

## ORDINANCE NO. 20-07

### AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FROM A-2 HEAVY AGRICULTURE TO C-1/C-P GENERAL COMMERCIAL AT 14555, 14577, AND 14587 CHANDLER STREET (APNS 144-120-002, -003, AND -004)

#### THE CITY COUNCIL OF THE CITY OF EASTVALE ORDAINS AS FOLLOWS:

**SECTION 1. Environmental Findings.** The City Council of the City of Eastvale, in light of the whole record before it, including, but not limited to, the City's local CEQA Guidelines and thresholds of significance, the IS/MND and other documents incorporated therein by reference, the Mitigation Monitoring and Reporting Program (MMRP), any written comments received and responses provided, and other substantial evidence, within the meaning of Public Resources Code Sections 21080(e) and 21082.2, within the record and/or provided at the public hearing, hereby finds, determines, and certifies as follows:

A. CEQA. The approval of this Zone Change is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on September 9, 2020 at a duly noticed public hearing, the City Council approved and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. The documents comprising the City's environmental review for the project are on file and available for public review at Eastvale City Hall, Suite 910, Eastvale, CA 91752.

B. Multiple Species Habitat Conservation Plan (MSHCP). The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

#### **SECTION 2. Zone Change Finding.**

Finding 1: The changes are consistent with the General Plan goals, policies, and implementation programs.

Evidence: The site is currently located within the A-2 (Heavy Agriculture) Zone. The A-Z zone would be inconsistent with the CR Land Use Designation, and would not allow the project as proposed. To remain consistent with the General Plan, in accordance with the Government Code (state law), the applicant has proposed a Change of Zone from A-2 to C-1/C-P (General Commercial). The C-1/C-P zone is consistent with the CR designation, and would allow a mini/self-storage facility subject to the approval of a Conditional Use Permit. The applicant has filed a CUP application ensure the project is evaluated at a public hearing, and that conditions of approval may be imposed to ensure the project does not impact the health, safety, and well-being of the residents of the City.

Finding 2: The amendment is consistent with the most recent adopted version of the Chino Airport Land Use Compatibility Plan.

Evidence: The Airport Land Use Compatibility Plan shows that portions of the project site is located in Zones D, which prohibits highly noise-sensitive outdoor nonresidential uses, discourages schools, hospitals, and nursing homes, and requires airspace review for structures higher than 70 feet. The proposed project does not involve development of prohibited or discouraged uses in these zones. The proposed building has been designed to not exceed 50 feet in height and the intensity of the project is within the maximum intensity allowed in both zones. Additionally, the project site plan was reviewed and determined by the Riverside County Airport Land Use Commission to be consistent with average intensity allowed in Zones D. Thus, the project is consistent with the policies of the City of Eastvale General Plan and the Airport Land Use Compatibility Plan.

**SECTION 3.** Zone Change. The Official Zoning Map for the City of Eastvale is hereby amended to change the three parcels totaling located at 14555, 14577, and 14587 Chandler Street and known as Assessor's Parcel Numbers 144-120-002, -003, AND -004 from A-2 Heavy Agriculture to C-1/C-P General Commercial, as shown Exhibit A attached hereto and incorporated herein by reference.

**SECTION 5.** Severability. If any Chapter, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each Chapter, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more Sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 6.** Effective Date. This ordinance shall take effect thirty (30) days after its passage by the City Council.

**SECTION 7.** City Clerk Action. The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Chapter 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and pasting procedure authorized under Government Code Chapter 39633(c).

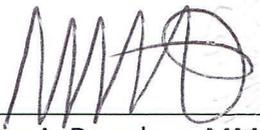
**PASSED, APPROVED AND ADOPTED** this 23<sup>rd</sup> day of September, 2020.

  
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Brandon Plott  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Erica Vega  
City Attorney

ATTEST:

  
\_\_\_\_\_  
Marc A. Donohue, MMC  
City Clerk/Communications Director

STATE OF CALIFORNIA)  
COUNTY OF RIVERSIDE ) §  
CITY OF EASTVALE )

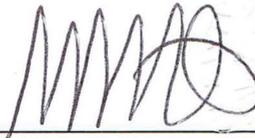
I, Marc A. Donohue, City Clerk/Communications Director of the City of Eastvale, California, do hereby certify that the foregoing City Council Ordinance No. 20-07, was duly adopted by the City Council of the City of Eastvale, California, at a meeting held on the 23<sup>rd</sup> day of September 2020, by the following vote:

AYES: Councilmembers Lorimore, Rigby, Mayor Pro Tem Yow, and Mayor Plott

NOES:

ABSENT:

ABSTAIN:



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Marc A. Donohue, MMC  
City Clerk/Communications Director