RESOLUTION NO. 2019-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, APPROVING AN AMENDMENT TO THE LAND USE MAP OF THE CHINO GENERAL PLAN FOR APPROXIMATELY 3.1 ACRES OF LAND LOCATED AT 9301 REMINGTON AVENUE (APN 0218-301-18 AND -20) FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI). PL18-0099 (GENERAL PLAN AMENDMENT).

WHEREAS, Howard Industrial Partners (the “Applicant”), has filed an application with the City of Chino (the “City”) for approval of General Plan Amendment PL18-0099 (the “Project”) to amend the Land Use Element of the Chino General Plan by changing the land use designation from Agriculture (AG) to Light Industrial (LI) on approximately 3.1 acres of land located at 9301 Remington Avenue, as described in Exhibit A; and

WHEREAS, the Planning Commission reviewed and held a public hearing on May 20, 2019, concerning the proposed General Plan Amendment and has recommended the City Council approve the General Plan Amendment; and

WHEREAS, all provisions of the California Government Code and Chino Municipal Code related to the proposed General Plan Amendment have been complied with, including noticed public hearings; and

WHEREAS, the City Council has completed its study of the proposed General Plan Amendment.

WHEREAS, on June 18, 2019, the City Council held a duly noticed public hearing for the proposed General Plan Amendment in compliance with law, entertained the written and oral report of staff, and took public testimony on the Project; and

NOW, THEREFORE, the City Council of the City of Chino, California, does hereby FIND, DETERMINE, and RESOLVE as follows:

A. The foregoing recitals are true and correct and incorporated herein.

B. Based on substantial evidence, both written and oral, from the public hearing, the City Council makes the following findings and takes the following actions on PL18-0099 (General Plan Amendment):

1. PL18-0099 (General Plan Amendment)
   a. The proposed General Plan amendment is internally consistent with the General Plan, including the following policy and objectives of the General Plan:

   Objective LU-2.1 which calls for the designation of appropriate areas for industrial uses in order to ensure the viability of industrial activities and prevent negative impacts on the health, safety, and welfare of residents. The project site is not located near any existing or planned residential neighborhoods or sensitive receptors and, therefore, is not expected to have negative impacts on the health, safety and welfare of such neighborhoods. The nearest planned residential area is approximately two-thirds mile to the south in The Preserve.
Objective LU-7.1 which encourages new development at a rate that can be served by available and planned public infrastructure while encouraging residential, commercial, industrial, and offices uses to be developed to the greatest extent possible, to provide a balance of housing, jobs, and retail to provide a sufficient economic base for City operations. The proposed project would be responsible for completing all necessary public improvements to Remington Avenue.

Objective ED-1.2 provides for maintaining a strong and growing manufacturing sector. Implementation of the proposed amendment will expand and strengthen the City's manufacturing sector by providing state of the art industrial buildings that can accommodate a wide variety of uses permitted in the Light Industrial land use designation, including manufacturing, warehousing, and distribution. The location of the proposed projects provides for the expansion of the industrial sector of the City in an area of compatible land uses. Expansion of such uses will help the City remain competitive in meeting regional demand for these components of the manufacturing sector.

b. The proposed General Plan amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, as the Light Industrial land use designation will provide for industrial development, which is consistent and compatible with the adjacent development to the west and the existing land use designations to the north, south, and east which also call for industrial development. Furthermore, the proposed General Plan amendment will serve as a logical extension of the industrial uses to the west. The project site is not located near any existing or planned residential neighborhoods or sensitive receptors and, therefore, would not have negative impacts on the health, safety and welfare of such neighborhoods. Furthermore, infrastructure to support the development will be constructed as part of the project.

c. The proposed General Plan amendment will maintain the appropriate balance of land uses within the City, as approximately 700 acres of agriculturally zoned land will still remain within the City limits. The land use change would result in approximately 1,100 acres of property designated as Light Industrial in the City.

d. The subject site is physically suitable for the General Plan amendment, including, but not limited to, parcel size, shape, access, availability of utilities and compatibility with adjoining land uses, for the requested land use designation and anticipated development, as the site will be developed with industrial buildings that will serve as a logical extension of existing development to the west. In addition, the subject site is not constrained by physical or environmental hazards that would restrict its development with land use consistent with the Light Industrial land use designations of the General Plan Land Use Element.

2. **CEQA Findings.** A Mitigated Negative Declaration has been prepared that concludes with implementation of the mitigation measures, the proposed Project will not have a significant adverse effect on the environment. Potentially significant effects were identified and mitigation measures have been incorporated as part of the Mitigation Monitoring and Reporting Plan (MMRP) to ensure the effects remain at less-than-significant levels. The Mitigated Negative Declaration satisfies the requirements of CEQA and the CEQA
Guidelines (California Public Resources Code, Section 21000 et seq.; 14 CCR 15000 et seq.).

3. Approval of PL18-0099 (General Plan Amendment). The City Council hereby approves PL18-0099 (General Plan Amendment).

4. Actions by the City Clerk. The City Clerk is hereby directed to attest as to the adoption of this Resolution as of the date set forth below and forthwith transmit a copy of this Resolution, by regular mail, to the Applicant at the address of record set forth in the Application.

PASSED, APPROVED AND ADOPTED THIS 18TH day of June 2019.

EUNICE M. ULLOA, MAYOR

ATTEST:

ANGELA ROBLES, CITY CLERK

State of California  )
County of San Bernardino  ) $
City of Chino  )

I, Angela Robles, City Clerk of the City of Chino, do hereby certify the foregoing Resolution was duly adopted by the Chino City Council at a regular meeting held on the 18th day of June 2019, by the following votes:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

ANGELA ROBLES, CITY CLERK

Attachment:
Exhibit “A” – Legal Description
EXHIBIT “A”

LEGAL DESCRIPTION:

THAT PORTION OF GOVERNMENT LOT 2, SECTION 27, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF CHINO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, SEPTEMBER 16, 1873 AND JULY 9, 1887, DESCRIBED IN DOCUMENT RECORDED OCTOBER 7, 1977 IN BOOK 9279, PAGE 2359 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, SAID PORTION FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF REMINGTON AVENUE (50 FEET WIDE), AS SHOWN ON MAP FILED IN BOOK 3, PAGE 71 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, SAID POINT BEING DISTANT ALONG SAID CENTERLINE SOUTH 88° 55' 14" EAST, 1,663.69 FEET FROM A 1-INCH SAN BERNARDINO COUNTY SURVEYOR'S MONUMENT MARKING THE INTERSECTION OF SAID CENTERLINE WITH THE CENTERLINE OF CARPENTER AVENUE (50 FEET WIDE); THENCE SOUTH 22° 28' 41" EAST, 144.22 FEET; THENCE SOUTH 12° 46' 21" WEST, 24.71 FEET; THENCE SOUTH 69° 54' 55" WEST, 45.00 FEET; THENCE NORTH 20° 05' OS" WEST, 8.00 FEET; THENCE NORTH 47° 53' 18" EAST, 30.67 FEET; THENCE NORTH 22° 28' 41" WEST, 157.30 FEET TO A POINT IN THE CENTERLINE OF SAID REMINGTON AVENUE; THENCE ALONG SAID CENTERLINE SOUTH 88° 55' 14" EAST, 32.73 FEET TO THE POINT OF BEGINNING.

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A PORTION OF THAT PART OF GOVERNMENT LOT 2, SECTION 27, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF CHINO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, SAID PART DESCRIBED IN DOCUMENT RECORDED FEBRUARY 14, 1973 IN BOOK 8120, PAGE 65 OF OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID PORTION BEING ALL OF SAID PART LYING EASTERLY FROM A LINE THAT IS PARALLEL WITH AND DISTANT WESTERLY 26.00 FEET FROM THE NORTHERLY PROLONGATION OF THE WEST LINE OF PARCEL 2 OF PARCEL MAP 6141, AS PER MAP FILED IN BOOK 21, PAGE 93 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN AND EASTERLY FROM THOSE PARCELS OF LAND DESCRIBED IN DOCUMENTS RECORDED OCTOBER 7, 1977 IN BOOK 9279, PAGES 2357 AND 2359, BOTH OF OFFICIAL RECORDS OF SAN BERNARDINO COUNTY.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO COUNTY OF SAN BERNARDINO IN A DEED RECORDED MARCH 16, 1982 AS INSTRUMENT NO. 82- 050831 OF OFFICIAL RECORDS OF SAN BERNARDINO COUNTY.

APN: 0218-301-20-0-000