

ORDINANCE NO. 880

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING ETIWANDA SPECIFIC PLAN AMENDMENT DRC2013-00962, A REQUEST TO CHANGE THE ETIWANDA SPECIFIC PLAN ZONING DESIGNATION FOR AN 8.32 ACRE PARCEL OF LAND WITHIN THE ETIWANDA SPECIFIC PLAN AREA FROM VERY LOW (VL) RESIDENTIAL (.1-2 DWELLING UNITS PER ACRE) TO LOW (L) RESIDENTIAL (2-4 DWELLING UNITS PER ACRE) FOR A SITE LOCATED ON THE SOUTH SIDE OF CARNESI DRIVE AND EAST OF ETIWANDA AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF – APN'S: 0227-061-03 AND 82.

A. Recitals.

1. Storm Western Development, Inc. filed an application for the approval of Etiwanda Specific Plan Amendment DRC2013-00962 as described in the title of this Ordinance. Hereinafter in this Ordinance, the subject Etiwanda Specific Plan Amendment request is referred to as "the application."

2. On the 12th day of August, 2015, the Planning Commission of the City of Rancho Cucamonga conducted a noticed public hearing with respect to the above referenced Etiwanda Specific Plan Amendment DRC2013-00962 and, following the conclusion thereof, adopted its Resolution No. 15-61, recommending that the City Council of the City of Rancho Cucamonga adopt said Etiwanda Specific Plan Amendment.

3. On the 21st day of October, 2015, the City Council of the City of Rancho Cucamonga conducted a noticed public hearing on the application and concluded said hearing on that date.

4. All legal prerequisites prior to the adoption of this Resolution 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 October 21, 2015, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

a. The application applies to a property located on the south side of Carnesi Drive and east of Etiwanda Avenue in the Very Low (VL) Zoning District of the Etiwanda Specific Plan; and

b. To the north are single-family residences within the Very Low (VL) Zoning District of the Etiwanda Specific Plan; to the south is an existing church within the Very Low (VL) Zoning District of the Etiwanda Specific Plan; to the west is an existing church and single-family residences within the Very Low (VL) Zoning District of the Etiwanda Specific Plan; and to the east are single-family residences within the Low (L) Zoning District of the Etiwanda Specific Plan; and

- c. The General Plan land use designation and the Etiwanda Specific Plan zoning designation for the project site is Very Low (VL) Residential; and
- d. Storm Western Development, Inc. submitted an application for the subdivision of 8.32 acres of land into 17 lots (Tentative Tract Map SUBTT18936). Sixteen lots are for residential purposes, with Lot #17 as the new boundaries for Cross and Crown Lutheran Church, which is located on a portion of the project site; and
- e. Cross and Crown Lutheran Church, which is located at the southeast corner of Etiwanda Avenue and Carnesi Drive, is selling a portion of their property to the applicant, which was originally master-planned for expansion of the church educational program; and
- f. The project site is vacant with the exception of Cross and Crown Lutheran Church, a perimeter wall along the south side of Carnesi Drive and 50 onsite trees. Staff has determined that the existing wall along the south side of Carnesi Drive was voluntarily constructed by the Toll Brothers during the development of the residential subdivision on the north side of Carnesi Drive (SUBTT16279). The wall straddles the property line between the project site (Tentative Tract 18936) and the public right-of-way. There is no documentation available showing that there is an easement or other legal agreement that would restrict removal of the wall; and
- g. The application includes General Plan and Etiwanda Specific Plan Amendments to change the land use and zoning designations from Very Low (VL) Residential (.1-2 DU per acre) to Low (L) Residential (2-4 DU per acre) for the 16 residential lots (Lots 1-16). The new boundaries for Cross and Crown Lutheran Church (Lot #17) will remain in the Very Low (VL) General Plan Land Use District and Etiwanda Specific Plan Zoning District. The project also includes applications for a Variance DRC2014-00219 for property line walls that range in height from 6 feet to up to 11 feet along the rear property lines of all 16 residential lots and a Tree Removal Permit DRC2014-00113 to remove up to 50 onsite trees. House product for the lots is not a part of the project scope and will be submitted at a later date; and
- h. The site is currently zoned Very Low (VL) Residential and is within the Etiwanda Specific Plan area. The narrowness of the site precludes developing a double-loaded street with lots that meet the 200-foot lot depth requirement. The applicant has requested to change the zoning designation to Low (L) Residential, which requires 100-foot lot depths. The existing single-family residences to the east were developed prior to City's incorporation and are within the Low (L) Zoning District of the Etiwanda Specific Plan. The existing lots to the east average approximately 7,500 square feet in size, below the 15,000 square foot average lot size required by the Etiwanda Specific Plan. The existing single-family residences to the north are with the Very Low (VL) Zoning District of the Etiwanda Specific Plan and average approximately 25,000 square feet in size, in conformance with the Etiwanda Specific Plan. The existing lots to the west were developed prior to City's incorporation and are within the Very Low (VL) Zoning District of the Etiwanda Specific Plan and average approximately 16,000 square feet in size, below the 25,000 square foot average lot size required by the Etiwanda Specific plan; and
- i. The proposed lots comply with the 80-foot lot width and 100-foot lot depth requirements of the Etiwanda Specific Plan for the Low (L) Zoning District. The lots range in size from 11,597 to 19,938 square feet with an average lot size of 15,010 square feet, which exceeds the required 15,000 square foot average lot size. These lot sizes will permit for the creation of a double-loaded new street that provides a density transition from the existing smaller lot (7,500 square foot lots) development to the east and the existing larger lot (25,000 square foot lots) development to the north. The proposed lots will also be compatible with the existing lots to the west, along Etiwanda Avenue, which average approximately 16,000 square feet in size; and

j. The applicant is requesting to change the General Plan land use designation and the Etiwanda Specific Plan zoning designation from Very Low (VL) Residential (.1-2 dwelling units per acre) to Low (L) Residential (2-4 dwelling units per acre). The lots will allow for the creation of a double-loaded new street that provides a density transition from the existing smaller lot (7,500 square foot lots) development to the east and the existing larger lot (25,000 square foot lots) development to the north. The proposed lots will also be compatible with the existing lots to the west, along Etiwanda Avenue, which range in size from 15,000 and 16,000 square feet; and

k. The project is designed to conform to all related development criteria for the Low (L) Zoning District of the Etiwanda Specific Plan, except for the necessity of up to 11-foot tall walls. In conjunction with the related applications, the applicant has also submitted a Variance application (DRC2014-00219) requesting to increase the maximum wall heights along the rear property line of all 16 residential lots from the permitted 6 feet to up to 11 feet in height for drainage purposes.

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 Etiwanda Specific Plan 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 Etiwanda Specific Plan area and the City.

b. The proposed Etiwanda Specific Plan amendment does promote the goals and objectives of the Etiwanda Specific Plan 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 Etiwanda Specific Plan 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 act as a transition in density between the smaller lot homes to the east (7,500 square foot lots) and the larger lot homes to the north (25,000 square foot lots). The lots will be of similar size to the existing residential lots to the east. The minor increase in density will 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 (L) land use designation is characterized by detached, low density single-family residential units on individual lots forming a cohesive neighborhood, with private yards and private parking with a density range of 2 to 4 dwelling units per acre. The related subdivision (SUBTT18936) of the project site has a proposed density of 2.43 units per acre. The proposed zoning amendment will be fully compliant with the General Plan; and

e. In conjunction with the approval of General Plan Amendment DRC2013-00961, the proposed Etiwanda Specific Plan Amendment will be consistent with the objectives of the Etiwanda Specific Plan. The project site is being subdivided for the development of single-family residences with a density of 2.43 dwelling units per acre and an average lot size of 15,010 square

feet, in excess of the required 15,000-square foot average lot size. The project site will act as a transition in density between the smaller lot homes to the east (7,500 square foot lots) and the larger lot homes to the north (25,000 square foot lots). The lots will be of similar size to the existing residential lots to the west and will become an integral part of the surrounding area.

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.

b. The City Council has reviewed the Mitigated Negative Declaration and the comments received from the California Department of Fish and Wildlife (CDFW) 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. During the Public Comment Period, staff received comments from the California Department of Fish and Wildlife (CDFW) regarding the potential for the project site to be a habitat for the Burrowing Owl and Western Yellow Bat. To address CDFW comments, two additional mitigation measures were added to Initial Study Parts II and III. 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 and all other materials which constitute the record of proceedings upon which the Planning Commission's recommendation 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 5: The Etiwanda Specific Plan is hereby amended to change the project site land use district from Very Low (L) Residential to Very Low (VL) Residential, in words and figures, as shown in Attachment 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.

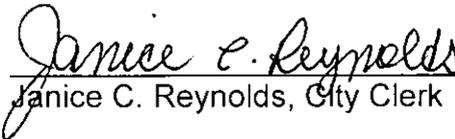
PASSED, APPROVED, AND ADOPTED this 4th day of November 2015.

AYES: Alexander, Kennedy, Michael, Spagnolo, Williams
NOES: None
ABSENT: None
ABSTAINED: None



L. Dennis Michael, Mayor

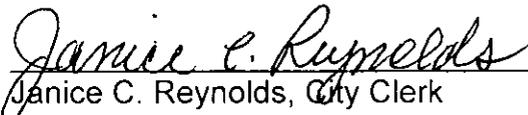
ATTEST:



Janice C. Reynolds, City Clerk

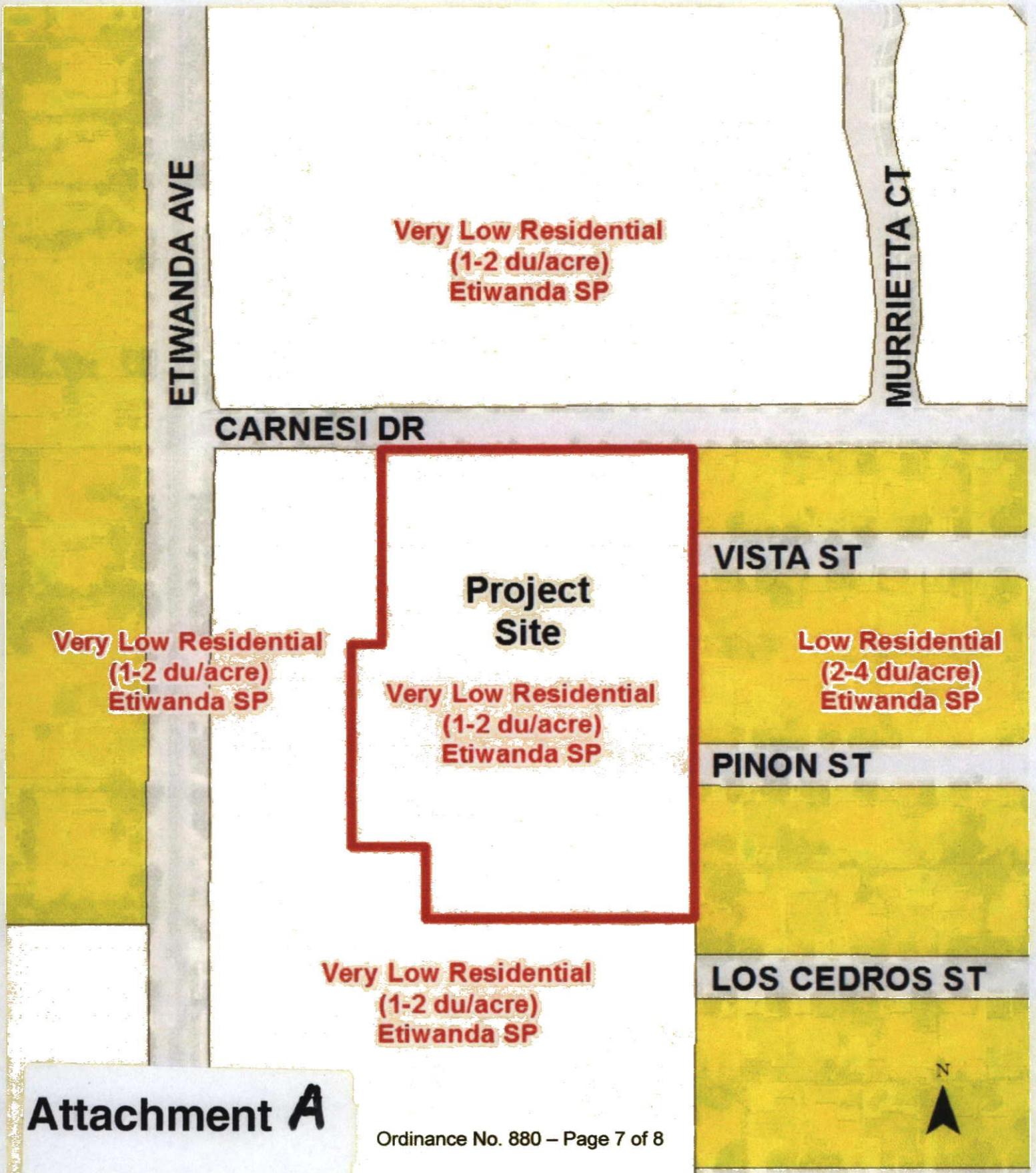
I, **JANICE C. REYNOLDS, CITY CLERK** of the City of Rancho Cucamonga, California, do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the Council of the City of Rancho Cucamonga held on the 21st day of October 2015, and was passed at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 4th day of November 2015.

Executed this 5th day of November 2015, at Rancho Cucamonga, California.



Janice C. Reynolds, City Clerk

Zoning Map Designations (Existing)



Attachment A

Zoning Map Designations (Proposed)

