

ORDINANCE NO. 2022-12

**AN ORDINANCE OF THE CITY OF JURUPA VALLEY,
CALIFORNIA, AMENDING THE JURUPA VALLEY
MUNICIPAL CODE CONCERNING THE W-1 ZONE
(WATERCOURSE, WATERSHED AND CONSERVATION
AREAS) AND PERMITTED USES WITHIN THE W-1 ZONE,
AND FINDING AN EXEMPTION FROM CEQA UNDER
SECTION 15061(B)(3) OF THE CEQA GUIDELINES**

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

Section 1. Project Procedural Findings. The City Council of the City of Jurupa Valley does hereby find, determine and declare that:

(a) At the March 17, 2022 regular City Council meeting, the City Council initiated an amendment to Chapter 9.225 (“W-1 Zone (Watercourse, Watershed and Conservation Areas”) of Title 9 (“Planning and Zoning”) of the Jurupa Valley Municipal Code, to amend the W-1 Zone and the permitted uses within the W-1 Zone (ZCA No. 22003) (the “Zoning Code Amendment”), and requested that the Planning Commission study and report on the proposed Zoning Code Amendment, as set forth in this Ordinance.

(b) On June 8, 2022, the Planning Commission of the City of Jurupa Valley held a public hearing on the proposed Zoning Code Amendment set forth in this Ordinance, at which time all persons interested in the proposed Zoning Code Amendment had the opportunity and did address the Planning Commission on these matters. Following the receipt of public testimony, the Planning Commission closed the public hearing. At the conclusion of the Planning Commission hearings and after due consideration of the testimony, the Planning Commission adopted Resolution No. 2022-06-08-01 recommending that the City Council approve the proposed Zoning Code Amendment.

(c) On July 7, 2022, the City Council of the City of Jurupa Valley held a duly noticed public hearing on the proposed Zoning Code Amendment, at which time all persons interested in the Project had the opportunity and did address the City Council on these matters. Following the receipt of public testimony the City Council closed the public hearing and duly considered the written and oral testimony received.

(d) All legal preconditions to the adoption of this Ordinance have occurred.

Section 2. California Environmental Quality Act Findings. The proposed Zoning Code Amendment is exempt from the requirements of the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed Zoning Code Amendment, amending uses permitted within the W-1 Zone, will have a significant effect on the environment. The proposed Zoning Code Amendment is an administrative process of the City that will not result in direct or indirect physical changes in the environment. The City Council has reviewed the administrative record concerning the proposed Zoning Code Amendment

and the proposed CEQA determinations, and based on its own independent judgment, finds that the Zoning Code Amendment set forth in this Ordinance is not subject to, or exempt from, the requirements of the CEQA and the State CEQA Guidelines Section 15061(b)(3).

Section 3. Project Findings. The City Council hereby finds, as required by the Jurupa Valley Ordinances and applicable state law, that the proposed Zoning Code Amendment should be adopted because the proposed Zoning Code Amendment is consistent with the City of Jurupa Valley 2017 General Plan in that:

(a) Without the proposed changes, the W-1 zoning provisions have the potential to cause damage to the community's natural open space resources. In addition, the zone as written, could result in the loss of property and harm to the public due to flooding.

(b) There are currently inconsistencies between the General Plan and the Zoning Code. The ordinance addresses these inconsistencies and amends the Zoning Code so that the W-1 zone is consistent with the land use designation of Open Space-Conservation set forth in the General Plan.

Section 4. Amendment to Chapter 9.225. Chapter 9.225, W-1 Zone (Watercourse, Watershed and Conservations Areas) of Title 9, Planning and Zoning, of the Jurupa Valley Municipal Code is hereby amended in its entirety to read as follows:

“CHAPTER 9.225. - W-1 ZONE (WATERCOURSE, WATERSHED AND CONSERVATION AREAS)

Sec. 9.225.010. - W-1 Zone (watercourse area) statement of policy.

~~There are some areas of the city which under present conditions are not suited for permanent occupancy or residency by persons for the reason that they are subject due to periodic flooding and other hazards. As a result of periodic flooding and other hazards, the W-1 zone classification is intended to provide areas that maintain and protect the community's natural open space resources. The provisions of this chapter are temporary in nature, awaiting detailed plans of development for the lands and areas so classified. The regulations of this chapter shall apply to lands so classified until either:~~

~~(1) A drainage and storm water control plan approved by the Planning Commission and the City Council shall have been carried out and put into effect; or~~

~~(2) The lands have been subdivided and a final subdivision map placed on record in accordance with the applicable state and city regulations, including approval by the Planning Commission and City Council.~~

~~In either of these two (2) instances, the property may thereafter be reclassified into any other zone pursuant to regular zoning procedure.~~

Sec. 9.225.020. - Uses permitted.

A. The following uses are permitted in the W-1 Zone:

- (1) ~~Field, tree and bush crops; flower and herb gardening~~ Apiaries.
- (2) ~~Apiaries~~ Natural water recharge, percolation and watersheds.
- (3) ~~The grazing only, of cattle, horses, sheep and goats and similar livestock, subject to the restrictions as to the number of animals per acre set forth in Section 9.175.020(A)~~
- (3) Wildlife preserves and sanctuaries.
- (4) ~~Golf courses, not including the construction of buildings.~~
- (4) Aquaculture.
- (5) ~~Water works facilities, both public and private intended primarily for the production and distribution of water for agricultural purposes.~~
- (5) Hiking and equestrian trails.
- (6) Scientific study/field work.
- (7) Vistas and viewpoints.
- (6) ~~Utilities, both public and private.~~
- (7) ~~Aquaculture.~~

B. ~~The following uses are permitted provided a conditional use permit has been granted:~~

- (1) ~~Airports and heliports.~~
- (2) ~~Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 (Pub. Resources Code Section 2710 *et seq.*) and Chapter 5.65.~~
- (3) ~~Exploratory oil drilling, producing oil wells, oil storage tanks and appurtenant facilities, but not including refineries.~~
- (4) ~~Racing and competition events other than between humans.~~
- (5) ~~Hunting clubs, skeet, trap, rifle and pistol ranges.~~
- (6) ~~Recreational vehicle parks.~~
- (7) ~~Tennis, badminton, volleyball, squash, lacrosse, handball, baseball, raequetball and football, courts and sport recreational fields and uses.~~
- (8) ~~Buildings and structures in conjunction with any use that is permitted under subsection (A) of this section.~~

~~C.~~ The following uses are permitted upon approval of a Conditional Use Permit pursuant to Section 9.240.330:

- ~~(1) Signs, on-site advertising, unless previously approved as a part of a granted conditional use permit.~~
- ~~(2) Meteorological towers.~~
- ~~(3) Water works facilities, both public and private intended primarily for the production and distribution of water for agricultural purposes.~~
- ~~(4) Utilities, both public and private.~~

~~D.~~ The following uses are permitted provided that the operator thereof holds a permit to conduct surface mining operations issued pursuant to Chapter 5.65, which has not been revoked or suspended: Any mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 (Pub. Resources Code Section 2710 *et seq.*).

~~E.~~ Commercial WECS and WECS arrays with no limit as to rated power output are permitted, provided a commercial WECS permit has been granted pursuant to the provisions of Section 9.240.420.”

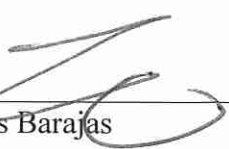
Section 5. Severability. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance 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 6. Effect of Ordinance. This Ordinance is intended to supersede any ordinance or resolution of the County of Riverside adopted by reference by the City of Jurupa Valley in conflict with the terms of this Ordinance.

Section 7. 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.

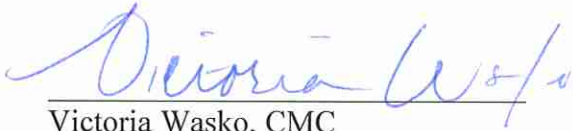
Section 8. Effective Date. This Ordinance shall take effect on the date provided in Government Code Section 36937.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Jurupa Valley on this 21st day of July, 2022.



Chris Barajas
Mayor

ATTEST:



Victoria Wasko, CMC
City Clerk

CERTIFICATION

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

I, Victoria Wasko, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2022-12 was duly introduced at a meeting of the City Council of the City of Jurupa Valley on the 7th day of July, 2022, and thereafter at a regular meeting held on the 21st day of July, 2022, it was duly passed and adopted by the following vote of the City Council:

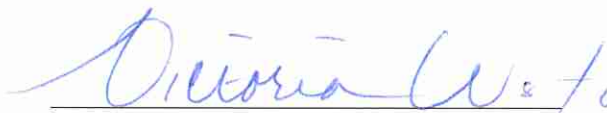
AYES: L. ALTAMIRANO, C. BARAJAS, L. BARAJAS, B. BERKSON, G. SILVA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 21st day of July, 2022.



Victoria Wasko, City Clerk
City of Jurupa Valley