

ORDINANCE NO. 2020-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING THE PRESERVE SPECIFIC PLAN TO MODIFY THE TRUCK ROUTES. PL19-0097 (PRESERVE SPECIFIC PLAN AMENDMENT).

WHEREAS, City staff of the City of Chino (the "Applicant") is recommending changing the City of Chino truck route designation of streets within The Preserve Specific Plan area as described in Exhibit "A" (the "Project"); and

WHEREAS, the City adopted The Preserve Specific Plan in March 2003; and

WHEREAS, in compliance with the California Environmental Quality Act (CEQA), *Initial Study/Negative Declaration Truck Route Update*, dated January 9, 2020, has been prepared by the City of Chino. The Initial Study/Negative Declaration concludes that the proposed project will not have a significant adverse effect on the environment. The Negative Declaration (ND) satisfies the requirements of CEQA and the CEQA Guidelines (California Public Resources Code, Section 21000 et seq.; 14 CCR 15000 et seq.); and

WHEREAS, the City of Chino Municipal Code establishes procedures on how to amend the specific plan as described in Section 20.23.050; and

WHEREAS, a General Plan Amendment (PL19-0096) is being proposed concurrently to amend the Circulation Element truck routes of the General Plan consistent with the proposed Preserve Specific Plan Amendment; and

WHEREAS, the proposed Project will not adversely affect the harmonious relationship with the adjacent neighborhoods and land uses; and

WHEREAS, all provisions of the California Government Code and Chino Municipal Code related to the proposed Project have been complied with; and

WHEREAS, the Planning Commission of the City of Chino held a public hearing on February 3, 2020 concerning the proposed Project, received and considered public testimony, adopted Resolution No. PC2020-003, recommending the City Council approve PL19-0097 (Preserve Specific Plan Amendment), and adopted Resolution No. PC2020-003, recommending the City Council approve the changes to truck routes; and

WHEREAS, on March 3, 2020, the City Council held a duly noticed public hearing for the Project in compliance with law, including compliance with the relevant provisions of the California Government Code and Chino Municipal Code, entertained the written and oral report of staff, and considered public testimony on the Project.

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 PL19-0097 (Preserve Specific Plan Amendment):

1. *PL19-0097 (Preserve Specific Plan Amendment)*

- a. The proposed specific plan amendment is internally consistent with the General Plan because an amendment to the General Plan is being concurrently processed to change the existing citywide truck routes. The proposed truck route update would meet several General Plan objectives, including providing viable trucking connections to businesses, reducing impacts of truck routes on residential, school and other sensitive land uses within The Preserve, and maintaining and growing a strong industrial sector.
- b. The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City as the truck route change will remove routes within residential areas while maintaining routes in and around businesses requiring trucking. Furthermore, the truck route change removes truck routes from streets adjacent to existing or planned residential neighborhoods or sensitive receptors and, therefore, would not have negative impacts on the health, safety and welfare of such neighborhoods.
- c. The proposed amendment will maintain an appropriate balance of truck routes within the City, as the amendment will not significantly reduce the amount of truck routes within the City by approximately 1.7 miles. Approximately 49.0 miles of truck route will still remain within the City limits. No land uses changes are proposed with this amendment. Therefore, there are no impacts to the balance of land uses within the City.
- d. The proposed truck route change is physically suitable, including, but not limited to location, access to trucking dependent businesses, connectivity with adjoining agencies, situated near existing and future planned trucking dependent business land uses. Section V Figure 12 of The Preserve Specific Plan will be replaced with an amended exhibit (Exhibit B) reflecting the change to the truck routes, as amended by the proposed specific plan amendment. In addition, all necessary changes to signage will be performed by city forces after City Council approval. There are no proposed changes to the Preserve Specific Plan land use map with this amendment.

2. The City Council of the City of Chino, California, does hereby ordain as follows:

Section 1: Figure 12 (Truck Routes) of The Preserve Specific Plan is hereby amended to change the truck route street designation removing 1.9 miles of Kimball Avenue from future Mayhew Avenue to Hellman Avenue and remove 0.1 miles of Flight (formerly Walker) Avenue from Enterprise Way and Kimball Avenue as described in Exhibit "A".

Section 2: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Chino declares that they would have enacted this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of any determination of invalidity.

Section 3: The City Clerk of the City of Chino shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in a newspaper of general circulation, printed and published within said City in accordance with the provisions of the Government Code.

PASSED, APPROVED and ADOPTED THIS 17<sup>TH</sup> day of March 2020.

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EUNICE M. ULLOA, MAYOR

ATTEST:

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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 Ordinance was duly adopted by the City Council at a regular meeting held on the 17<sup>th</sup> day of March 2020, by the following votes:

AYES:     COUNCIL MEMBERS:

NOES:     COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

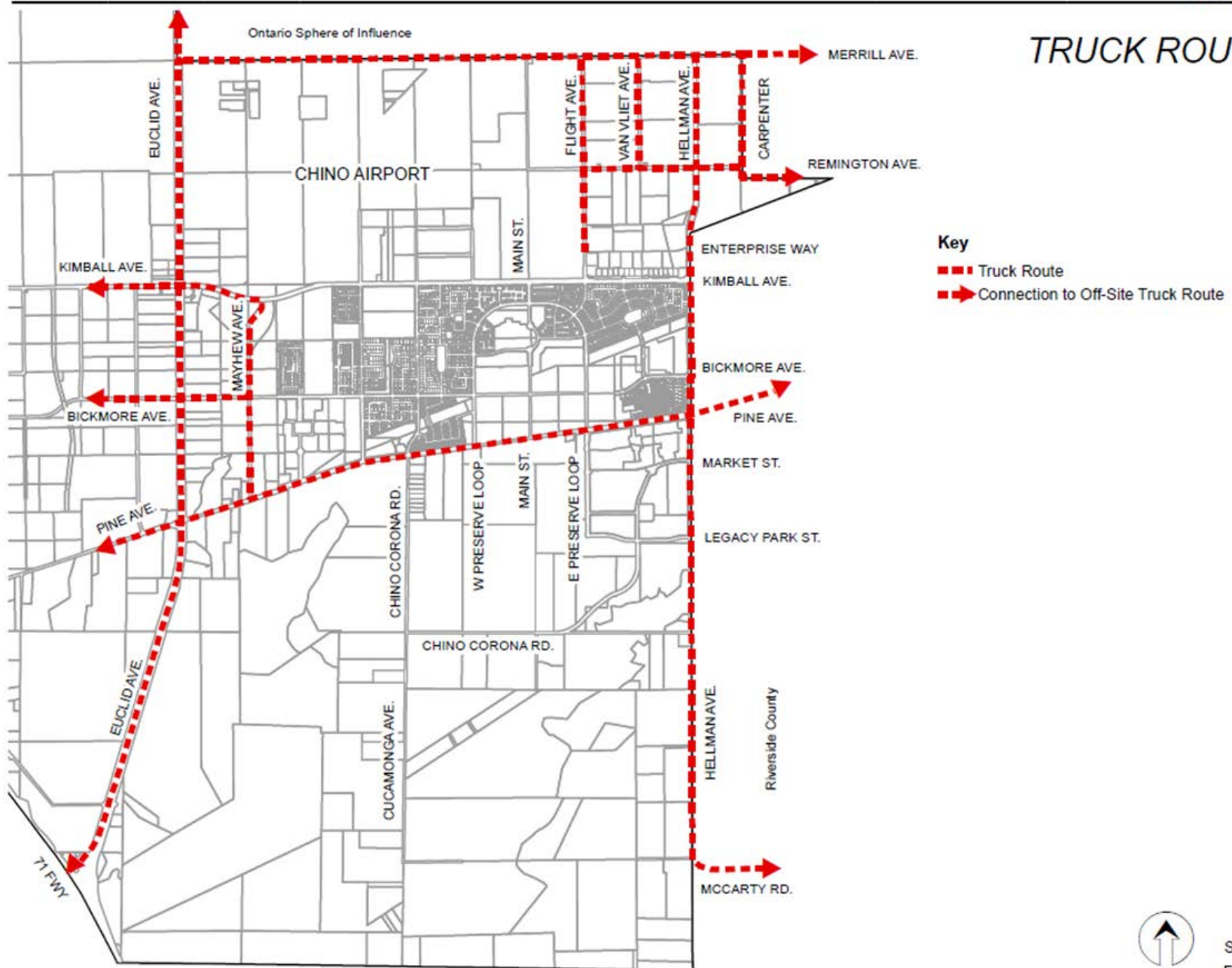
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ANGELA ROBLES, CITY CLERK

Attachment: Exhibit “A” – Amended Figure 12 – The Preserve Truck Route

# EXHIBIT "A"

The Preserve

## TRUCK ROUTES



Section V  
Figure 12