

ORDINANCE NO. 875

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING ZONING MAP AMENDMENT DRC2014-00547 TO CHANGE 2.25 ACRES OF LAND FROM LOW (L) RESIDENTIAL TO HIGH (H) RESIDENTIAL AND TO ESTABLISH A SENIOR HOUSING OVERLAY ZONING DISTRICT (SH), LOCATED ON THE WEST SIDE OF ARCHIBALD AVENUE, SOUTH OF BASE LINE ROAD; APN: 0208-031-58 AND 0208-031-59; AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

1. The applicant, 7418 Archibald, LLC, filed an application for Zoning Map Amendment DRC2014-00547, as described in the title of this Ordinance. Hereinafter in this Ordinance, the subject Zoning Map Amendment is referred to as "the application."

2. On the 13th of May 2015, the Planning Commission of the City of Rancho Cucamonga conducted a duly noticed public hearing with respect to the above referenced Zoning Map Amendment DRC2014-00547 and, following the conclusion thereof, adopted its Resolution No. 15-34, recommending that the City Council of the City of Rancho Cucamonga adopt said Zoning Map Amendment.

3. On the 3rd of June 2015, the City Council of the City of Rancho Cucamonga conducted a duly noticed public hearing on the Zoning Map Amendment and concluded said meeting on that date.

4. 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 approximately 2.25 acres of land, basically a rectangular configuration, located on the west side of Archibald Avenue, south of Base Line Road, and is presently improved with a single family house. Said property is currently zoned as Low (L) Residential (2-4 du/ac); and

b. This proposed amendment will not have a significant impact on the environment as described in Section 4 of this resolution; and

c. The property to the north of the subject site is zoned High (H) Residential (24-30 du/ac) and is developed with an existing senior housing apartment complex (Villa Pacifica I) and Office Professional (OP) and is developed with the Archibald Library. The properties to the west are zoned Low (L) Residential and are developed with single-family homes. The property to the

south is zoned Low (L) Residential and is developed with the First Baptist Church of Rancho Cucamonga; and

d. This amendment does not conflict with the Land Use Policies of the General Plan and will provide for development within the district in a manner consistent with the General Plan and with adjacent development. The proposed zoning designation will allow for development of the subject site consistent with the High (H) Residential District and Senior Housing Overlay Zoning District (SH), which is compatible with the adjacent High (H) Residential with Senior Housing Overlay Zoning District (SH) and Office Professional Districts in the immediate vicinity of the project site; and

e. This amendment promotes Goal HE-1 and Objective HE-1.1 of the General Plan in that future development of the site consistent with High Density Residential and Senior Housing Overlay Zoning District would contribute to providing a variety of housing types; and

f. That the amendment would not be materially injurious or detrimental to the adjacent properties in that similar development adjacent to the site already exists and would not have a significant impact on the environment as described in Section 4 of this resolution, nor the surrounding properties. The proposed land use designation change will be compatible with adjacent properties in the vicinity and will allow for the development of the subject site consistent with all applicable development standards; and

g. That the amendment would be consistent with the objectives of the Development Code to ensure orderly development. Changing the zoning district would allow for development that is consistent with the existing senior apartment complex to the north; and

h. That the proposed amendment is in conformance with the General Plan as it would establish High (H) Residential District and Senior Housing Overlay Zoning District (SH) on the subject property, which is consistent with the proposed General Plan Amendment DRC2014-00546 to amend the General Plan land use designation from Low to High Residential.

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. That the subject property is suitable for the uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area as evidenced by its frontage on a public street, the size of the parcel being suitable for the proposed land use designation, and the evidence of conveniently located commercial facilities for a senior population in the immediate area; and

b. That the proposed amendment would not have significant impacts on the environment nor the surrounding properties as evidenced by the existing multiple-family, single-family, and commercial activities in the immediate area; and

c. That the proposed amendment is in conformance with the General Plan, which contains provisions for High Residential land use designations.

SECTION 4: 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 attached hereto, 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; and

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; and

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; and

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 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 5: The Zoning Map is hereby amended to change the project site land use district from Low (L) Residential to High (H) Residential and Senior Housing Overlay Zoning District (SH), in words and figures, as shown in the attached Exhibit "A."

SECTION 6: 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 7: 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.

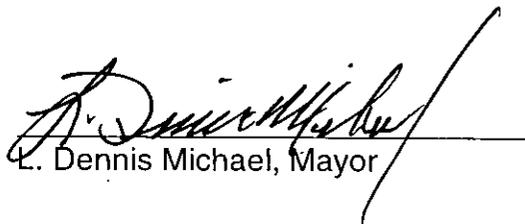
PASSED, APPROVED, AND ADOPTED this 17th day of June 2015.

AYES: Alexander, Kennedy, Michael, Spagnolo, Williams

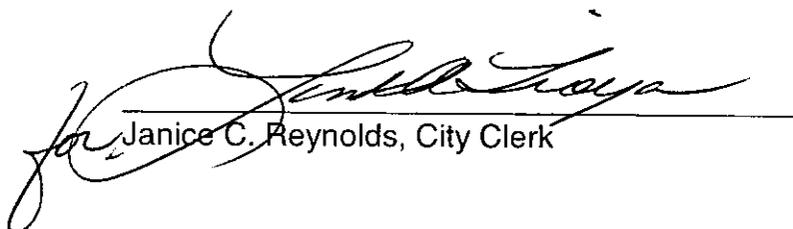
NOES: None

ABSENT: None

ABSTAINED: None

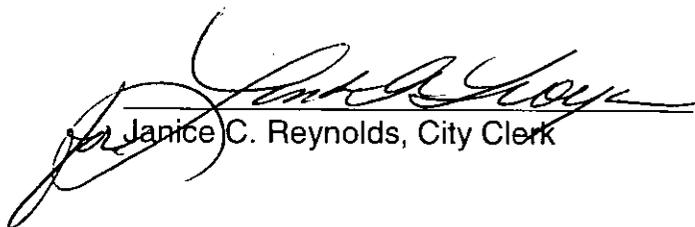

L. Dennis Michael, Mayor

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