

RESOLUTION NUMBER 2026-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (PEN25-0136) FOR THE DEVELOPMENT OF AN APPROXIMATELY 4,000 SQUARE FOOT COMMERCIAL BUILDING (MCDONALD’S) SITUATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF PIGEON PASS ROAD AND IRONWOOD AVENUE AT 11875 PIGEON PASS ROAD (APN: 264-030-025) IN THE COMMUNITY COMMERCIAL (CC) ZONE.

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and

WHEREAS, Mcdonald’s USA, LLC (“Applicant”) applied for a Conditional Use Permit (PEN25-0136) for the development of an approximately 4,000 square foot commercial building (McDonald’s) with a drive-through, with dual drive-through queuing lanes for 14 vehicles, one (1) payment window, two (2) presenter windows, associated parking, landscape improvements, and a trash/recycle enclosure on a 1.30 gross-acre parcel (“Proposed Project”), situated on the northwest corner of the intersection of Pigeon Pass Road and Ironwood Avenue (APN: 264-030-025)(“Project Site”); and

WHEREAS, the application for the Proposed Project was evaluated in accordance with Section 9.02.060 (Conditional Use Permit) of the Moreno Valley Municipal Code with consideration given to the Moreno Valley General Plan and other applicable laws and regulations; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permit) of the Moreno Valley Municipal Code, at a public hearing, the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN25-0136 (“Conditional Use Permit”), which conditions were prepared by the Planning Division staff who deemed said conditions to be necessary to protect public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Moreno Valley Municipal Code; and

WHEREAS, at the public hearing on May 28, 2026, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission determined that the Proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 for In-Fill Development Project, which is applicable to the Proposed Project since: 1) the Proposed Project is consistent with the applicable General Plan designation and policies and all applicable zoning designation and regulations and applicable policies;

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

2) the Project Site is no more than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in any significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services; 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 May 28, 2026, and notice thereof was duly published in the Press Enterprise Newspaper, posted at the Project Site, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on May 28, 2026, the 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 present evidence; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 of the Moreno Valley Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions, and pursuant to Government Code Section 66020(d)(1) the applicant is hereby further notified that the 90 day approval period in which you may protest these fees, dedications, reservations, and other exactions, has commenced upon the date of adoption of this Resolution.

Section 3. Evidence

That the Planning Commission has considered all evidence submitted into the Administrative Record for the Proposed Project, including, but not limited to, the following:

- a. Moreno Valley General Plan and all other relevant provisions contained therein;

- b. Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- c. Applications for Conditional Use Permit (PEN25-0136), and all documents, records, and references contained therein;
- d. Conditions of Approval for Conditional Use Permit (PEN25-0136), attached hereto as Exhibit A;
- e. Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- f. Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- g. Testimony and/or comments from all persons provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving the Proposed Project:

- a. The Proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- b. The Proposed Project complies with all applicable zoning and other regulations;
- c. The Proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- d. The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development) since: 1) the Proposed Project is consistent with the applicable General Plan designation and policies and all applicable zoning designation and regulations and applicable policies; 2) the Project Site is no more than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in any significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services.

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and

Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. **Approval**

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves the Proposed Project, Conditional Use Permit PEN25-0136, subject to the Conditions of Approval, attached hereto as Exhibit A and incorporated herein and as shown on the approved plan.

Section 8. **Repeal of Conflicting Provisions**

That all the provisions as heretofore adopted by the Planning Commission that conflict with the provisions of this Resolution are hereby repealed.

Section 9. **Severability**

That the Planning Commission declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. **Effective Date**

That this Resolution shall take effect immediately upon the date of adoption.

Section 11. **Certification**

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

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PASSED AND ADOPTED THIS 28th DAY OF MAY 2026.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohette, Chairperson

ATTEST:

Angelica Frausto-Lupo
Community Development Director

APPROVED AS TO FORM:

Steven B. Quintanilla,
City Attorney

Exhibits:

Exhibit A: Conditions of Approval for Conditional Use Permit PEN25-0136

RESOLUTION JURAT

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

I, _____, Planning Commission Secretary of the City of Moreno Valley, California, do hereby certify that Planning Commission Resolution No. 2026-05 was duly and regularly adopted by the Planning Commission of the City of Moreno Valley at a regular meeting thereof held on the 28th day of May 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Planning Commission Members, Vice Chair, and Chair)

PLANNING COMMISSION SECRETARY

Exhibit A

Conditions of Approval
Conditional Use Permit (PEN25-0136)