



# City of Jurupa Valley

## Staff Report

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DATE: FEBRUARY 19, 2026  
TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: ROD BUTLER, CITY MANAGER  
BY: JOE PEREZ, ASSISTANT CITY MANAGER / COMMUNITY  
DEVELOPMENT DIRECTOR  
SUBJECT: AGENDA ITEM NO. B

**PUBLIC HEARING TO CONSIDER AN INTERIM URGENCY ORDINANCE EXTENDING INTERIM URGENCY ORDINANCE NO. 2026-01, IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA**

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### RECOMMENDATION

That the City Council conduct a public hearing and adopt, by a 4/5's vote, Urgency Ordinance No. 2026-02, entitled:

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ADOPTED BY THE CITY COUNCIL (INTERIM URGENCY ORDINANCE 2026-01) PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA**

### BACKGROUND

On January 15, 2026, the City Council adopted Interim Urgency Ordinance No. 2026-01, imposing a temporary moratorium on the acceptance, processing, or approval of new development applications and expansion of existing uses within the proposed North Pyrite Master Plan (NPMP) Area. The ordinance was adopted pursuant to Government Code Section 65858 due to the absence of completed, area-wide environmental studies necessary to determine whether future development could safely occur in proximity to the Stringfellow Superfund Site and other legacy contamination concerns.

On February 5, 2026, the City Council issued and posted a written report describing the measures taken to alleviate the conditions that led to adoption of Urgency Ordinance No. 2026-01 (see Attachment 3).

The NPMP Area encompasses approximately 215 acres located in the lower portion of North Pyrite Canyon, downstream from the Stringfellow Superfund Site. While remediation and long-term containment efforts have been underway for decades, the final site-wide Record of Decision (ROD) has not yet been issued by the U.S. Environmental Protection Agency (EPA). As a result, uncertainty remains regarding long-term groundwater conditions, vapor intrusion potential, and appropriate land use compatibility in portions of the canyon.

During multiple City Council meetings in 2025, Councilmembers expressed concern that proceeding with new development approvals in the absence of comprehensive environmental data could expose future occupants and the broader community to potential health and safety risks and could interfere with ongoing or future remediation efforts. The City Council directed that no new development entitlements be approved in the NPMP Area until independent, area-wide environmental studies are completed and reviewed.

Interim Urgency Ordinance No. 2026-01 has an initial term of forty-five (45) days and is scheduled to expire on March 1, 2026, unless extended. Government Code Section 65858 allows the City Council to extend the moratorium for up to ten (10) months and fifteen (15) days, and subsequently for one additional year, provided required findings are made and a report pursuant to Government Code Section 65858(d) is issued.

## **ANALYSIS**

### **Need for Additional Time**

The environmental conditions that led to adoption of the moratorium have not yet been fully alleviated or analyzed. The City has not completed the comprehensive Environmental Hazards and Development Safety Evaluation necessary to determine whether, where, and under what conditions future development can safely occur within the NPMP Area.

Allowing new development approvals to proceed prior to completion of this work could:

- Expose future employees, residents, and visitors to unknown contamination risks;
- Create land use conflicts with potential future remediation or monitoring requirements;
- Undermine the City's ability to adopt informed, defensible land use regulations; and
- Compromise public confidence in the City's commitment to public health, environmental justice, and transparency.

An extension of the moratorium is therefore necessary to maintain existing conditions while this work is completed.



### **Measures Taken to Alleviate Conditions (Gov. Code §65858(d))**

In compliance with Government Code Section 65858(d), the City has taken steps to alleviate the conditions that led to adoption of the moratorium, including initiating consultant procurement for an area-wide environmental hazards and development safety evaluation, coordinating with the EPA and the California Department of Toxic Substances Control (DTSC) regarding the Stringfellow Superfund Site, advancing refinement of the NPMP consistent with City Council direction, and evaluating potential regulatory and implementation options to ensure future development proceeds safely. These actions are described in detail in the Ten-Day Report prepared pursuant to Government Code Section 65858(d) (Attachment 3).

Despite these efforts, the environmental studies necessary to determine whether, where, and under what conditions future development may safely occur within the NPMP Area have not yet been completed.

### **EXTENSION OF THE MORATORIUM**

The proposed Interim Urgency Ordinance would extend the moratorium for an additional ten (10) months and fifteen (15) days, through January 16, 2027. This extension will provide sufficient time to:

- Complete the Environmental Hazards and Development Safety Evaluation;
- Continue coordination with EPA and DTSC;
- Translate technical findings into appropriate land use and regulatory measures; and
- Return to the City Council with informed recommendations regarding future development in the NPMP Area.

The scope of the moratorium would remain unchanged from Ordinance No. 2026-01 and would continue to prohibit the acceptance, processing, or approval of new development applications and expansion of existing uses within the NPMP Area, while allowing routine maintenance of existing uses and essential public safety or remediation activities.

In a letter dated February 4, 2026 attorney G. Braiden Chadwick on behalf of Riverside Legacy IV, LLC, has objected to the moratorium ordinance and its extension and stated Riverside Legacy will file a lawsuit seeking to invalidate the moratorium ordinance if the Riverside Legacy Property is not deleted from the moratorium area. The Riverside Legacy Property is located in the southeastern portion of the moratorium area. Mr. Chadwick claims in the proposed lawsuit that the Riverside Legacy Property has been extensively studied and found to be free of contamination:

“15. In December 2025, Riverside Legacy requested that Ramboll Americas Engineering Solutions, Inc. ("Ramboll") perform a peer review of the Phase I and the Soil Vapor Investigation relating to the Property. Ramboll is a global engineering consultancy company and has extensive familiarity with the Stringfellow Site through its position as the technical advisor to the Center for Community Action and Environmental Justice, with respect to impacts from the



Stringfellow Site. After its independent review of the Phase I and Soil Vapor Investigation, Ramboll determined that the trace amounts of VOCs on a small portion of the Property would not prevent Riverside Legacy's proposed industrial uses on the Property.”

While the Ordinance No. 2026-01 makes findings concerning potential contamination from and impacts to the mitigation measures for the Stringfellow Site, it also makes findings concerning potential inconsistencies between the land uses and regulations that may be part of the North Pyrite Master Plan ultimately approved by the Council and development that may occur prior to its approval.

### **ENVIRONMENTAL REVIEW**

The proposed Interim Urgency Ordinance that extends the moratorium is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). It can be seen with certainty that extending the moratorium will not result in a significant effect on the environment, as it temporarily restricts development activity and serves to avoid potentially significant environmental impacts during the study period.

### **FINANCIAL IMPACT**

There is no direct fiscal impact associated with adoption of the moratorium extension. City staff time will be covered by the Community Development Department’s adopted budget. Consultant costs for environmental studies will be addressed separately, including potential cost-recovery mechanisms involving future development.

### **ALTERNATIVES**

1. *Recommended Action:* Adopt the Interim Urgency Ordinance extending the moratorium through January 16, 2027.
2. *Alternative Action:* Adopt the Interim Urgency Ordinance extending the moratorium through January 16, 2027 with a reduction of the scope or duration of the moratorium, such as the deletion of the Riverside Legacy Property from the moratorium area.
3. *Defer:* Take no action, allowing the moratorium to expire on March 1, 2026, which would permit new development applications to proceed under existing conditions.



Prepared by:



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Joe Perez  
Assistant City Manager/Community  
Development Director

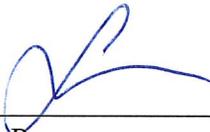
Submitted by:



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Rod B. Butler  
City Manager

Reviewed by:



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Susan Paragas  
Director of Finance

Reviewed by:



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Michael Flad  
Assistant City Manager

Reviewed by:



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Peter M. Thorson  
City Attorney

#### **ATTACHMENTS**

1. Proposed Interim Urgency Ordinance Extending Ordinance No. 2026-01
2. Adopted Interim Urgency Ordinance No. 2026-01 (January 15, 2026)
3. Ten-Day Report Pursuant to Government Code Section 65858(d)
4. Letter from G. Braiden Chadwick on behalf of Riverside Legacy IV, LLC, dated February 4, 2026



# Attachment 1

## Proposed Urgency Ordinance Extending Ordinance No. 2026-01

**ORDINANCE NO. 2026-02**

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ADOPTED BY THE CITY COUNCIL (INTERIM URGENCY ORDINANCE 2026-01) PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA**

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

**Section 1.** Legislative Findings. On January 15, 2026, the City Council adopted Interim Ordinance 2026-01 imposing a 45-day temporary moratorium on the acceptance, processing, or approval of new development applications in the proposed North Pyrite Master Plan (“NPMP”) Area with some exceptions. That ordinance will expire on March 1, 2026 (45 days after adoption).

A. Since the adoption of Interim Urgency Ordinance 2026-01, the City has initiated environmental study planning efforts for the NPMP Area, including preparation of a Request for Proposal for consultant services to prepare an area-wide hazard and environmental analysis to evaluate potential risks related to soil, groundwater, and vapor intrusion. The City has also continued coordination with regulatory agencies, including the U.S. Environmental Protection Agency (“EPA”) and the California Department of Toxic Substances Control (“DTSC”), regarding the status of the Stringfellow Superfund Site, ongoing remediation activities, and anticipated land use considerations. The City continues to engage with the EPA’s Superfund Redevelopment Program, which provides technical assistance related to reuse planning, environmental constraints, and redevelopment compatibility at no cost to the City.

B. Despite these measures taken, the conditions that led to adoption of Interim Urgency Ordinance No. 2026-01 have not been fully alleviated. The comprehensive Environmental Hazards and Development Safety Evaluation necessary to determine whether, where, and under what conditions future development may safely occur in the NPMP Area has not been completed and remains essential to protecting public health and safety.

C. Extending the Interim Urgency Ordinance is therefore necessary to allow sufficient time for completion of this evaluation, continued coordination with regulatory agencies, and translation of technical findings into appropriate land use and regulatory measures. Allowing new development approvals to proceed prior to completion of this work could expose future occupants, downstream residents, and the broader community to potential environmental and safety risks and could interfere with ongoing remediation efforts associated with the Stringfellow Superfund Site.

D. Accordingly, the City Council finds that there is a current and immediate threat to the public health, safety and welfare presented by the unregulated development or operation of land entitlements and the expansion of uses in the NPMP Area that would be inconsistent with the City's land use goals. In the absence of immediate effectiveness, the approval of building permits, conditional use permits or any other applicable entitlements for such uses will frustrate the City's ability to adopt and enforce appropriate regulations designed to protect surrounding development and the public health, safety and welfare from the potential adverse impacts of land entitlements in the NPMP Area. Due to the foregoing circumstances, the City Council finds and determines that the immediate preservation of the public health, safety and welfare requires that this interim ordinance be extended as an urgency ordinance pursuant to Government Code Section 65858 and takes effect immediately upon adoption, and its urgency is hereby declared.

**Section 2.** CEQA Finding. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Interim Ordinance will have a significant effect on the environment because the adoption of this Interim Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City, will preclude the establishment of a category of uses for a limited period of time, and will serve to reduce potential significant adverse environmental impacts caused by the establishment of any new land entitlements or expansion of any existing uses in the NPMP Area. The City Council therefore determines that the adoption of this Interim Ordinance and the effects derivative from its adoption are exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

**Section 3.** Moratorium Extended. The moratorium enacted pursuant to City of Jurupa Valley Interim Urgency Ordinance No. 2026-01 is hereby extended pursuant to Government Code Section 65858 for ten (10) months and fifteen (15) days past the initial expiration date of Ordinance No. 2026-01 so as to extend the moratorium until January 16, 2027. Therefore, this ordinance shall expire and terminate at midnight on January 16, 2027 unless it is further extended.

**Section 4.** Exceptions. This Interim Ordinance and the moratorium enacted hereby shall not affect any existing land use, previously approved pursuant to the Jurupa Valley Municipal Code that does not seek an expansion in use. All existing land uses in the NPMP Area shall comply with the requirements of the Jurupa Valley Municipal Code and the terms and conditions of any permit issued pursuant thereto.

**Section 5.** Immediate Effect. This Interim Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Government Code sections 36934, 36937 and 65858 and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption, by a minimum four-fifths (4/5) vote of the City Council.

**Section 6.** Penalty. A violation of any provision of this Interim Ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both

such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Interim Ordinance. In addition to the foregoing, any violation of this Interim Ordinance shall constitute a public nuisance and shall be subject to abatement as provided by all applicable provisions of law.

**Section 7.** Planning Studies and Written Report. City staff shall promptly commence the studies they may deem necessary and appropriate to make recommendations to the City Council regarding the development, use and expansion of land entitlements in the NPMP Area and the criteria for regulating these uses. Pursuant to Government Code Section 65858(d), City staff shall prepare and submit for City Council adoption, at least ten (10) days prior to the expiration of this Interim Ordinance, or any extension hereof, a written report describing the measures taken to alleviate the conditions that led to the adoption of this Interim Ordinance.

**Section 8.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Interim Ordinance or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Interim Ordinance or any part hereof. The City Council of the City of Jurupa Valley hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

**Section 9.** Publication and Posting. The City Clerk shall certify to the passage and adoption of this Interim Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Jurupa Valley  
this 19th day of February, 2026.

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Brian Berkson, Mayor

ATTEST:

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Maria Morris, City Clerk

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. 2026-02 was duly adopted by the City Council of the City of Jurupa Valley on the 19th day of February 2026, by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                    COUNCIL MEMBERS:

ABSTAIN:                COUNCIL MEMBERS:

ABSENT:                 COUNCIL MEMBERS:

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Maria Morris, City Clerk

## Attachment 2

Adopted Interim Urgency Ordinance

No. 2026-01 (January 15, 2026)

**ORDINANCE NO. 2026-01**

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA, PENDING COMPLETION OF ENVIRONMENTAL STUDIES TO DETERMINE PUBLIC HEALTH AND SAFETY CONDITIONS ASSOCIATED WITH THE STRINGFELLOW SUPERFUND SITE AND OTHER LEGACY CONTAMINATION CONCERNS, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA GUIDELINES SECTION 15061(b)(3)**

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

**Section 1. Purpose and Intent.** The proposed North Pyrite Master Plan Area (“NPMP Area”) is approximately 215 acres with multiple ownerships including Assessor Parcel Numbers 171-030-002, 005, 012, 013, 014, 015, 016 & 035; portion of 173-180-011 with H-I land use, portion of 171-180-012, & 013 with C-T land use, 170-180-024, 028, 029 & 030 and is located in the lower portion of North Pyrite Canyon downstream from the Stringfellow Superfund Site (“Stringfellow Site”), as described in Exhibit “A”, one of California’s most significant hazardous waste remediation areas. The Stringfellow Site was an industrial waste disposal site that accepted approximately 35 million gallons of bulk liquid hazardous wastes between 1956 and 1972. The State of California is responsible for the cleanup of the Stringfellow Site. The U.S. Environmental Protection Agency (“EPA”) provides federal oversight over the California Department of Toxic Substances Control (“DTSC”), which is the agency that performs the necessary remediation and monitoring. The EPA and DTSC have undergone cleanup and long term containment efforts for decades, and uncertainty remains regarding the long-term safety of soils, groundwater, and potential vapor intrusion in lower portions of Pyrite Canyon. EPA correspondence indicates that while significant progress has been made in containment site-wide, the final Record of Decision (“ROD”) for the Stringfellow Site has not been issued. As such, the City does not have definitive confirmation of safe development conditions throughout the NPMP Area. Additionally, the City has received public comments that manufacturing and office uses in the NPMP Area might impact the ground water wells that are part of the Stringfellow clean-up and long term containment efforts. City has initiated development of a request for proposal (RFP) to hire a consultant to prepare special studies and an Environmental Impact Report under the California Environmental Quality Act for the NPMP Area. The City intends to establish a moratorium on the development and operation of new land entitlements and expansion of existing uses in the NPMP Area for the period of time as specified in this Ordinance, so as to permit further study of public health and safety conditions on the NPMP Area associated with the Stringfellow Superfund Site and other legacy contamination concerns.

**Section 2. Legislative Findings.** On January 15, 2026, the City Council considered the adoption of this Interim Ordinance and on the basis of the record thereof makes the following findings in support of the immediate adoption and application of this Interim Ordinance regulating land use within the City.

A. The City is responsible for adopting and implementing land use regulations within its boundaries. The Jurupa Valley Municipal Code generally regulates the entitlement, establishment and the health and safety conditions associated with the NPMP Area.

B. Without proper regulation and environmental study, the development of land and expansion of existing uses in the NPMP Area can create harmful health and safety effects for the residents and citizens near the NPMP Area. It is therefore necessary to update the City's Municipal Code to ensure the NPMP Area may be safely developed without detrimental effect to the residents and citizens of Jurupa Valley.

C. There is a current and immediate threat to the public health, safety and welfare presented by the establishment or operation of any new land entitlement and the expansion of existing uses within the NPMP Area. Furthermore, the approval of additional use permits, building permits or any other applicable entitlement within the NPMP Area could result in a threat to public health, safety or welfare because of the potential hazardous impacts in the Stringfellow Site. If new land entitlements are approved or existing uses are expanded without appropriate review, environmental study, and regulation, they could have potential adverse secondary effects on neighborhoods and result in significant irreversible health and safety impacts to the neighborhood and community.

D. The City Council finds that additional planning and research are necessary before the City adopts any regulations governing land entitlements in the NPMP Area. The City requires a sufficient and reasonably limited time to consider and study legally appropriate and reasonable policies regulating the land entitlements in the NPMP Area in order to prevent negative impacts on City residents, businesses and visitors. The City initiated the development of a request for proposal (RFP) to hire a consultant to complete such a study and intends to undertake further studies within a reasonable time. Given the time required to undertake the study and planning, the City Council finds that it is necessary that this urgency Interim Ordinance be declared to ensure that no establishment or operation of any new land entitlement or expansion of existing uses that may be in conflict with the contemplated new policies or regulations are permitted in the interim.

E. Absent the passage of this Interim Ordinance, continued approval of land use entitlements in the NPMP Area poses a current and immediate threat to the public health, safety or general welfare. If this Interim Ordinance does not become effective immediately, but instead becomes effective thirty (30) days after a second reading, there is a risk that further harm will be done to prevent the health and safety risks. There is, therefore, an urgent necessity for the City to adopt a moratorium on the establishment or operation of any new land entitlement and the expansion of existing uses in the NPMP Area to take effect immediately. This moratorium is intended to provide the City with an

opportunity to strengthen its zoning provisions to promote the appropriate development in the NPMP Area.

F. For the reasons specified above, and based on all the evidence in the record, the City Council finds that there is a current and immediate threat to the public health, safety and welfare presented by the development or operation of land entitlements and the expansion of uses in the NPMP Area that would be inconsistent with the City's land use goals. In the absence of immediate effectiveness, the approval of building permits or any other applicable entitlements for such development or use will frustrate the City's ability to adopt and enforce appropriate regulations designed to protect surrounding development, uses, and the public health, safety, and welfare from the potentially adverse effects of land entitlements in the NPMP Area. Due to the foregoing circumstances, the City Council finds and determines that the immediate preservation of the public health, safety, and welfare requires that this Interim Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36934, 36937 and 65858 that it take effect immediately upon adoption, and that its urgency is hereby declared.

**Section 3. CEQA Finding.** The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Interim Ordinance will have a significant effect on the environment because the adoption of this Interim Ordinance will maintain the current environmental conditions and will serve to reduce potential significant adverse environmental impacts caused by the establishment of any new land entitlements or expansion of any existing uses in the NPMP Area. The City Council therefore determines that the adoption of this Interim Ordinance and the effects derivative from its adoption are exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

**Section 4. Moratorium Established.** Based upon the findings contained in Sections 1 through 3, the City of Jurupa Valley hereby establishes a moratorium on the development or operation of new land entitlements and the expansion of existing uses in the NPMP Area as defined in Section 1. Notwithstanding any other ordinance or provision of the Jurupa Valley Municipal Code:

A. The establishment or operation of any new land entitlement, or the expansion of any existing uses in the NPMP Area, is prohibited during the term of the moratorium established in Section 5 below.

B. The City shall not approve any new or pending application for any permit, license or other entitlement for the establishment, operation or expansion of any land entitlement in the NPMP Area during the term of the moratorium established in Section 5 below.

C. The expansion of a use includes an extension of the hours of operation, increase in the size of the building where the land owner operates, or any other increase in the intensity or use of the property.

D. The City may approve building permits for the maintenance of existing uses in the NPMP Area.

**Section 5.** Moratorium Term. This Interim Ordinance shall expire, and the moratorium established hereby, shall terminate forty-five (45) days after the date of adoption of this Interim Ordinance, unless extended by the City Council, at a regularly noticed public hearing, pursuant to California Government Code Section 65858.

**Section 6.** Exceptions. This Interim Ordinance and the moratorium enacted hereby shall not affect any existing land use, previously approved pursuant to the Jurupa Valley Municipal Code that does not seek an expansion in use. All existing land uses in the NPMP Area shall comply with the requirements of the Jurupa Valley Municipal Code and the terms and conditions of any permit issued pursuant thereto.

**Section 7.** Immediate Effect. This Interim Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Government Code sections 36934, 36937 and 65858 and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption, by a minimum four-fifths (4/5) vote of the City Council.

**Section 8.** Penalty. A violation of any provision of this Interim Ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Interim Ordinance. In addition to the foregoing, any violation of this Interim Ordinance shall constitute a public nuisance and shall be subject to abatement as provided by all applicable provisions of law.

**Section 9.** Planning Studies and Written Report. City staff shall promptly commence the studies they may deem necessary and appropriate to make recommendations to the City Council regarding the development, use and expansion of land entitlements in the NPMP Area and the criteria for regulating these uses. Pursuant to Government Code Section 65858(d), City staff shall prepare and submit for City Council adoption, at least ten (10) days prior to the expiration of this Interim Ordinance, or any extension hereof, a written report describing the measures taken to alleviate the conditions that led to the adoption of this Interim Ordinance.

**Section 10.** Extension of Time. The Community Development Director and the City Clerk shall undertake all actions legally necessary to extend this Interim Ordinance in the event the studies desired by this City Council will not be concluded on or before the forty-fifth (45<sup>th</sup>) day subsequent to the adoption of this Interim Ordinance.

**Section 11.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Interim Ordinance or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Interim Ordinance or any part hereof. The City Council of the City of Jurupa Valley hereby declares that it would have passed each section, subsection, subdivision, paragraph,

sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

**Section 12.** Publication and Posting. The City Clerk shall certify to the passage and adoption of this Interim Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

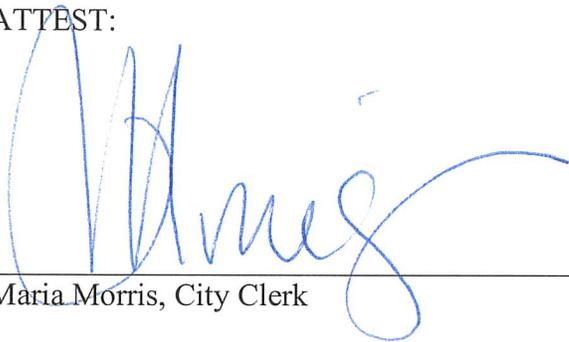
**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Jurupa Valley  
this 15th day of January 2026.



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Brian Berkson, Mayor

ATTEST:



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Maria Morris, City Clerk

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

I, Maria Morris, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2026-01 was duly adopted by the City Council of the City of Jurupa Valley on the 15th day of January 2026, by the following vote:

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

NOES:                    COUNCIL MEMBERS:        None

ABSTAIN:                COUNCIL MEMBERS:        None

ABSENT:                 COUNCIL MEMBERS:        None

  
\_\_\_\_\_  
Maria Morris, City Clerk

EXHIBIT A

North Pyrite Master Plan Area



# Attachment 3

## Ten-Day Report Pursuant to Government Code Section 65858(d)



# City of Jurupa Valley

## Staff Report

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DATE: February 5, 2026  
TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: ROD BUTLER, CITY MANAGER  
BY: JOE PEREZ, ASSISTANT CITY MANAGER / COMMUNITY  
DEVELOPMENT DIRECTOR  
SUBJECT: AGENDA ITEM NO. N

**ISSUANCE OF PUBLIC REPORT PURSUANT TO GOVERNMENT CODE SECTION 65858(D) REGARDING INTERIM URGENCY ORDINANCE NO. 2026-01 IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA, PENDING COMPLETION OF ENVIRONMENTAL STUDIES TO DETERMINE PUBLIC HEALTH AND SAFETY CONDITIONS ASSOCIATED WITH THE STRINGFELLOW SUPERFUND SITE AND OTHER LEGACY CONTAMINATION CONCERNS**

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### RECOMMENDATION

It is recommended that the City Council issue a report pursuant to Government Code Section 65858(d) regarding interim urgency Ordinance 2026-01.

### BACKGROUND

Government Code Section 65858(d) requires that, at least ten (10) days prior to the expiration or extension of an interim urgency ordinance, the City Council issue a written report describing the measures taken to alleviate the conditions that led to adoption of the ordinance.

On January 15, 2026, the City Council adopted an Interim Urgency Ordinance imposing a temporary moratorium on the acceptance, processing, and approval of new development applications and expansion of existing uses within the North Pyrite Master Plan (NPMP) Area. The ordinance was adopted due to the absence of completed environmental studies necessary to

determine whether future development could safely occur in proximity to the Stringfellow Superfund Site and other legacy contamination concerns.

Absent any further action, the Interim Urgency Ordinance will expire forty-five (45) days after adoption. Additional time is necessary to continue environmental investigations, agency coordination, and planning analysis before new development approvals can safely proceed.

The City Council will conduct a public hearing on February 19, 2026 with both mail and newspaper notice, to decide whether to extend the Urgency Ordinance to January 17, 2027.

In compliance with Government Code Section 65858(d), the City Council hereby issues this report for Interim Urgency Ordinance No. 2026-01.

## **ANALYSIS**

Measures taken to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 2026-01:

- **Initiated environmental study planning efforts** for the North Pyrite Master Plan Area, including preparation of a Request for Proposal (RFP) for consultant services to prepare an area-wide hazard and environmental analysis to evaluate potential risks related to soil, groundwater, and vapor intrusion. The RFP will be presented to City Council for review at the February 5, 2025 City Council meeting.
- **Continued coordination with regulatory agencies and community groups**, including the U.S. Environmental Protection Agency (EPA), California Department of Toxic Substances Control (DTSC), and Center for Community Action and Environmental Justice (CCA EJ) regarding the status of the Stringfellow Superfund Site, ongoing remediation activities, and anticipated land use considerations.
- **Engaged with the EPA's Superfund Redevelopment Program**, which provides technical assistance related to reuse planning, environmental constraints, and redevelopment compatibility at no cost to the City.
- **Evaluated potential regulatory and implementation options**, including zoning updates, development standards, and mitigation requirements that may be necessary once environmental studies are completed.
- **Maintained existing conditions within the NPMP Area** by refraining from approving new development entitlements or expansions of existing uses during the moratorium



period, thereby preventing premature development that could conflict with future regulations.

Based on the actions taken to date and the status of the ongoing consultant selection process, the conditions that led to adoption of Interim Urgency Ordinance No. 2026-01 have not yet been fully alleviated. The comprehensive Environmental Hazards and Development Safety Evaluation necessary to determine whether, where, and under what conditions future development may safely occur in the North Pyrite Master Plan Area has not been completed and remains essential to protecting public health and safety. Extending the Interim Urgency Ordinance is therefore necessary to allow sufficient time for completion of this evaluation, continued coordination with regulatory agencies, and translation of technical findings into appropriate land use and regulatory measures. Allowing new development approvals to proceed prior to completion of this work could expose future occupants, downstream residents, and the broader community to potential environmental and safety risks and could interfere with ongoing remediation efforts associated with the Stringfellow Superfund Site. Extension of the ordinance is required to maintain existing conditions while the City completes the analysis needed to make informed, defensible decisions that protect the health, safety, and welfare of the community.

### **FINANCIAL IMPACT**

There is no fiscal impact associated with the issuance of the report.

### **ALTERNATIVES**

1. **Recommended Action:** Issue a report pursuant to Government Code Section 65858(d) regarding interim urgency Ordinance 2026-01.
2. **Alternative Action:** Provide alternate direction or modify the report.
3. **Defer Action:** Take no action which would mean that the Council could not adopt an ordinance extending the moratorium, and the moratorium would expire on March 1, 2026.



Prepared by:



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Joe Perez  
Assistant City Manager/Community  
Development Director

Submitted by:



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Rod B. Butler  
City Manager

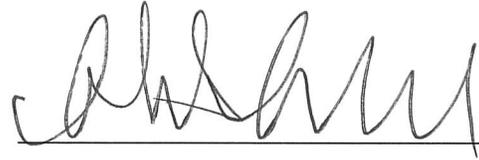
Reviewed by:



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Susan Paragas  
Director of Finance

Reviewed by:



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Michael Flad  
Assistant City Manager

Reviewed by:



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Peter M. Thorson  
City Attorney



**ATTACHMENTS**

1. Ordinance No. 2026-01
2. January 18, 2026 Staff Report re: Urgency Ordinance without attachments



## Attachment 4

Letter from Riverside Legacy IV, LLC,  
dated February 4, 2026



**MITCHELL  
CHADWICK**

G. Braiden Chadwick  
bchadwick@mitchellchadwick.com  
916-462-8886  
916-788-0290 Fax

February 4, 2026

**VIA U.S. MAIL AND ELECTRONIC MAIL**

Peter Thorson, Esq.  
City Attorney  
City of Jurupa Valley  
8930 Limonite Avenue,  
Jurupa Valley, CA 92509  
[pthorson@rwglaw.com](mailto:pthorson@rwglaw.com)

**Re: Litigation Pending Absent Refinement of Ordinance 2026-01**

Dear Mr. Thorson:

As you are aware, I represent Riverside Legacy, IV LLC (“Riverside Legacy”), the owner of Riverside County Assessor Parcel Numbers 171-030-005, 171-030-013, 171-030-015, 171-030-016, and 173-180-030 (the “Property”) in the City of Jurupa Valley, California (the “City”). On January 15, 2026, the City Council adopted Ordinance 2026-01, instituting a moratorium (the “Moratorium”) on all development within the proposed North Pyrite Master Plan Area (“NPMP Area”) where the Property is located. The Moratorium was ostensibly intended to study conditions associated with the Stringfellow superfund site. Nearly a year before the City’s action, Riverside Legacy submitted entitlement applications for a General Plan Amendment, Zone Change, and for three buildings designated for light industrial and manufacturing uses for the Property (the “Project”).

Riverside Legacy has informed the City on multiple occasions that the Moratorium should not apply to the Property. The City is well aware that the Project is located outside the EPA study zones, there are no barriers to development on the Property, and there is no residual contamination from the Stringfellow site posing risk to the public. While the Moratorium may be advisable for other properties within the NPMP Area, Riverside Legacy’s Property has already undergone extensive environmental investigation, confirming the previous findings of both the EPA and the City that there are no barriers to development and no danger to the public. The City has all the relevant environmental due diligence documents on file and in the administrative record.

As stated in Ordinance 2026-01, the Moratorium will expire 45 days after its January 15th adoption, on March 1, 2026, and the City Council has made clear that it intends to extend the Moratorium at the February 19, 2026, City Council meeting. Should the City continue to subject the Property and the Project to the Moratorium, Riverside Legacy will file the attached Writ of Mandate (Attachment A) to invalidate the Moratorium not only as it pertains to the Property but

February 4, 2026

Page 2

also for the entire NPMP Area. If the City wishes to avoid this outcome, please contact me at (916) 462-8886 or [bchadwick@mitchellchadwick.com](mailto:bchadwick@mitchellchadwick.com), so that we can discuss excluding the Property from the Moratorium.

Sincerely,

MITCHELL CHADWICK LLP



G. Braiden Chadwick

cc: Maricela Marroquín, Assistant City Attorney  
Brian Berkson, Mayor  
Chris Barajas, Mayor Pro Tern  
Armando Carmona, Council Member  
Veronica Sanchez, Council Member  
Guillermo Silva, Council Member  
Peter Thorson, City Attorney  
Roberto Gonzalez, Principal Planner  
Joe Perez, Assistant City Manager and Director of Community Development

**ATTACHMENT A**  
**(“WRIT OF MANDATE”)**

1 MITCHELL CHADWICK LLP  
G. BRAIDEN CHADWICK (SBN 227536)  
2 JOSEPH D. KNADLER (SBN 358468)  
1420 Rocky Ridge Drive, Suite 260  
3 Roseville, CA 95661  
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5 jknadler@mitchellchadwick.com

6 Attorneys for Petitioner and Plaintiff  
RIVERSIDE LEGACY IV, LLC

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF RIVERSIDE

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RIVERSIDE LEGACY IV, LLC

Petitioner and Plaintiff,

v.

CITY OF JURUPA VALLEY, CITY  
COUNCIL OF THE CITY OF JURUPA  
VALLEY, and DOES 1-50,

Respondents and Defendants.

Case No. \_\_\_\_\_

**VERIFIED PETITION FOR WRIT OF  
MANDATE OR ADMINISTRATIVE  
MANDAMUS AND COMPLAINT FOR  
TAKINGS, VIOLATION OF CIVIL  
RIGHTS, AND DECLARATORY AND  
INJUNCTIVE RELIEF**

[Code of Civ. Proc., §§ 1085, 1094.5, 1060, 526  
et seq; Gov. Code § 65858; Pub. Resources  
Code, § 21168.9; 42 U.S.C. § 1983; U.S. Const.  
amend. V; amend. XIV; Cal. Const. art. I, §  
19]

1 **INTRODUCTION**

2 Petitioner and Plaintiff RIVERSIDE LEGACY IV, LLC (“Riverside Legacy” or  
3 “Petitioner”) respectfully petitions this Court for issuance of a writ of mandate pursuant to Code  
4 of Civil Procedure (“CCP”) section 1085 or, in the alternative, pursuant to CCP section 1094.5  
5 directing the CITY OF JURUPA VALLEY (“City”), CITY COUNCIL OF THE CITY OF  
6 JURUPA VALLEY (“City Council”), and DOES 1-50 (collectively, “Respondents” and  
7 “Defendants”) to vacate and set aside Respondents’ adoption of an interim urgency ordinance  
8 (City Ordinance No. 2026-01 enacted January 15, 2026) (the “Moratorium”) prohibiting any  
9 development or processing of development applications affecting its real property. There is no  
10 evidence in the record supporting any of the findings the City was required to make when  
11 adopting the Moratorium pursuant to Government Code section 65858, subdivision (c). Riverside  
12 Legacy further asserts that Respondents’ adoption of the Moratorium as it applies to property  
13 owned by Riverside Legacy and the requirement that Riverside Legacy fund the preparation of a  
14 Supplemental Environmental Impact Report (the “SEIR”) constitutes an unlawful taking of  
15 private property and a violation of Riverside Legacy’s Constitutional rights. On these bases,  
16 Riverside Legacy respectfully requests compensatory, equitable and all legal relief that the Court  
17 deems just and proper. Riverside Legacy further complains for the issuance of temporary,  
18 preliminary, and permanent injunctive relief and for a declaration of its rights pursuant to CCP  
19 section 1060.

20 By this verified Petition and Complaint (“Petition”), Petitioner alleges as follows:

21 **PARTIES**

22 1. Petitioner/Plaintiff Riverside Legacy is a limited liability company registered in  
23 the State of California and duly formed pursuant to the laws of the State of Delaware. Petitioner  
24 has a significant and beneficial interest in ensuring that Respondents comply with state law and  
25 the U.S. and California Constitutions regarding the development and use of its property located in  
26 the City and has standing to seek judicial review of Respondents’ adoption of the Moratorium.

27 2. Respondent City is, and at all times mentioned herein was, a California municipal  
28 corporation organized and existing under the laws of the State of California, and located in the

1 County of Riverside, in the State of California. The City has a mandatory duty to comply with the  
2 U.S. and California Constitutions, state law, and its own Municipal Code, when enacting land use  
3 regulations and ordinances, and conditioning, regulating, or restricting the use of private property  
4 located within its jurisdiction.

5 3. Respondent City Council is the elected decision-making body of the City, and is  
6 the body that adopted the Moratorium.

7 4. Riverside Legacy is unaware of the true names and capacities of Respondents and  
8 Defendants fictitiously named DOES 1-50, and sues such Respondents and Defendants by  
9 fictitious names. Petitioner is informed and believes, and on the basis of such information and  
10 belief, alleges the fictitiously named Respondents and Defendants are also responsible for the  
11 actions described in this Petition. When the true identities and capacities of these Respondents  
12 and Defendants have been determined, Petitioner will amend this Petition, with leave of court if  
13 necessary, to insert such identities and capacities.

14 **JURISDICTION AND VENUE**

15 5. This Court has jurisdiction pursuant to CCP sections 1085, 1094.5, and 1060.

16 6. This Court also has jurisdiction under CCP sections 526, 527, and 1094.5,  
17 subdivision (g), to enjoin and stay Respondents from proceeding with any activities related to the  
18 Moratorium.

19 7. Venue is proper in this Court pursuant to CCP section 394, in that Respondents are  
20 located within the County of Riverside.

21 8. Each of the legal deficiencies asserted in this Petition was presented to  
22 Respondents prior to Respondents' adoption of the Moratorium via written comments and in the  
23 public forum during public hearings. Petitioner has exhausted all available administrative  
24 remedies, and submitted timely objections to Respondents' approval of the Moratorium.

25 9. Petitioner has no other plain, speedy, or adequate remedy in the ordinary course of  
26 law, and Petitioner will suffer irreparable injury from the Moratorium, unless this Court grants the  
27 relief requested in this Petition.

28 ///

**FACTUAL ALLEGATIONS**

10. On October 11, 2019, Riverside Legacy purchased 22.26 acres of undeveloped land within the City, identified as Riverside County Assessor’s Parcel Numbers 171-030-005, 171-030-013, 171-030-015, 171-030-016, and 173-180-030 (the “Property”). The Property is situated in the southernmost portion of North Pyrite Canyon (“Canyon”), immediately north of Granite Hill Drive adjacent to State Route 60. A commercial shopping center, known as the “Shops at Jurupa Valley,” is located directly south of the Property on the southern side of State Route 60. The Stringfellow Superfund Site (“Stringfellow Site”), is designated by the United States Environmental Protection Agency (“EPA”) as a site where hazardous waste was improperly stored, and is located at the Canyon’s northernmost end, approximately one-half mile from the Property. The Property and the Stringfellow Site are separated by multiple properties with existing commercial and industrial uses, including an auto storage and auction yard, and a quarry. Hazardous waste stored at the Stringfellow Site entered the local groundwater channel that underlies the Canyon, depositing remnant volatile organic compounds (“VOCs”) in the soil and groundwater in the Canyon. The Stringfellow Site cleanup has been managed by various agencies since approximately 1970, including the EPA and the California Department of Toxic Substances Control, both of which have performed comprehensive environmental remediation and study of the Stringfellow Site and surrounding areas. The EPA has designated zones (Zones 1-4), corresponding to the level of residual contamination on land within the vicinity of the Stringfellow Site. Zone 1 represents the original contamination source at the Stringfellow Site at the northern end of the Canyon, while Zone 4 represents the least contaminated area, furthest south of the Stringfellow Site outside of the Canyon, primarily comprised of residential uses. Zone 3 is located in the southern portion of the Canyon immediately north of Granite Hill Drive. Only 1.35 acres of the 22.26-acre Property overlaps with Zone 3. The other 20.91 acres of the Property do not overlap with any EPA-designated Zone and, based on all testing performed to date, shows no evidence of vapor intrusion associated with VOCs from the Stringfellow Site that poses a danger to future occupants of the Property or surrounding communities.

11. According to documents prepared by Respondents, the EPA represents that there

1 will likely not be any development restrictions in Zone 3 as VOCs associated with the  
2 Stringfellow Site do not pose a risk to development in Zone 3. Specifically, a City Staff Report  
3 dated August 7, 2025, states that the EPA does “not anticipate vapor intrusion [from VOCs] to be  
4 a barrier to development,” and that “[the EPA] do[es] not have concerns about soil contamination  
5 in the North Pyrite Canyon Area.” The City Staff Report dated September 4, 2025, states that the  
6 “EPA does not believe that current site conditions present any land use limitations within the  
7 North Pyrite Master Plan area [i.e., the Canyon].”

8         12. Intending to develop the Property for industrial uses, Riverside Legacy purchased  
9 the Property, and relying on EPA and City findings, incurred substantial costs to study the  
10 Property and prepare entitlement applications for a General Plan Amendment, Zone Change and  
11 application for three buildings designated for light industrial and manufacturing uses (the  
12 “Project”). Prior to submitting the Project applications, and being aware of the Canyon’s history,  
13 Riverside Legacy also performed extensive due diligence on the site. Shortly before purchasing  
14 the Property, Riverside Legacy commissioned a Phase I Environmental Site Assessment (the  
15 “Phase I”) for the purpose of investigating environmental conditions on the Property and  
16 identifying hazardous substances, including VOCs present on the Property, if any. The Phase I  
17 concluded there is no evidence of a historical or recognized environmental condition on the  
18 Property, as defined by the professional standards (“ASTM Standards”) governing the Phase I.

19         13. Riverside Legacy also obtained a Soil Vapor Investigation, which examined the  
20 evaporation and migration of VOCs from contaminated soil or groundwater into the air or  
21 through soil. The Soil Vapor Investigation took and analyzed a total of 24 soil samples from the  
22 Property. The samples were analyzed for VOCs, which are the contaminants released from the  
23 Stringfellow Site. Although the samples detected only minimal amounts of VOCs on a small  
24 portion of the Property outside the Project’s development envelope, the Soil Vapor Investigation  
25 concluded that no further investigation related to VOCs is warranted, and that there is a complete  
26 lack of VOC exposure risk to future site occupants or the public.

27         14. Groundwater underlying the Property has been tested annually for 15 years. The  
28 most recent data available from April 2024 indicates that VOCs do not exceed reporting limits on

1 the Property.

2 15. In December 2025, Riverside Legacy requested that Ramboll Americas  
3 Engineering Solutions, Inc. (“Ramboll”) perform a peer review of the Phase I and the Soil Vapor  
4 Investigation relating to the Property. Ramboll is a global engineering consultancy company and  
5 has extensive familiarity with the Stringfellow Site through its position as the technical advisor to  
6 the Center for Community Action and Environmental Justice, with respect to impacts from the  
7 Stringfellow Site. After its independent review of the Phase I and Soil Vapor Investigation,  
8 Ramboll determined that the trace amounts of VOCs on a small portion of the Property would not  
9 prevent Riverside Legacy’s proposed industrial uses on the Property.

10 16. The same Phase I and Soil Vapor Investigation that evaluated the Property also  
11 evaluated the properties underlying the Shops at Jurupa Valley. Like the Property, the Phase I and  
12 Soil Vapor Investigation concluded that no further investigation related to VOCs was warranted,  
13 and there was no VOC exposure risk to future site occupants or the public for properties  
14 underlying the Shops at Jurupa Valley. Both reports were incorporated into the Environmental  
15 Impact Report for the Shops at Jurupa Valley (SCH#2020100167), which Respondent certified on  
16 July 15, 2021, evidencing Respondents’ adoption of those conclusions. Faced with the same  
17 environmental data as the Property but with conditions reflecting an even greater potential  
18 contamination, the City still did not impede development of more sensitive commercial uses at  
19 the Shops at Jurupa Valley site, including restaurants and retail shops. The City now relies on the  
20 same environmental data but expresses unsubstantiated concerns relating to less sensitive  
21 industrial development on the Property supported by the same reports and same analyses.

22 17. Riverside Legacy has consistently consulted with Respondents’ planning  
23 department employees and representatives since 2019 regarding Riverside Legacy’s investment-  
24 backed expectations and intended uses of the Property. Riverside Legacy pursued multiple  
25 potential end uses and development concepts of the Property in close coordination with the  
26 Respondents and in response to the City’s stated preference for manufacturing land uses for the  
27 Property and surrounding area. In reliance on representations made by Respondents, Riverside  
28 Legacy pursued such uses only to have Respondents later prohibit the very use it initially

1 indicated was suitable on and desirable for the Property.

2 18. This pattern repeated in three specific instances. First, Riverside Legacy consulted  
3 with Respondents and, based on the consultation, pursued a logistics and warehouse use on the  
4 Property consistent with the applicable City General Plan designation. However, Respondents  
5 ultimately prohibited logistics uses at the Property and Riverside Legacy was forced to abandon a  
6 pending transaction with a logistics operator. Then, Riverside Legacy again consulted with  
7 Respondents to identify a use that would be supported by Respondents. In reliance on  
8 Respondents' favorable statements, Riverside Legacy proceeded with a development proposal for  
9 an H-Cycle facility on the Property. Respondent, again, later represented that it would not  
10 approve the proposed development. Riverside Legacy consulted with Respondents for a third time  
11 regarding a pipe manufacturing use on the Property. Based on the Respondents' statements that  
12 such use would be appropriate on the Property, Riverside Legacy again began pursuing  
13 entitlements. However, Respondents—for the third time—informed Riverside Legacy that the  
14 proposed use would not be approved, despite Respondents' prior statements indicating it would.  
15 Riverside Legacy is experiencing this same issue, now for a fourth time, with respect to the  
16 Project. In each instance, Riverside Legacy redirected its efforts based on Respondents' input,  
17 only to have the proposed use later foreclosed without reference to any technical, environmental,  
18 or scientific evidence relating to the Property. Based on this repeated pattern of consultation,  
19 reliance, and subsequent prohibition, it is Riverside Legacy's belief that Respondents' motive for  
20 the Moratorium is to preclude *any* development of the Property or surrounding properties located  
21 within the Canyon. Ultimately, this goal was achieved through Respondents' adoption of the  
22 Moratorium.

23 19. Later in 2021, the City prepared a conceptual draft planning document for a  
24 portion of the Canyon referred to as the North Pyrite Master Plan (the "NPMP"), which  
25 Respondents never formally adopted or approved. At no time during these years of coordination  
26 did the City represent that development of the Property might be subject to a moratorium on  
27 development or that environmental conditions related to the Stringfellow Site posed a barrier to  
28 development. A development moratorium for the Property would have materially changed

1 Riverside Legacy's ultimate plans for the Property and dissuaded its very purchase of the  
2 Property and continued pursuit of uses consistent with the City's guidance. Since the City did not  
3 represent a moratorium would occur and as a result of ongoing discussions, and in reliance on the  
4 City's direction, Riverside Legacy submitted applications for the Project to the City on February  
5 19, 2025, and July 8, 2025.

6 20. Not until August 7, 2025, did the City Council shift the focus of the SEIR for the  
7 NPMP to analyze the potential impacts of contamination at the Stringfellow Site and potential  
8 impacts on future users of the NPMP area, and which now included vapor intrusion testing. At the  
9 City Council meeting on December 4, 2025, members of the City Council stated they would not  
10 approve *any* entitlement applications in the NPMP area, which included the Property, until the  
11 planned SEIR was completed, creating a de facto moratorium. Although no evidence for this  
12 decision was included in the Staff Report or presented at the hearing, Riverside Legacy believes,  
13 and thereon alleges, this was done in response to general concerns from members of the City  
14 Council wholly opposed to any development in the Canyon. Concerned with the lack of  
15 communication from the City and the implications of the proposed Moratorium on its pending  
16 applications, Riverside Legacy sent Respondents a letter dated December 11, 2025 opposing the  
17 de facto moratorium and the SEIR's new focus on VOCs related to the Stringfellow Site.  
18 Riverside Legacy's letter reminded the City that its Property has already been extensively tested  
19 for contamination, as well as reiterating the EPA's and City's own conclusions as to the lack of  
20 harmful contamination and ability to safely proceed with development. Riverside Legacy also  
21 provided Respondents with both the Phase I and Soil Vapor Investigation results. To date,  
22 Respondents have not responded in any way.

23 21. Unfortunately, and with only hours of advance notice to Riverside Legacy, the  
24 City Council officially adopted the Moratorium as an interim urgency ordinance pursuant to  
25 Government Code section 65858 during a meeting on January 15, 2026. Representatives from  
26 Riverside Legacy attended the meeting and again requested the City Council exclude the Property  
27 from the Moratorium because Project development was not affected by the Stringfellow Site, and  
28 the future uses of the Property are proven safe for the public as evidenced by the Phase I, Soil

1 Vapor Investigation, and Ramboll’s peer review. However, without addressing the December 11,  
2 2025 letter, site-specific test results or other evidence presented by Riverside Legacy, all of which  
3 is part of the administrative record, the City Council still subjected the Property to the  
4 Moratorium. Neither the City Council nor the Staff Report prepared by Respondents for the  
5 January 15, 2026 meeting cited any evidence relating to existing conditions in the NPMP area  
6 warranting inclusion of the Property in the Moratorium. Unexpectedly and contrary to all the  
7 evidence in the record, Respondents concluded that there is “*uncertainty*” regarding “soils,  
8 groundwater, and potential vapor intrusion in lower portions of Pyrite Canyon,” and stated the  
9 need to “protect *future* employees and residents from potential exposure risks.” [Emphasis  
10 added.] To be clear, the only evidence in the record is that submitted by Riverside Legacy  
11 showing no danger from any potential exposure.

12 22. The Moratorium will be in effect for an initial 45 days from January 15, 2026,  
13 until March 1, 2026. However, Respondents represented that the Moratorium will be extended  
14 until at least the completion of the SEIR, which is anticipated to take at least 18 months.  
15 Specifically, Section 10 of the Moratorium requires the City’s Community Development Director  
16 to undertake all actions legally necessary to extend the Moratorium until the SEIR is complete.  
17 As a result of the Moratorium, no development on the Property can occur, and Respondents have  
18 informed Riverside Legacy that it interprets the Moratorium as prohibiting any processing of  
19 entitlement applications. If allowed to stand, Riverside Legacy’s Project applications will remain  
20 stagnant and will eventually go stale, requiring new studies on the Property.

21 23. Due to the complete lack of evidentiary support in the record, the exceedingly  
22 broad scope of the Moratorium and the shift in SEIR’s scope, Riverside Legacy’s Property has  
23 been taken and Riverside Legacy has wrongfully been singled out and deprived of all use of its  
24 Property. This is especially true, given that other neighboring properties located within the same  
25 zone as the Property (Zone 3) are not included within the Moratorium and are not required to  
26 contribute funds toward the SEIR, including properties with active commercial uses such as  
27 restaurants and convenience stores. The scope of the Moratorium becomes even more puzzling  
28 considering that the entirety of the Project’s building envelope is located outside the 1.35 acres of

1 the Property within Zone 3.

2 24. According to the City’s Staff Report dated September 4, 2025, preparing the SEIR  
3 will cost between \$400,000 and \$580,000. To recover these costs, the City Staff Report dated  
4 January 15, 2026, states the City must implement a “Cost Recovery Program” requiring property  
5 owners within the NPMP area to fund it. As a known stakeholder in the NPMP area with  
6 submitted entitlement applications and substantial due diligence already completed, Riverside  
7 Legacy is an attractive target for the City, representing a viable and potentially sizeable funding  
8 source through the City’s proposed “Cost Recovery Program.” The City’s refusal to exclude the  
9 Property from the Moratorium and the SEIR, while excluding others, guarantees Riverside  
10 Legacy will end up paying for an SEIR it will never use.

11 **FIRST CAUSE OF ACTION**

12 **Petition for Writ of Mandate**

13 **(CCP, § 1085 or, in the alternative, CCP § 1094.5)**

14 25. Petitioner hereby incorporates the allegations contained in the foregoing  
15 paragraphs as though set forth fully herein.

16 26. Respondent’s adoption and implementation of the Moratorium precluding all  
17 development on the Property, stopping all processing of pending development permits and  
18 applications, and requiring Riverside Legacy to fund an SEIR that will study residual VOCs from  
19 the Stringfellow Site on unrelated properties is arbitrary, capricious, and entirely lacking in  
20 evidentiary support and finds no substantial evidence in the administrative record. Due to this  
21 complete absence of evidentiary or scientific support for the Moratorium and Respondents’  
22 inclusion of the Property in the Moratorium, as well as Respondents’ recent pattern of prohibiting  
23 any development on the Property proposed by Riverside Legacy, Riverside Legacy can only infer  
24 that Respondents’ adoption of the Moratorium is not grounded in conditions on the Property but  
25 instead reflects a generalized desire to halt all development on the Property and surrounding area.

26 27. Respondents did not produce, incorporate, or rely on any evidence in the record  
27 which would support Respondents’ finding that a current or immediate threat to public health,  
28 safety, or welfare exists to any person due to the development of the Property as it relates to

1 VOCs from the Stringfellow Site. Nor did Respondents provide any rational basis for inclusion of  
2 the Property within the Moratorium or the SEIR. Instead, the City only cites generally to  
3 “uncertainty” with development in the Canyon and amorphous concerns for potential impacts of  
4 VOCs on the Property’s future users. The City did not rely on any technical data, expert analysis,  
5 or site-specific information demonstrating that the Property poses any risk to the public, but  
6 instead determined that the Property, as well as other properties, should be subject to the  
7 Moratorium based on previous planning efforts relating to the conceptual NPMP. There is,  
8 however, ample evidence in the administrative record that the Property is safe for development  
9 and for potential future users of the Property. The Property has undergone in-depth environmental  
10 contaminant investigation through a Phase I, Soil Vapor Investigation, long-term groundwater  
11 monitoring and testing, and an independent peer review of the Phase I and Soil Vapor  
12 Investigation which concluded that, similar to the previous findings from the EPA and the City  
13 itself, VOCs would not prevent development of the Property or expose the public or its future  
14 users to VOCs. Despite this uncontradicted evidence, the City nevertheless subjected the Property  
15 to the Moratorium and has required Riverside Legacy to fund the SEIR. The absence of any  
16 support for the stated objective of the Moratorium to protect future Canyon occupants, while  
17 completely ignoring all evidence as to the actual conditions of the Property, demonstrates that the  
18 City’s actions were an abuse of discretion, arbitrary, capricious, and entirely lacking any  
19 evidentiary support.

20 28. Respondents’ approval of the Shops at Jurupa Valley further evidences the  
21 arbitrariness of the Moratorium and validates the environmental analyses Riverside Legacy  
22 conducted and sent to Respondents. Both the Property and the properties underlying the Shops at  
23 Jurupa Valley were analyzed in the same Phase I and Soil Vapor Investigation. The Soil Vapor  
24 Investigation reached identical conclusions for both the Property and the Shops at Jurupa Valley  
25 properties - that development would not expose the public or its future users to VOCs. This  
26 further demonstrates Respondents’ capriciousness in including the Property in the Moratorium. In  
27 addition, other properties located within the same zone as the Property (Zone 3) are not included  
28 within the Moratorium and are not required to contribute funds toward the SEIR, including

1 properties with active commercial uses. Respondents' failure to apply the Moratorium uniformly  
2 to similarly-situated properties underscores its arbitrary application of the Moratorium vis-à-vis  
3 the Property. Respondents provided no explanation, let alone a reasoned justification supported  
4 by *any* evidence, for including the Property in the Moratorium.

5 29. For these reasons, the City abused its discretion and acted arbitrarily, capriciously,  
6 and entirely lacked evidentiary support in its decision to include the Property in the Moratorium  
7 and require Riverside Legacy to fund the SEIR. A writ should issue.

8 **SECOND CAUSE OF ACTION**

9 **Petition for Writ of Mandate**

10 **(Violation of Government Code, § 65858)**

11 30. Petitioner hereby incorporates the allegations contained in the foregoing  
12 paragraphs as though set forth fully herein.

13 **A. There is no Imminent or Immediate Threat Justifying the Moratorium**

14 31. Government Code section 65858, subdivision (a), authorizes local jurisdictions to  
15 adopt, as an urgency measure, a zoning ordinance prohibiting any uses that may be in conflict  
16 with a contemplated general plan, specific plan, or zoning proposal. (Gov. Code, § 65858, subd.  
17 (a).) A jurisdiction may not, however, lawfully adopt the urgency ordinance “unless the ordinance  
18 contains legislative findings that there is a *current and immediate threat* to the public health,  
19 safety, or welfare ....” (Gov. Code, § 65858, subd. (c) [emphasis added]; see also *216 Sutter Bay*  
20 *Associates v. County of Sutter* (1997) 58 Cal.App.4th 860, 865 [immediate threat where urgency  
21 ordinance enacted the day before development agreement set to become effective].)

22 32. Courts usually will not investigate the truth of the “declaration of facts” made by  
23 a city council in an interim urgency ordinance, but where, as here, the City’s declared public  
24 health, safety, and welfare facts in support of its urgency ordinance appear as “the mere  
25 declaration of the council... that the ordinance is passed for the immediate preservation of the  
26 public health is neither conclusive nor yet sufficient.” (*Crown Motors v. City of Redding* (1991)  
27 232 Cal.App.3d 173, 179, citing *In re Stratham* (1920) 45 Cal. App. 436, 439 and *In re Hoffman*  
28 (1909) 155 Cal. 114, 120.)

1           33.       Respondent’s findings in support of its adoption of the Moratorium appear as  
2 “mere declarations” with no basis in fact and no evidence in the record; and are therefore  
3 improper. Respondents made the following findings in the Moratorium with no support or  
4 substantiation: (1) “Without proper regulation and environmental study, the development and  
5 expansion of existing uses in the NPMP area can create harmful health and safety effects;” (2)  
6 “There is a current and immediate threat to the public health, safety and welfare presented by the  
7 establishment or operation of any new land entitlement and the expansion of existing use;” (3)  
8 “The City Council finds that additional planning and research are necessary before the City  
9 adopts any regulations governing land entitlements in the NPMP Area;” (4) “Given the time  
10 required to undertake the study and planning, the City Council finds it necessary that this urgency  
11 Interim Ordinance be declared;” and (5) “Absent the passage of this Interim Ordinance, continued  
12 approval of land use entitlements in the NPMP Area poses a current and immediate threat to the  
13 public health, safety or general welfare.”

14           34.       The only evidence in the record plainly contradicts the hollow declarations of  
15 Respondents. The City provided no evidence supporting its findings, and lacked any evidence of  
16 imminent development. Contrary to Respondents’ unsubstantiated findings, while Riverside  
17 Legacy may have pending entitlement applications, approval of such applications is in no way  
18 imminent as required by Government Code section 65858. Respondents have failed to provide  
19 any evidence indicating a surge in imminent approval of development permits in this area. Nor  
20 have Respondents provided evidence that any applications will be approved in the near future.  
21 The Staff Report's reference to the Moratorium as protecting *future* Canyon occupants, who will  
22 occupy the NPMP area only after development approval and full construction build out, confirms  
23 there is no current threat to existing public health, safety, or welfare. In fact, the Project will be  
24 required to undergo environmental review pursuant to the California Environmental Quality Act  
25 (“CEQA”), which will likely take over a year to complete, and will identify whether there has  
26 been any change in environmental conditions that would pose a risk to the public’s health, safety  
27 or welfare, thereby directly addressing Respondents’ concern.

28           35.       The Moratorium does not even contain a “declaration of facts” supporting the

1 supposed threat of immediate development and the supposed need for an urgency ordinance.  
2 These findings operate as mere declarations and thus are inconclusive and insufficient.  
3 Accordingly, the City’s findings do not satisfy the statutory requirement to demonstrate a “current  
4 and immediate” threat to public health, safety, or welfare that justifies the adoption of an urgency  
5 zoning ordinance.

6 **B. The Moratorium Cannot Prohibit Processing of Entitlement Applications**

7 36. A moratorium adopted as an urgency ordinance under Government Code section  
8 65858 cannot lawfully prohibit the processing of entitlement applications. (See e.g., *Building*  
9 *Industry Legal Defense Foundation v. Superior Court* (1999) 72 Cal.App.4th 1410, 1420 as  
10 modified on denial of reh’g (July 19, 1999).) [“[n]othing in that section [Government Code  
11 section 65858] permits a city to prohibit the formal processing of development applications, such  
12 as a tentative subdivision map”].) Respondents’ Staff Report dated January 15, 2026, interprets  
13 the Moratorium as prohibiting the “acceptance, *processing*, or approval” of any new entitlements  
14 in the NPMP area. [Emphasis added.] Respondents have confirmed to Riverside Legacy that the  
15 City interprets the Moratorium as prohibiting processing of its applications. This interpretation is  
16 consistent with the title of the Moratorium which provides:

17 AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
18 JURUPA VALLEY, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM  
19 PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE ACCEPTANCE,  
20 PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS  
21 WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA....

22 [Emphasis added.]

23 37. The Moratorium restricts both the approval and *processing* of entitlement  
24 applications and is therefore facially invalid. Pursuant to CCP section 1085, or in the alternative  
25 section 1094.5, a writ of mandate should issue to invalidate Respondents’ approval of the  
26 Moratorium, or in the alternative invalidate its decision to apply the Moratorium and the SEIR to  
27 the Property and the Project. Petitioner requests a temporary stay, temporary restraining order,  
28 and/or preliminary and permanent injunctions restraining Respondents and their agents,

1 employees, officers and representatives from taking any actions in furtherance of the Moratorium  
2 or charging Riverside Legacy for the SEIR.

3 **THIRD CAUSE OF ACTION**

4 **Petition for Writ of Mandate**

5 **(Violation of the California Environmental Quality Act, Pub. Res. Code, § 21000 et seq.;**

6 **CEQA Guidelines, § 15061(b)(3))**

7 37. Petitioner hereby incorporates the allegations contained in the foregoing  
8 paragraphs as though set forth fully herein.

9 38. The Moratorium states the City Council concluded that adoption of the  
10 Moratorium is exempt from CEQA pursuant to CEQA Guidelines<sup>1</sup> section 15061, subdivision  
11 (b)(3), commonly referred to as the “common sense exemption.”

12 39. CEQA Guidelines section 15061, subdivision (b)(3) applies only where it can be  
13 determined with certainty that there is no possibility the project being considered for approval  
14 may have a significant effect on the environment. This exemption necessarily requires the agency  
15 to identify facts in the administrative record supporting the agency’s determination there will  
16 certainly be no environmental impacts as a result of the approved project.

17 40. Respondents cited no facts, studies, analysis, or evidence supporting its  
18 determination that adoption of the Moratorium could not possibly have an environmental effect  
19 and that the common-sense CEQA exemption therefore applies.

20 41. Instead, Respondents merely concluded without sufficient evidentiary support that:  
21 ... it can be seen with certainty that there is no possibility the adoption of this Interim  
22 Ordinance will have a significant effect on the environment because the adoption of this  
23 Interim Ordinance will maintain the current environmental conditions and will serve to  
24 reduce potential significant adverse environmental impacts caused by the establishment of  
25 any new land entitlements or expansion of any existing uses in the NPMP Area.

26 [Moratorium, § 3.]

27 \_\_\_\_\_  
28 <sup>1</sup> The CEQA Guidelines are codified at Title 14, Division 6, Chapter 3 of the California Code of Regulations.



1 should be approached with “special skepticism.” (See *Tahoe-Sierra Preservation Council, supra*,  
2 535 U.S. at 341 [stating “any moratorium that lasts for more than one year should be viewed with  
3 special skepticism”].)

4 48. The economic impact of the Moratorium is evident. The Moratorium robs  
5 Riverside Legacy use of its Property, prohibits any development of the Property, and precludes  
6 any permit, license, or other entitlement from even being processed or approved for at least 18  
7 months. This economic impact is further exacerbated by the fact the Project and all enumerated  
8 studies and surveys will remain stagnant for a minimum of at least 18 months, and only when the  
9 Moratorium ends at some uncertain date in the future, can the entitlement applications related to  
10 the Project begin to be processed.

11 49. In addition, the Moratorium substantially interferes with Riverside Legacy’s  
12 reasonable, distinct investment-backed expectations. Riverside Legacy purchased the Property on  
13 October 11, 2019 and, beginning in 2019, worked in close and continuous coordination with City  
14 representatives regarding appropriate end uses for the Property. In response to the City’s stated  
15 land-use preferences, Riverside Legacy explored three distinct development concepts in reliance  
16 on City guidance. First, at the City’s direction, Riverside Legacy initially pursued a logistics and  
17 warehouse use based on the City’s support for such use in the Canyon, but was later advised that  
18 such uses would no longer be supported and abandoned a potential logistics transaction. Then,  
19 Riverside Legacy redirected its efforts toward manufacturing-oriented uses the City indicated  
20 would be supported and evaluated multiple end users—each time incorporating City feedback and  
21 revising its approach to align with the City’s expressed preferences. Throughout 2024 and 2025,  
22 Riverside Legacy submitted site plans and entitlement materials to the City and completed three  
23 rounds of application review and response to City representatives’ comments, incorporating all  
24 requested revisions. However, based on a change in the City’s whims, each proposed use prior to  
25 the Project was foreclosed. After extensive consultation with Respondents, Riverside Legacy  
26 finally submitted entitlement applications for the Project on February 19, 2025, and July 8, 2025,  
27 nearly one year prior to the City’s machinations of either the SEIR or the Moratorium. Riverside  
28 Legacy’s ownership and development efforts also predate the conceptual NPMP, which has never

1 been formally adopted or approved as a binding land use plan.

2 50. Finally, the character of the government action, i.e., a moratorium on all  
3 development, constitutes an overly broad and overbearing mechanism that is not narrowly  
4 tailored to achieve the City’s purported goals. The Moratorium is a blanket prohibition on *all*  
5 development and all processing or approval of development applications within the NPMP area.  
6 It lacks any meaningful differentiation between properties, as it captures properties that do not  
7 pose a threat to the public or future users and in this case applies the prohibition to the entire  
8 22.26-acre Property despite only 1.35 acres of the Property being located within Zone 3.  
9 Therefore, when the economic impact of the regulation, the interference with Riverside Legacy’s  
10 investment-backed expectations, and the character of the ordinance are weighed together, they  
11 constitute an unconstitutional taking of the Property.

12 **B. Respondents’ Requirement that Riverside Legacy Fund the SEIR is an**  
13 **Unconstitutional Exaction on Development.**

14 51. Legislatively-imposed impact or development fees are subject to the same  
15 constitutional limitations as ad hoc permit exactions and must satisfy the requirements of essential  
16 nexus and rough proportionality. (*Sheetz v. County of El Dorado, California* (2024) 601 U.S. 267,  
17 279-280.) Thus, a fee imposed on developers by local agencies must have an “essential nexus” to  
18 a legitimate governmental land-use interest. (See *Nollan v. California Coastal Com’n* (1987) 483  
19 U.S. 825, 837.) The exaction must also be roughly proportional, in nature and extent, to the  
20 impacts of the proposed development. (*Dolan v. City of Tigard* (1994) 512 U.S. 374, 391.) In  
21 other words, Respondents must make an “individualized determination” that the exaction is  
22 “related both in nature and extent to the impact of the proposed development,” despite it being  
23 legislatively imposed. (*Ibid.*)

24 52. Forced funding of the SEIR constitutes an unconstitutional exaction because it is  
25 tied to the Moratorium. The City requires property owners—including Riverside Legacy—to fund  
26 the SEIR to specifically analyze suspected or purported contamination conditions on properties  
27 throughout the NPMP area, even when the property has been proven safe for development, as is  
28 the case here. Completion of the SEIR must occur prior to the end of the Moratorium. As no new

1 applications or permits can be processed or approved during the Moratorium, this reimbursement  
2 obligation functions as a condition precedent to lifting the Moratorium and thereby allowing  
3 permit applications to be processed and any land use entitlements to be approved.

4 53. The stated purpose of the Moratorium is to protect future Canyon residents and the  
5 public. However, as evidenced by the Phase I and Soil Vapor Investigation, there is an undisputed  
6 lack of a threat to the public related to VOCs from the Stringfellow Site on the Property, and  
7 therefore, no essential nexus exists. The City cannot assert a legitimate land-use interest in  
8 addressing legacy contamination on the Property when all evidence points to the lack of legacy  
9 contamination. There is no essential nexus between the Property's development and the cited  
10 reason for the Moratorium and SEIR.

11 54. Even assuming arguendo that an essential nexus exists, the City made no  
12 individualized determination as to the Property, and has not demonstrated rough proportionality  
13 between the requirement to pay for the SEIR and a site investigation into the Property. Instead,  
14 the Property, which has already been subject to the studies the SEIR imposes and which should  
15 have no development restraints, is subjected to the same restrictions and SEIR funding  
16 obligations as parcels in higher-risk zones that have not been studied for contaminants and could,  
17 in theory, pose a risk to the public. Thus, there is no rough proportionality between the SEIR  
18 funding exaction and any impact caused by the Property or Project, as there is no further  
19 contamination related to VOCs to be studied on the Property.

20 55. Riverside Legacy has not received any compensation on account of the above-  
21 described diminution in value. Riverside Legacy has incurred and will continue to incur attorney  
22 and other fees and expenses for the prosecution of this action, which fees are recoverable under  
23 the authority of CCP section 1036. To remedy Riverside Legacy's injury, Respondents should be  
24 ordered to provide just compensation to Riverside Legacy for the diminution in value of the  
25 Property.

26 ///

27 ///

28 ///

1 **FIFTH CAUSE OF ACTION**

2 **Declaratory Relief**

3 **(CCP, § 1060)**

4 56. Riverside Legacy hereby incorporates the allegations contained in the foregoing  
5 paragraphs as though set forth fully herein.

6 57. An actual controversy has arisen and now exists between the parties hereto in  
7 connection with the matters alleged herein. To remedy Respondents' violations of law, as  
8 described above, Riverside Legacy seeks a declaration that Respondents' approval of the  
9 Moratorium as it relates to the Property was invalid and contrary to law. Such a declaration is a  
10 necessary and proper exercise of the Court's power to prevent future actions by Respondents in  
11 violation of the law.

12 58. Petitioner further seeks a declaration that Respondents' decision to require  
13 Riverside Legacy to contribute to the funding of the SEIR was invalid and contrary to law. Such a  
14 declaration is a necessary and proper exercise of the Court's power to prevent future actions by  
15 Respondents in violation of the law.

16 **SIXTH CAUSE OF ACTION**

17 **Violation of Civil Rights – Equal Protection Clause**

18 **(U.S. Const. amend. XIV; 42 U.S.C. § 1983)**

19 59. Petitioner hereby incorporates the allegations of the foregoing paragraphs as  
20 though set forth fully herein.

21 60. Under the Equal Protection Clause of the United States Constitution, laws that  
22 treat similarly-situated individuals or groups differently must have, at the minimum, a rational  
23 basis for their adoption to be enforced.

24 61. Under the "class-of-one" doctrine, an Equal Protection Clause violation occurs  
25 where the plaintiff shows that it was intentionally treated differently from others who are  
26 similarly situated, and where there was no rational basis for the differential treatment.

27 62. The Property is similarly situated to other properties with areas incidentally  
28 overlapping with Zone 3. Yet these properties are wholly excluded from both the Moratorium and

1 SEIR funding obligations, while the Property is not. Furthermore, the Property underwent  
2 extensive environmental due diligence (Phase I, Soil Vapor Investigation, Ramboll peer review,  
3 15 years of groundwater data), all of which were provided to the City. Yet, it is subject to the  
4 Moratorium and required to fund the SEIR, similar to Zone 2 or higher-zoned properties. Finally,  
5 the properties underlying the Shops at Jurupa Valley, analyzed using the same environmental  
6 investigations (the Phase I and Soil Vapor Investigation), received City approval to develop. At  
7 the same time, the Property is prevented from any further development until the City conducts  
8 additional studies. Riverside Legacy is not treated the same as similarly-situated property owners.

9 63. Respondents do not have a rational basis for singling out Riverside Legacy for  
10 disparate treatment.

11 64. As a result of the conduct alleged herein, Respondents' actions have deprived  
12 Riverside Legacy of the equal protection of the laws guaranteed by the United States  
13 Constitution.

14 **PRAYER FOR RELIEF**

15 Wherefore, Petitioner prays for judgment against Respondents as follows:

16 1. For a temporary stay, temporary restraining order, and preliminary and permanent  
17 injunctions restraining Respondents and their agents, employees, officers and representatives  
18 from taking any actions in furtherance of the Moratorium and SEIR, including but not limited to  
19 further extension of the Moratorium pending full compliance with the California and U.S.  
20 Constitutions, and state law, including, Government Code section 65858.

21 2. For an order compelling Respondents to immediately accept and process  
22 Petitioner's pending and future entitlement applications concerning any proposed development on  
23 the Property, and enjoining Respondents from enforcing any prohibition on the acceptance,  
24 processing or approval of entitlement applications in accordance with Government Code section  
25 65943.

26 3. For issuance of a peremptory writ of mandate commanding Respondents to:  
27 a. Vacate and set aside in its entirety the Moratorium and the requirement that  
28 Riverside Legacy fund the SEIR, or in the alternative vacate and set aside the Moratorium and

1 SEIR funding requirement as applied to the Property and Project;

2 b. Suspend the Moratorium's approval until Respondents have taken actions that  
3 may be necessary to bring the Moratorium's approval and the requirement to fund the SEIR into  
4 compliance with the U.S. and California Constitutions, and Government Code section 65858; and

5 c. Comply with U.S. and California Constitutions, CEQA, and Government Code  
6 section 65858 in any subsequent action taken to approve the Moratorium.

7 4. Damages, including the value of the taking, according to proof, prejudgment  
8 interest thereon, litigation expenses and all costs and expenses of court including expert witnesses  
9 and reasonable attorney's fees under CCP sections 1021.5, 1036, and 1094.5, and 42 U.S.C.  
10 section 1988; and

11 5. For such other equitable or legal relief that the Court deems just and proper.

12 DATED: February \_\_, 2026

13 MITCHELL CHADWICK LLP

14  
15 By: \_\_\_\_\_

16 G. BRAIDEN CHADWICK  
17 JOSEPH D. KNADLER  
18 Attorneys for Petitioner and Plaintiff  
19 RIVERSIDE LEGACY IV, LLC  
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**VERIFICATION**

I, Glen Williams, declare:

I am a representative of Petitioner in the above-titled action. I have read the foregoing Verified Petition for Writ of Mandate and know the contents thereof to be true of my own knowledge, except as to those matters that are alleged on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this \_\_\_ day of February, 2026, at Sausalito, California.

\_\_\_\_\_  
Glen Williams

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