

ORDINANCE NO. 877

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING VICTORIA COMMUNITY PLAN AMENDMENT DRC2014-00561, A REQUEST TO CHANGE THE VICTORIA COMMUNITY PLAN ZONING DESIGNATION FROM SCHOOL (S) TO LOW MEDIUM (LM) RESIDENTIAL (4-8 DWELLING UNITS PER ACRE) FOR A 6.5 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF KENYON WAY AND LARK DRIVE IN THE VICTORIA COMMUNITY PLAN; AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1089-011-04.

A. Recitals.

1. On March 11, 2015, the Planning Commission of the City of Rancho Cucamonga conducted a noticed public hearing with respect to the above referenced Victoria Community Plan Amendment and, following the conclusion thereof, adopted its Resolution No. 15-19, recommending that the City Council of the City of Rancho Cucamonga adopt said Victoria Community Plan Amendment.

2. On the 3rd day of June 2015, the City Council of the City of Rancho Cucamonga conducted a noticed public hearing on the proposed amendment and concluded said hearing on that date.

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

B. Ordinance

NOW, THEREFORE, it is hereby found, determined, and resolved by the City Council of the City of Rancho Cucamonga as follows:

SECTION 1: This 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 the substantial evidence presented to this Council during the above-referenced public hearing on June 3, 2015, including written and oral staff reports, together with public testimony, this Council hereby specifically finds as follows:

a. The ordinance applies to a property located on the northwest corner of Kenyon Way and Lark Drive in the School (S) Zoning District; and

b. The project site is approximately 650 feet from east to west and 400 feet from north to south; and

c. To the north, south and east is single-family development within the Low Medium (LM) Zoning District; to the west is a public park within the Park (P) Zoning District; and

d. The Victoria Community Plan zoning designation for the project site is School (S). The Etiwanda School District has determined that the site is not needed as a school site; and

e. The amendment will change the Victoria Community Plan zoning designation to Low Medium (LM) residential, in conformance with the existing land use designations for residential development to the north, south and east of the project site.

f. The amendment will bring the Victoria Community Plan zoning designation for the project site into conformance with the General Plan Land Use Map.

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 amendment does not conflict with the Land Use Policies of the General Plan and will provide for the development, within the district, in a manner consistent with the General Plan and with related development. As a Land Use Policy, the General Plan states that new development should be accommodated in a manner that integrates it into the physical structure of the City, is a logical extension of existing infrastructure improvements and there are adequate public services available to serve the development. The proposed zoning amendment will implement the Land Use Policies outlined above and will not be inconsistent with the density or quality of existing development within the Victoria Community Plan area and the City.

b. The proposed amendment does promote the goals and objectives of the Development Code which in turn are consistent with and implement the goals and objectives of the General Plan. These goals include promoting the economical and efficient use of land, promoting design and construction techniques that are responsive to the environment, and promoting development compatible with the surrounding neighborhood. The proposed zoning amendment will result in development that is consistent with these goals and objectives and will be indistinguishable in overall quality and design from existing development in the surrounding area.

c. The proposed amendment will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The proposed zoning amendment will not increase the density of development in the surrounding area and will thus not increase traffic in a manner that is beyond what the roads were designed to accommodate or overwhelm the existing public facilities in the surrounding area; and

d. The proposed amendment is in conformance with the General Plan. The General Plan states that the Low Medium (LM) designation is characterized by detached and attached housing structures that contain either one or two individual dwelling units with a density range of 4 to 8 dwelling units per acre. The proposed zoning amendment will be fully compliant with the General Plan; and

e. The proposed amendment is consistent with the objectives of the Development Code. The Development Code states that the Low Medium (LM) zoning district is intended as an area for Low Medium density single-family or multi-family use with site development regulations that assure development compatible with the nearby single-family neighborhoods. The project site is being subdivided for the development of single-family residences at a density of 4 to 8 dwelling units per acre and will become an integral part of the surrounding area.

SECTION 4: The Victoria Community Plan Zoning Map is hereby by amended 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 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.

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 Planning Commission'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 conclusion set forth in Paragraphs 1, 2, 3, and 4 above, the City Council adopts Victoria Community Plan Amendment DRC2014-00561 as identified in this Ordinance and shown in Attachment A of this Ordinance.

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 the adoption of this Ordinance.

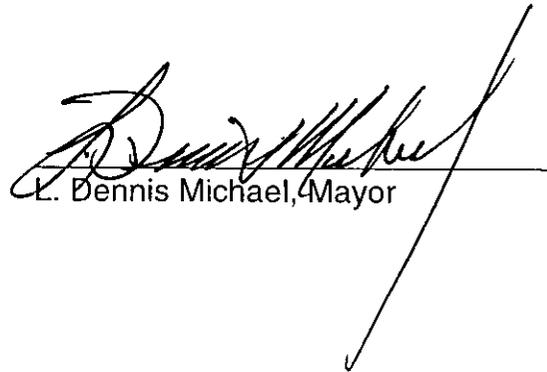
PASSED, APPROVED, AND ADOPTED this 17th day of June 2015.

AYES: Alexander, Kennedy, Michael, Spagnolo, Williams

NOES: None

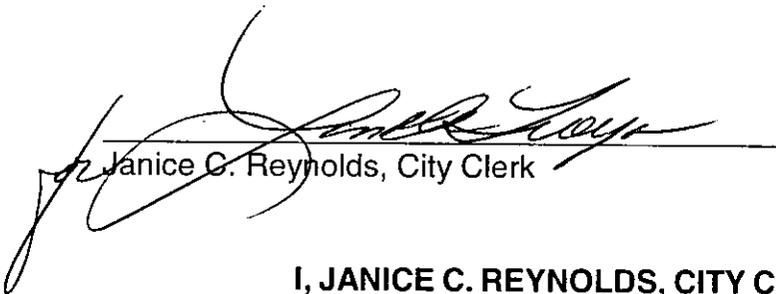
ABSENT: None

ABSTAINED: None



L. Dennis Michael, Mayor

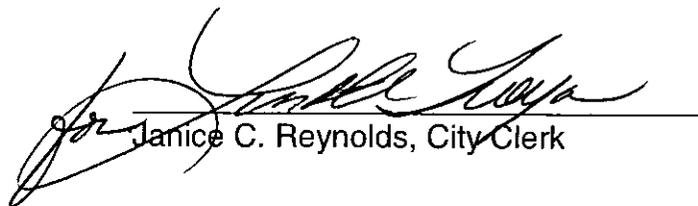
ATTEST:



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