

that the Project could have a significant effect on the environment, but that mitigation measures could be implemented to reduce such impacts to a less than significant level. Based upon this determination, City staff prepared a Draft Mitigated Negative Declaration (“Draft MND”) in accordance with CEQA Section 21080(c) and Section 15070 of the State CEQA Guidelines.

(f) The City circulated a Notice of Intent to Adopt the Draft MND, along with the Draft MND and its Appendices, to the public and other interested parties, for a 30-day comment period between September 18, 2025 through October 7, 2025. The City published a Notice of Intent for the Draft MND in The Press Enterprise a newspaper of general circulation within the City. Copies of the documents have been available for public review and inspection at the offices of the Department of Community Development, located at City Hall, 8930 Limonite Avenue, Jurupa Valley, California 92509.

(g) The City did not receive any written comments on the Draft MND.

(h) The “Final Mitigated Negative Declaration” (“Final MND”) consists of the Draft MND, all of its appendices and the Mitigation Monitoring and Reporting Program. The Final MND was made available to the public and to all commenting agencies on at least 10 days prior to adoption of the Final MND, in compliance with Public Resources Code Section 21092.5(a).

(i) On October 8 2025, the Planning Commission held a duly noticed public hearing to consider the Final MND and the Project, at which time the Planning Commission heard and considered information presented by City staff on the Project and its environmental review. In addition, interested persons had an opportunity to and did testify regarding this matter.

(j) Public Resources Code Section 21081.6 requires the City to prepare and adopt a Mitigation Monitoring and Reporting Program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Mitigation Monitoring and Reporting Program is attached hereto as Exhibit “A”, and is incorporated herein by reference.

(k) Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 2025-22 recommending that the City Council adopt the Final MND and a Mitigation Monitoring and Reporting Program for the Project., an adopt Change of Zone No. 23003 and Site Development Permit No. 23045.

(l) Prior to taking action at the noticed City Council public hearing held on November 20, 2025, the City Council has heard, been presented with, reviewed, and considered the information and data in the administrative record, as well as oral and written testimony presented to it during meetings and hearings. No comments or any additional information submitted to the City have produced any substantial new information to support a fair argument requiring additional environmental review or re-circulation of the Final MND under CEQA because no new significant environmental impacts were identified, nor was any substantial increase in the severity of any previously disclosed environmental impacts identified.

(m) The custodian of records for the MND, and all other materials that constitute the record of proceedings upon which the City Council determination is based, is the City Clerk of

the City of Jurupa Valley. Those documents are available for public review in the City Clerk's Office located at 8930 Limonite Avenue, Jurupa Valley, California 92509.

(n) Agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final MND and on the Project. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines.

(o) The City Council has independently considered the administrative record before it, which is hereby incorporated by reference and which includes the Final MND and all documents therein, the Mitigation Monitoring and Reporting Program, staff reports and presentations, and all oral and written testimony.

(p) The City Council has reviewed the Final MND and all comments received regarding the Final MND prior to and at the November 20, 2025 public hearing, and based on the whole record before it finds that: (1) the Final MND was prepared in compliance with CEQA; (2) there is no substantial evidence that the Project will have a significant effect on the environment following imposition of the mitigation that has been proposed and is included in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit "A" and incorporated herein by this reference; and (3) the Final MND reflects the independent judgment and analysis of the City Council.

(q) Based on the findings set forth in this Section, the City Council hereby adopts the Final MND and the Mitigation Monitoring and Reporting Program attached hereto as Exhibit "A" and incorporated herein by this reference.

(r) The Community Development Director is authorized and directed to file a Notice of Determination in accordance with CEQA.

Section 5. Findings for Approval of Change of Zone. The City Council of the City of Jurupa Valley finds and determines that Change of Zone No. 23003 should be approved because it is consistent with Chapter 9.285 of the Jurupa Valley Municipal Code due to the following:

(a) The project site has a General Plan land use designation of MHDR. The proposed density is consistent with the allowed 5-8 dwelling units per acre and therefore will not require an amendment to the General Plan land use designation.

(b) The project site has a zoning classification of A-1 (Light Agriculture) and R-2 (Multiple Family Dwellings). The proposed zoning designation is R-2 (Multiple Family Dwellings). The proposed zone change would eliminate the A-1 (Light Agriculture) zone from the project site and change it to be entirely R-2 (Multiple Family Dwellings) zone. The R-2 (Multiple Family Dwellings) zone is consistent with the MHDR land use designation. The proposed Project meets all of the applicable development standards of the R-2 zone.

(c) The project is subject to the R-2 and Multi-Family Development Standards of the Zoning Ordinance. The proposed project complies with all applicable development standards and no adjustments or variances are required.

Section 6. Approval of Change of Zone. The City Council of the City of Jurupa Valley hereby approves Change of Zone No. 23003 to rezone APN 179-320-005 located near the intersection of Crestmore Road and 35th Street from Light Agriculture (A-1 Zone) to Multiple-Family Dwellings (R-2 Zone), as shown on Exhibit “A.” The Community Development Director is directed to update the Zoning Map as shown on Exhibit “B”.

Section 7. Severability. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Section 8. Effect of Ordinance. This Ordinance is intended to supersede any ordinance or resolution of the County of Riverside incorporated by the City of Jurupa Valley that may in conflict with the terms of this Ordinance.

Section 9. Certification. The City Clerk of the City of Jurupa Valley shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

Section 10. Effective Date This Ordinance shall take effect on the date provided on Government Code Section 36937.

PASSED, APPROVED AND ADOPTED by the City of Jurupa Valley on this 4th day of December 2025.

BRIAN BERKSON
MAYOR

ATTEST:

MARIA
CITY CLERK

MORRIS

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

CITY OF JURUPA VALLEY)

I, Maria Morris, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2025-25 was regularly introduced at a regular meeting of the City Council held on the 20th day of November 2025, and thereafter at a regular meeting held on the 4th day of December 2025, it was duly passed and adopted by the following vote of the City Council:

AYES: **COUNCIL MEMBERS:** Carmona, Sanchez, Silva, Barajas and Mayor Berkson

NOES: **COUNCIL MEMBERS:** None

ABSENT: **COUNCIL MEMBERS:** None

ABSTAIN: **COUNCIL MEMBERS:** None

MARIA MORRIS
CITY CLERK