

ORDINANCE NO. 874

AN ORDINANCE OF THE CITY COUNCIL OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING DEVELOPMENT CODE AMENDMENT DRC2014-00879, A REQUEST TO AMEND THE DEVELOPMENT CODE TO PROVIDE A FLOOR AREA RATIO (FAR) OF 1.0 FOR HOTELS AND MOTELS (ONLY) IN THE INDUSTRIAL PARK DISTRICT IN ORDER TO ALLOW MORE FLEXIBILITY IN THE SIZE OF THESE TYPES OF USES/DEVELOPMENTS LOCATED WITHIN THE CITY AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

1. On April 8, 2015, the Planning Commission of the City of Rancho Cucamonga conducted a noticed public hearing with respect to the above referenced Development Code Amendment and, following the conclusion thereof, adopted its Resolution No. 15-26, recommending that the City Council of the City of Rancho Cucamonga adopt said Development Code Amendment.

2. On June 3, 2015, the City Council of the City of Rancho Cucamonga conducted a noticed public hearing on the Development Code Amendment and concluded the hearing on that date.

3. All legal prerequisites prior to the adoption of this Ordinance have occurred.

B. Ordinance.

The City Council of the City of Rancho Cucamonga does ordain as follows:

SECTION 1: This City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Ordinance are true and correct.

SECTION 2: Based upon substantial evidence presented to the City Council during the above-referenced public hearing on June 3, 2015, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

a. The application applies to the Industrial Park (IP) District. The Industrial Park (IP) District is generally located between Foothill Boulevard, Rochester Avenue/Interstate 15, Hermosa Avenue, and 4th Street; and

b. The maximum floor area ratio (FAR) permitted in the Industrial Park (IP) District is currently 0.60 (60 percent); and

c. Per Table 17.30.030-1 of the Development Code, hotels and motels are permitted (or conditionally permitted) in six (6) development districts in the City: Mixed Use (MU), Office Professional (OP), General Commercial (GC), Regional Related Commercial (RRC), Commercial Office (CO), and Industrial Park (IP); and

d. The majority of the hotels and motels in the City are in the Industrial Park (IP) District; and

e. In order to ensure that opportunities for the development of hotels and motels are maximized in the Industrial Park (IP) District, and make the floor area ratio requirements that apply to them are consistent with some of the other Development Districts, it is proposed that the Development Code be amended in conjunction with General Plan Amendment DRC2014-00877, so that hotels and motels will be subject to a maximum floor area ratio of 1.0 (100 percent); and

f. The Section of the Code that will be amended is Table 17.36.040-1 and will read as shown in Exhibit O of the Staff Report and in Attachment A of this resolution; and

g. This amendment will apply to hotels and motels only, and only within the Industrial Park (IP) District; and

h. The amendment will not change any of the technical standards (building setbacks, building height, parking requirements, landscape coverage, etc.), design standards (architecture, site design, etc.), allowable land uses, and/or performance standards (noise, odors, hazardous materials, etc.) that currently apply within the Industrial Park (IP) District; and

i. The performance standards that apply to the Industrial Park (IP) District are the most restrictive of the performance standards that apply to the industrial district; and

j. The proposed amendment will apply to all parcels within the Industrial Park (IP) District; and

k. This request is in response to a proposed hotel of about 60,989 square feet on a parcel of about 91,000 square feet (2.08 acres) in the Industrial Park (IP) District located on the west side of Pittsburgh Drive, near the intersection with Mission Vista Drive, about 700 feet north of 4th Street - APN: 0229-341-11; and

l. The General Plan is being amended (Related file: General Plan Amendment DRC2015-00455) to correct, for example, inconsistencies between land use designations including the floor area ratio (FAR) that applies to hotels and motels. This General Plan Amendment was reviewed and approved by the City Council on May 20, 2015. The subject Development Code Amendment will conform to and not conflict with the General Plan, as amended, including without limitation, the Land Use Element thereof, and will provide for development in a manner consistent with the General Plan.

SECTION 3: Based upon the substantial evidence presented to this Council during the above referenced public hearing and upon the specific findings of facts set forth in Paragraphs 1 and 2 above, this Council hereby finds and concludes as follows:

a. The proposed Development Code Amendment does not conflict with the Land Use Policies of the General Plan and will provide for the logical development of the surrounding area; and

b. The proposed Development Code Amendment will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and

c. The proposed Development Code Amendment is in conformance with the General Plan.

SECTION 4: Table 17.30.030-1 entitled “Allowed Land Uses and Permit Requirements by Base Zoning District” is hereby deleted and replaced by Table 17.30.030-1 amended in words and figures as shown in Attachment A of this Ordinance.

SECTION 5: Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration and Monitoring Program as shown in the staff report, and incorporated herein by this reference, based upon the findings as follows:

a. Pursuant to the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines, the City staff prepared an Initial Study of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration.

b. The City Council has reviewed the Mitigated Negative Declaration and all comments received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. The City Council further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the City Council. Based on these findings, the City Council hereby adopts the Mitigated Negative Declaration.

c. The City Council has also reviewed and considered the Mitigation Monitoring Program for the project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that such Program is designed to ensure compliance with the mitigation measures during project implementation. The City Council therefore adopts the Mitigation Monitoring Program for the project.

d. The custodian of records for the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Program and all other materials which constitute the record of proceedings upon which the City Council’s decision is based is the Planning Director of the City of Rancho Cucamonga. Those documents are available for public review in the Planning Department of the City of Rancho Cucamonga located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730, telephone (909) 477-2750.

SECTION 6: Based upon the findings and conclusions set forth in Sections 1, 2, 3, 4, and 5 above, the City Council adopts Development Code Amendment DRC2014-00879 as identified in this Ordinance and as shown as Attachment A.

SECTION 7: If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Rancho Cucamonga hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or words thereof, regardless

of the fact that any one or more sections, subsections, clauses, phrases, or words might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

SECTION 8: The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published within 15 days after its passage at least once in the Inland Valley Daily Bulletin, a newspaper of general circulation published in the City of Ontario, California, and circulated in the City of Rancho Cucamonga, California.

PASSED, APPROVED, AND ADOPTED this 17th day of June 2015.

AYES: Alexander, Kennedy, Michael, Spagnolo, Williams

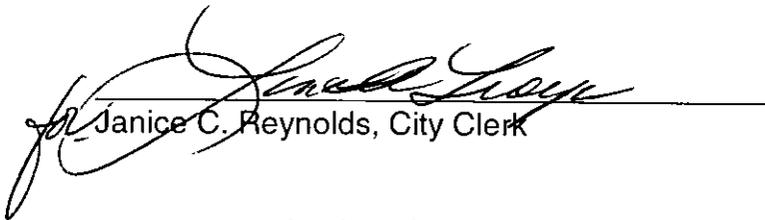
NOES: None

ABSENT: None

ABSTAINED: None

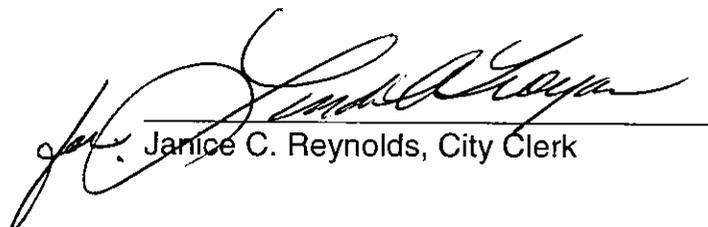

L. Dennis Michael, Mayor

ATTEST:


Janice C. Reynolds, City Clerk

I, **JANICE C. REYNOLDS, CITY CLERK** of the City of Rancho Cucamonga, California, do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the Council of the City of Rancho Cucamonga held on the 3th day of June 2015, and was passed at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 17th day of June 2015.

Executed this 18th day of June 2015, at Rancho Cucamonga, California.


Janice C. Reynolds, City Clerk