

ORDINANCE NO. 2022-006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO,
CALIFORNIA, ADJUSTING THE PRESERVE RESOURCES MANAGEMENT
PLAN MITIGATION FEE**

WHEREAS, the City of Chino adopted the Preserve Specific Plan, as amended, and also certified The Preserve Environmental Impact Report (EIR) in March 2003; and

WHEREAS, the EIR included the adoption of the Resources Management Plan (RMP) as the biological implementation plan for The Preserve; and

WHEREAS, all Development projects located within The Preserve are required to fully mitigate the biological impacts created by such development projects, through the mitigation measures of the EIR and guidelines of the RMP; and

WHEREAS, the City hired PCR Services Corporation in 2004 to prepare a nexus study and cost estimate for the implementation of the RMP; and

WHEREAS, on December 21, 2004, the City Council established the RMP Mitigation Fee at \$5,230 per adjusted gross acres; and

WHEREAS, the RMP Mitigation Fee was increased in 2007 to \$5,596 pursuant to Chapter 3.47 of the Chino Municipal Code and has not been adjusted since that time; and

WHEREAS, the City desires to increase the current fee to \$7,331 to incorporate past inflation increases (from 2008 through 2020) per the Engineering News Record - Construction Costs Index for the greater Los Angeles area; and

WHEREAS, on April 19, 2022, the City Council conducted a public hearing on the proposed fee in accordance with the provisions of the Government Code §§ 66000-66025 (the "Mitigation Fee Act").

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHINO HEREBY RESOLVES AS FOLLOWS:


Section 1. The above recitals are true and correct.

Section 2. Section 3.47.030 of the Chino Municipal Code is hereby amended as follows (additional text in ***bold underlined italics***; deleted text in ~~strikethrough~~):

The development of land within The Preserve will require the payment of the RMP mitigation fee of ~~five thousand five hundred ninety-six~~ ***seven thousand three hundred and thirty-one*** dollars (***\$7,331***) per adjusted gross acre, consistent with the requirements of mitigation measure B-3(8) of The Preserve, Chino Sphere of Influence - Subarea 2, Final Environmental Impact Report.

Section 3. The City Clerk shall certify as to the passage of this Ordinance and shall cause the same to be published and/or posted at the designated locations in the City of Chino.

PASSED, APPROVED, AND ADOPTED this 3rd day of May, 2022.



EUNICE ULLOA, MAYOR

ATTEST:



ANGELA ROBLES, CITY CLERK

State of California)
County of San Bernardino) ss.
City of Chino)

I, ANGELA ROBLES, City Clerk of the City of Chino, do hereby certify that the foregoing Ordinance was duly adopted by the City Council at a regular meeting held on the 3rd day of May, 2022, by the following votes:

AYES: COUNCIL MEMBERS: COMSTOCK, FLORES, LUCIO, POCOCK, ULLOA

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE



ANGELA ROBLES, CITY CLERK